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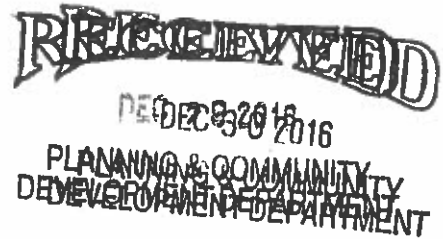
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December 30, 2016

VIA EMAIL & HAND DELIVERY

Sam Hubbard
Development Planner
Department of Planning and Community Development
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL 60005



Re: Petition for Final Plat of Subdivision Approval
Southpoint Shopping Center

Dear Mr. Hubbard:

On behalf of Inland Southpoint Venture LLC and Villa Bordeaux LLC (collectively, "Applicant"), as owners of the Olive Garden Italian Kitchen and Chili's Grill & Bar restaurant facilities located at 630 and 640 E. Rand Road, respectively, and the multi-tenant inline retail facility located at 704 E. Rand Road (collectively, "Subject Property"), we are writing in response to your email correspondence of December 14 and 22. The following are Applicant's responses to the Village's "Round 1" review comments sent to us via that correspondence regarding Applicant's petition for Final Plat of Subdivision approval to create three new lots of record in the Southpoint Shopping Center as illustrated and depicted by the Final Plat of Southpoint Resubdivision dated December 29th and submitted herewith ("Petition"). We have not provided any responses to comments from the Village's Building Services Department, Fire Safety Division, Fire Department, Legal Department, Public Works Department or the Planning & Community Development Department's Landscape & Tree Preservation unit because, as you are aware, those components of the Village did not identify any comments or concerns regarding the Petition. Our responses to all comments from the Village's Engineering Department, Police Department and Planning and Community Development Department are provided below in the order in which they were provided and with the item number then assigned to those comments.

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Engineering Department Review

Comment: 11. *The Final Plat of Subdivision must be reviewed and approved by the Engineering Department prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.*

Response: Applicant understands and accepts this requirement.

Comment: 12. *The properties are included in Contribution Ordinance #79-159, under which the following PIN numbers receive benefits from the previous sanitary relief sewer improvements:*

| Address | PIN | Land Area (from Assessor) | Amount Owed |
|-------------|---------------|------------------------------|-------------|
| 630 E. Rand | 03-20-200-005 | 80,730 sf (1.853Ac) | \$2,964.80 |
| 640 E. Rand | 03-20-200-006 | 18,326 sf (0.401Ac) | \$ 641.60 |
| 704 E. Rand | 03-20-200-010 | 85,182 sf (1.956Ac) | \$3,129.60 |
| | | Total = | \$ 6,736.00 |

Per the ordinance, the benefit was calculated at the rate of \$1,600/acre for commercial properties. Provide a check for Contribution Ordinance #79-159 to the Engineering Department in the amount of \$6,736.00 payable to the "Village of Arlington Heights" prior to the Plan Commission approval.

Response: We have respectfully requested from the Village Clerk a copy of Ordinance 79-159 to gain an understanding of this requirement. Applicant will provide a check in the amount requested upon receipt of that ordinance and confirmation, following our review of that ordinance, that such payment is due thereunder.

Comment: 13. *The properties are included in Contribution Ordinance #74-23. Records show that payment has been received from the properties listed above.*

Response: Understood.

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Comment: 14. *Village Code calls for each separate lot to have separate individual service lines for Village water and sanitary sewers. Existing circumstances have some of the lot services connected directly to Village mains, while others are connected to private mains. However, it appears that each lot is still serviced by individual water service lines and sanitary service lines. The recorded covenants, restrictions, and easements should cover the ownership and maintenance of all the existing utilities and service connections.*

Response: Understood.

Comment: 15. *The plat was reviewed against the attached Final Plat of Subdivision Checklist. The following items need to be addressed:*

a. Item f: Tie township section lines to the subdivision by distances and angles.

Response: The project surveyor revised the Final Plat of Resubdivision accordingly. A copy of that plat is attached hereto.

b. Item l: Add Cook County Clerk signature block.

Response: The Cook County Clerk now provides its own signature block with a stamp. The project surveyor revised the Final Plat of Resubdivision to include a box reserved for that purpose. A copy of that plat is attached hereto.

c. Item n: The owner signature blocks and the surveyor's signature block all refer to "...the annexed plat..." This subdivision is not part of an annexation. Please use the wording specified on the attached checklist for the owner's signature blocks. Clearly identify the owners of each parcel of land within the signature blocks.

Response: The project surveyor revised both of the Owner's Certificate and School District Statements and the Surveyor's Certificate of the Final Plat of Resubdivision to incorporate the language required by the Village's Final Plat of Subdivision Checklist. The

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owners of the Subject Property are those identified above as the Applicant, and they hold title to the Subject Property in the undivided percentages identified in the Owner's Certificate and School District Statements. A copy of that plat is attached hereto.

d. Item q: The subdivision is located in the following school boundaries:

- i. Community Consolidated School District 25*
- ii. Township High School District 214*
- iii. Harper Community College District 512*

Response: The project surveyor revised the Final Plat of Resubdivision accordingly. A copy of that plat is attached hereto.

e. Item t: Provide the name and address in the block stating "Send Tax Bill To:"

Response: The project surveyor revised the Final Plat of Resubdivision accordingly. A copy of that plat is attached hereto.

