



June 12, 2017

Village of Arlington Heights
Department of Planning & Community Development
33 S. Arlington Heights Road
Arlington Heights, IL 60005

Re: 45 S. Chestnut – Justification for Variation

Dear Plan Commission,

The following is a list of variations that we are seeking for the project listed above. In each case, the development will meet the following criteria.

- *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.*
- *The plight of the owner is due to unique circumstances.*
- The variation, if granted, will not alter the essential character of the locality

We are very excited about this project and look forward to working with the Village throughout this entire process.

Regards,

A handwritten signature in black ink, appearing to read 'M. Porto'.

Michael Porto
Project Manager
CA Ventures

Chapter 28, Section 5.1-7.4 Minimum Lot Size

- *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.*
 - Petitioner Response: If the project were planned per the underlying zoning, the property would allow for only 55 units. The current development is planned for 88 units. This proposal would not be economically feasible if only 59 units could be provided. According to the Market Study dated April 10, 2017, “the unit mix and sizes appear well suited for the market”.

- *The plight of the owner is due to unique circumstances.*
 - Petitioner Response: The property is in a unique situation: the Comprehensive Plan designates the site as “High Density Multi Family” – the same as the parcels that are located along the south side of Sigwalt Street. The Comprehensive Plan uses “High Density Multi Family” as a transition between “Mixed Use” in the CBD and “Moderate Density Multi Family” that transitions across the site.

- The variation, if granted, will not alter the essential character of the locality
 - Petitioner Response: The location of the site is situation between single family homes on the west and south sides of the site and a mixed use to the north and east. This 5-story building will appropriately mesh with this transitional property location.

Chapter 28, Section 5.1-7.6 Required Minimum Yards (Interior Side/North)

Chapter 28, Section 5.1-7.6 Required Minimum Yards (Front/Highland)

Chapter 28, Section 5.1-7.6 Required Minimum Yards (Front/Chestnut)

- *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.*
 - Petitioner Response: If the project were planned per the existing setback requirements, the proposed 88 units would not be able to fit in the footprint of the building. The building can't get any higher per the current zoning requirements so in order for the 88 units to fit within the site, the setbacks must be reduced. This proposal would not be economically feasible with less units provided. According to the Market Study dated April 10, 2017, "the unit mix and sizes appear well suited for the market".

- *The plight of the owner is due to unique circumstances.*
 - Petitioner Response: The property is in a unique situation: the Comprehensive Plan designates the site as "High Density Multi Family" – the same as the parcels that are located along the south side of Sigwalt Street. The Comprehensive Plan uses "High Density Multi Family" as a transition between "Mixed Use" in the CBD and "Moderate Density Multi Family" that transitions across the site.

- The variation, if granted, will not alter the essential character of the locality
 - Petitioner Response: There are no plans to widen the physical streets along Highland or Chestnut, therefore the 8 feet of land dedicated will remain as green space.

Chapter 28, Section 7.1-7.7 Maximum Building Lot Coverage

Chapter 28, Section 5.1-7.13 Maximum Floor Area Ratio

- *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.*
 - Petitioner Response: If the project were planned per the existing building lot coverage, the proposed 88 units would not be able to fit in the footprint of the building. The building can't get any higher per the current zoning requirements so in order for the 88 units to fit within the site, a variation is requested for the maximum building lot coverage and maximum floor area ratio. This proposal would not be economically feasible with less units provided. According to the Market Study dated April 10, 2017, "the unit mix and sizes appear well suited for the market".

- *The plight of the owner is due to unique circumstances.*
 - Petitioner Response: The property is in a unique situation: the Comprehensive Plan designates the site as "High Density Multi Family" – the same as the parcels that are located along the south side of Sigwalt Street. The Comprehensive Plan uses "High Density Multi Family" as a transition between "Mixed Use" in the CBD and "Moderate Density Multi Family" that transitions across the site.

- The variation, if granted, will not alter the essential character of the locality
 - Petitioner Response: The location of the site is situation between single family homes on the west and south sides of the site and a mixed use to the north and east. This 5-story building will appropriately mesh with this transitional property location.