

PLAN

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

COMMISSION

RE: CA VENTURES/SIGWALT APARTMENTS - 45 S. CHESTNUT AVE. - PC#17-008
PUD, PRELIMINARY & FINAL PLAT OF SUBDIVISION, REZONING, VARIATIONS

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 27th day of September, 2017 at the hour of 7:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
MARY JO WARSKOW
JOE LORENZINI
BRUCE GREEN
SUSAN DAWSON
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner
BILL ENRIGHT, Deputy Director of Planning
JACOB SCHMIDT, Assistant Planner

CHAIRMAN ENNES: I call the meeting of the Arlington Heights Plan Commission to order. I would like to ask all of you to stand and join us for the pledge of allegiance.

(Pledge of allegiance.)

CHAIRMAN ENNES: Thank you, please be seated. Sam, would you call the roll?

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Here.

MR. HUBBARD: Commissioner Drost.

(No response.)

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

(No response.)

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

(No response.)

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Here. We have no minutes to approve, is that correct, Sam, from prior?

MR. HUBBARD: No.

CHAIRMAN ENNES: Okay. We have one petition to hear tonight, and that is Petition #17-008. I would like to call the Petitioner to please come up to the podium, and any one that is going to testify with him. I would ask you to, we will swear you in.

(Witnesses sworn.)

CHAIRMAN ENNES: As each one of you give your presentation, I'm going to ask you to state your name and spell it for our court reporter. Okay, would you please start and give us your -- I should also, Sam, were all proper notices sent out?

MR. HUBBARD: They were, yes.

CHAIRMAN ENNES: I'd like to point out Commissioner Warskow just walked in. Okay, so if the Petitioner would like to present, give us their presentation?

MR. PORTO: My name is Mike Porto, last name is P-o-r-t-o. I'm project manager at CA Ventures. We are the developer on the project.

We're going to give a quick little presentation. We also have some representatives from HKM Architects and KLOA who did our traffic study on the project. So, we'll kind of give a quick little presentation describing the project, and then obviously there is the Staff report to follow that.

The property in question here is what the Village calls Block 425, and that's located between Highland and Chestnut, and with Sigwalt on the south. I know there is an entire vacant lot there, but the property in question is the southern third of that site. That's what

we're here to discuss, not anything to the north of that.

The property is currently zoned for R-3 which is a Single Family zoning. Now, the Village Comprehensive Plan designates that this site is actually best suited for a high density multifamily which is consistent with a HARP 7 zoning. Then there's also the Downtown Village Master Plan which recommends that this site be used for, or that in general is used to strengthen residential development in the downtown area as a whole, specifically the recommendation for this site is to develop a building four to six stories in height that helps the transition from the downtown area to the residential area to the west and to the south.

So, what we are proposing tonight is a five-story, 88-unit residential apartment building, it's not condos. It will be a mix of one and two-bedroom, market rate units. There will be 110 parking spaces on site on both the first floor and the basement level. Part of what we're proposing tonight is to rezone this property from the current R-3, which is for single family homes, to an R-7, which is appropriate for the multifamily residential. Also part of what we're looking to get approved tonight is the consolidation of the current six single family lots into one consolidation.

A little bit of background on this, back in April of 2017, we met with the early Village Board Review Committee, or the early Board Review. The board in general was generally supportive of our project. They had a couple of questions and concerns that we feel that we have addressed. They told us to, you know, go along with the process, follow up to address the commissions, and we feel that we've done that.

To note, our proposal is a little bit different than what they saw back in April. Back in April, it was an 86-unit development with only 98 parking spaces. So, we have addressed parking since we last saw them. Also back in April, we met with several of you guys at the conceptual plan review or the Plat and Subdivision Committee. In general, those that we met with were pretty supportive of the project, too, and you guys encouraged us to stick with the process and keep going.

In August, we met with the Housing Commission and got approval to donate \$325,000 to the Village's affordable housing policy or fund in lieu of providing affordable units in the building. We also had a neighborhood meeting where about 45 residents showed up, and we discussed a variety of topics and concerns. Those meeting minutes have been provided in your packets.

We also had our Design Commission hearing in early August. The Commissioners had a lot of good comments for us. We decided to have a continuance of that hearing and they re-heard us a couple of weeks ago on September 12th. So, in that time, we feel we made significant improvements to the exterior design of the building, and they approved us two weeks ago.

So, a couple of other concerns I know Mike had brought up is traffic in the area. Like I said, we had a traffic report done by KLOA, and he can help address some of these questions. But in general, the proposed development seems to have a minimum impact on the neighboring streets. In fact, I think the study even says that there will be less than a one-second increase in traffic at the major intersections that are on our site. But again, KLOA can speak a little bit better to that.

So, at this point, I'd like to turn it over to Mark Hopkins with HKM Architects to kind of walk us through the site plan and the building plan.

MR. HOPKINS: My name is Mark Hopkins with HKM Architects, 43 South

Vail Avenue, Arlington Heights.

CHAIRMAN ENNES: Mark, can you spell it please?