Comment: 16. Add the utility signature blocks.

Response: There is no need to add utility signature blocks because Applicant does not propose any new public utility easements, and there is no need to provide any such new easements.

Police Department Review

Comment: 1. Character of use:

The character of use is consistent with the area and is not a concern.

Response: Agreed. No response is required.

Comment: 2. Are lighting requirements adequate?

Lighting should be up to Village of Arlington Heights code. The parking lots and exterior of the buildings should be illuminated especially during nighttime hours (in accordance to village code) for safety, to deter criminal

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activity and increase surveillance/visibility—potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

Response: The Petition is for subdivision approval only. No site improvements are necessary or proposed in connection with the Petition.

Comment: 3. *Present traffic problems?*
There are no apparent traffic problems at this location.

Response: Agreed. No response is required.

Comment: 4. *Traffic accidents at particular location?*
This is not a problem area in relation to traffic accidents.

Response: Agreed. No response is required.

Comment: 5. *Traffic problems that may be created by the development.*
This subdivision should not create any additional traffic problems.

Response: Agreed. No response is required.

Comment: 6. *General comments:*

- Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

Response: The Emergency Information Card was not attached or provided to us. We have since contacted and obtained a blank card from the Police Department. Applicant will complete that card and submit it to the Police Department.

- Landscaping should provide open sightlines to increase natural surveillance and avoid creating ambush locations.

Response: The Petition is for subdivision approval only. No landscape improvements are necessary or proposed in connection with the Petition.

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Planning & Community Development Department Review

Comment: 7. *Please note that the Final Plat, as approved by the Engineering Dept., must be printed on mylar and submitted to the Village, with signatures obtained from all parties except those to be coordinated by the Village, no less than one week prior to the Plan Commission hearing date. If this requirement cannot be met, you can proceed with Preliminary Plat approval with Final Plat approval obtained at a future date (i.e. a separate Plan Commission meeting would be needed). No public notice is required for Final Plat of Subdivision approval.*

Response: Understood.

Comment: 8. *Please clarify why Inland is intending to create and retain ownership of "Lot 4". What is the purpose this lot, and what is the benefit to Inland for retaining ownership? It would seem that an alternative subdivision layout, where that part of Lot 4 which abuts Lots 1-3 could be incorporated into those lots, which would negate the need for a separate "Lot 4".*

Response: The Final Plat of Resubdivision is revised to consolidate formerly proposed Lot 3 with formerly proposed Lot 4 into what is now identified as proposed Lot 3. This was done to preserve the configuration of proposed Lots 1 and 2 in a manner that is consistent with the existing tax parcel configuration of proposed Lots 1 and 2, which is necessary due to the existing restaurant lease agreements under which Olive Garden Italian Kitchen and Chili's Grill & Bar operate on those lots.

Comment: 9. *Section 29-201a(5) of Chapter 29 of the Municipal Code, requires that all Plat of Subdivision applications for developments involving over 20,000 sq. ft. of commercial space be accompanied by a professional traffic and parking study. The applicant should clarify if a Variation from this requirement is sought. Staff would support this Variation.*

Response: Applicant respectfully requests a variation from this requirement because the Petition will not have any impact on traffic counts or traffic circulation at the Subject Property.

Comment: 10. *In lieu of providing the required signature from the property owner who owns the remainder of the existing "Lot 3" in the Cub Addition subdivision, which is required per Section 29-201a(4), the applicant was*

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going to provide an Indemnification Agreement. Please provide this document.

Response: In accordance with our communications with the Village's In-House Counsel, Applicant will provide a letter regarding indemnification to the Village in connection with the Petition prior to the Plan Commission's consideration of the Petition.

Comment: 11. *Does the REA provide adequate provisions for the shared shopping center signage (maintenance, access, etc.). If not, easements will have to be provided on the Plat of Subdivision.*

Response: Yes. Please see, for example, Section 2.07 of recorded Document Number 88046282 and Section 3.4A of recorded Document Number 90206325, which, each, in part, compose the "REA" documentation submitted to the Village on November 23rd. Please advise if the Village requires further detail regarding this comment.

We trust that the above responses sufficiently address the Village's "Round 1" review comments, and we look forward to continued communications with you and other Village representatives regarding the Petition.

Attached in accordance with your request are four full-size copies of the revised Final Plat of Southpoint Resubdivision.

Please contact me at (312) 461-4302 if you wish to discuss the responses provided herein or the revised final plat attached hereto. Thank you, and Happy New Year.

Sincerely,

MELTZER, PURTILL & STELLE LLC



Steven C. Bauer

Enclosures