MR. HOPKINS: H-o-p-k-i-n-s. All right. Well, what I'd like to do is give you an overview of the project, especially for those Commissioners that might not have been at the last presentation. This project is substantially similar to what we presented previously, but it has undergone scrutiny and enhancement from quite a number of stakeholders in this, you know, including the Staff and the community and then the various departments here in Arlington Heights. We think what we have is a better building. We brought a good building last time and a good project, we think it's better as a result of the process that it's undergone.

So, diagrammatically, what's on your screen right now is the site itself. I think as you read the Staff report, that the building sits on, it has three fronts basically. The technical fronts are on Chestnut and Highland, but because the long face of the building is on Sigwalt, that is, we have designed the center of the building and the entrance around that, so the lobby and the main entrance, the front door, the hello if you will, is on West Sigwalt Street. The entrance to the interior parking which is located in the basement and the first floor is off of Highland, close to the throat of the municipal garage across from the current AT&T parking lot. Then there are also various connections from the first floor units to the sidewalk via sidewalks to patios, and you can see those happening along Sigwalt Street as what looks like additional sidewalks leading up to the building.

There is about a three-foot fall on the site, from the northwest corner down to the southeast corner. The first floor of the building basically has that 0-0 or flush relationship with grades at that northwest corner, and then the grades gradually drop away to the southeast corner. We've taken that as an opportunity to create, and you won't be able to see the, but there is a line that parallels the south side of the building there on Sigwalt and wrapping up around the corners. That's a site wall, and what that's doing for us is that's giving us a general transition between the private spaces in the building that is those residential units on the first floor to a semi-private patio outside to a semi-public yard and then, finally, to the public sidewalk. So, we're using that, and you'll see it and how that works in the renderings.

It's a little bit deceiving looking at both plans on this because we're showing our amenity deck in the plan which is actually a roof deck there above the lobby. We have the lobby space entrance there in the center of the south facade of the building. Whoops, I'm out of control. So, our entry is in the center, thank you, and then this amenity deck is actually elevated at the second floor. So, while the building is a C-shape with a large courtyard recess, in the superstructure the first floor is a rectangle with the exception of the bump on the back, if you look at the north side of the site there, in the north setback, that is a one-story portion of the building that projects closer to the property line, and that actually encloses our interior ramp which connects a partial parking level on the first floor with a complete or full parking level in the basement. So, let me proceed and not belabor that.

So, there is that first floor plan. What you see is the overhead door there over on the right-hand side of the exhibit, and then that leads into an internal parking bay, first floor, you see the ramp working, you turn right and then head down into the basement parking. Then we've got six residential units along Sigwalt Street looking at Sigwalt, and then the corner units looking at Chestnut and Highland, and then our lobby there on the first floor which has leasing function and a coffee bar and mail and parcels and the like. Am I going backwards? I'm so sorry.

Then, after I fiddle around with this, this is the basement which is fully developed as parking. There's a few ancillary functions down there, bike storage, tenant storage, some mechanical spaces and what have you, but we've gotten as many cars as we can within the footprint. Then as we head upstairs, there is the diagram for the superstructure.

This is the second floor plan. The only difference between the second floor plan and the third, fourth and fifth is that two of the residential units have been removed so that we get a fitness room and a community room that give out onto the amenity roof deck that's out there. I'll show you the amenity roof deck in the landscape plan. Otherwise, the superstructure is completely developed as units in the third floor to the fifth floor.

So, this is a mix of one and two-bedroom units. There are some two-bedroom plus den units. You can see the residential elevator here in the center and then the egress stairs.

Roof plan is shown only because we needed to demonstrate that all of our rooftop equipment is screened from the street. So, we have rooftop screens not only for the residential condensers that you see there in those arrays, but also the RTUs which serve the common areas.

Now, there's the landscape plan. In the center in the courtyard then is that amenity deck. There is an arbor up there to provide a degree of shade. There is also a combination of different textures on the walking surface, and that is to be able to focus our activity there in the center of the courtyard with pavers. Then we have a little bit of a sunning function here on the screen, so we have some chaise lounges. We also have two grills out there because grilling is not allowed on the residential balconies, so there are community grills. There are also places for outdoor dining as well as some passive seating lounge type groups. Then we have other materials on the ground playing up here at the second floor, and that's simply to be a buffer between somebody's residential window and the public space and the amenity space.

You see a little bit better, how I can't handle this clicker, how the entry works in the building because the grades are falling away along Sigwalt Street. We have a number of risers here, I believe five, to get up to our front door and our residential lobby. So, what we're doing is we're kind of stretching the sidewalk here along that site wall I described and bringing it down so that it matches the sidewalk at this point. It's a little bit more gentle than a handicap ramp, so it's less than something that requires the rails, but it helps us to make that front lobby accessible.

We have permeable pavers located on some of our, on our sidewalks, and it's the darker color here. There's bike racks here with the permeable pavers under, permeable pavers under these sidewalks here, as well as the driveway approaching into our garage.

The landscape plan has been, you know, vetted with Staff and reviewed and modified. We do have underground detention and a vault system that wraps the building here in the northwest corner. So, landscaping was particularly, let's say sensitive to coordination because of the soil being precluding over story trees, so we had to sprinkle those in different places and be able to get our sweeps of landscape working with that more shallow zone of soil. It's 24 inches of soil at that point. I think that's probably enough on the landscape plan.

These are exterior images of the building, and the exterior of the building is substantially similar but it's been modified according to the comments that we have received by the Design Commission. When we last appeared before you, the superstructure of

this building as well as a lot of the interior cutout courtyard was done in an architectural metal panel that had a shape on it that, about 12 inches in the reveal, 12 inches in the reveal, 12 inches in the reveal. That gave us a texture and a lightweight material put on top, and it was black or very much like a charcoal when we first came in. We got certain comments back on that saying maybe that's not as rich as it should be, Arlington Heights is a brick town, the top of the building didn't seem to end as well as we'd like to, it's a little bit too severe for some folks. The building also had a beige brick base on it when we brought it in to you last time. But because we substituted brick on the superstructure for the outside of the C if you will, we thought it inappropriate to have three brick on the building.

So, what we presented to Design Commission as a revised building has a charcoal colored brick on the superstructure in the first floor and in the site wall. In the intermediate floors, the three floors, two, three and four, have that same medium brown or orangey brown that we had before. So, this view starts to show how that site wall is working that I keep talking about. It also shows the building, the building's backdrop as you look towards the northeast and the remainder of downtown. So, over here is part of the Village Green project, in fact, is behind in the middle part of that, and then Dunton Tower on the right of which we are a tenant, and then here, you know, intermediate is this AT&T site which we mentioned.

As we look from that corner, now we're looking towards the northwest, you see the municipal parking deck, you start to see some of that same family of colors that I mentioned, that is the brown brick. I didn't mention the cast stone lintels but you can see the cast stone and trim and banding. The heads over the windows is what I mean when I say lintel, picking up in that kind of in that vernacular of Downtown Arlington Heights, without being overly traditional if you will but being a little bit more crisp and contemporary in 2017 with it.

So, that's what we've done. We did add that little cornice at the top so that we try to end up in an appropriate way without being too strong. We didn't want to the building to kind of lean out at people. So, we did that to provide a kind of a nice termination to it.

Then finally, this is the entry to the building. There's kind of two pavilions that are there. What you're seeing here in the center is actually the entry to the building. So, here are those risers that I talked about as walking up to this paver platform or patio before you get into the building, and then this sloped sidewalk, it's not quite a ramp, and here are those bike racks and what have you.

These two pods here if you will or portions of the building that actually raise up to the rail height on our amenity deck are made of polished granite, polished black granite. Then there is a suspended canopy here, and then you can start to see, it's difficult to see it on this side but maybe on your monitors you can start to see some of those amenity structures up on the roof.

So, that is an overview of the project. There is a lot of details. Obviously we're here to answer questions. We respect the collaborative nature of working with Arlington Heights on the project. We look forward to your comments.

CHAIRMAN ENNES: Sam, can we get the Staff report?

MR. HUBBARD: Thank you, Chairman Ennes. Good evening to the Plan Commission. As you've heard, the Petitioner is proposing a five-story rental apartment development on the subject property which is located on the southwest fringe of the downtown area. Again, this is part of the property that's currently zoned R-3. In order to accommodate the proposed development, the property would need to be rezoned into the R-7 Multiple Family

Residential Zoning District. It's part of a larger Block 425 and makes up the southern third of that block, the larger block is all vacant including the subject property. Block 425 is bounded by Campbell Street to the north, Sigwalt on the south, Highland to the east, and Chestnut to the west.

Additionally, all properties and developments in the R-7 District are required to develop as a PUD, and so the Petitioner is seeking PUD approval this evening. Finally, as you've heard, they are required to consolidate the site into a one lot to accommodate the proposed development as it currently exists as six lots of record today. Their preliminary and final plat of subdivision approval is part of their petition.

Finally, there are multiple variations that have been requested as part of this development. These relate to things like density, setbacks, lot coverage, floor area ratio, the projection of the balconies, some of the aspects of the interior garage among other things. I'll try to touch on the most significant ones in this presentation. The remaining variations as listed here and are outlined in the Staff report that we provided to the Plan Commission which is available online.

So, again as you've heard, there have been several actions to date that has led the Petitioner to stand before the Plan Commission this evening. First, back in April of this year, the Petitioner appeared before the Village Board for an early review. The concept at that time was for 86 units and about 94 parking spaces as opposed to 110 that they are proposing this evening. The Village Board was generally supportive of the concept. They did have some concerns about overflow parking and the capacity within the Vail Avenue garage to accommodate that parking. I think they were hopeful that that would be analyzed during this approval process.

Next, the Applicant appeared before the Conceptual Plan Review Committee which was called the Plat and Sub at that time. Again, I think the committee was generally supportive and echoed some of the same comments that were made at the early review of the Village Board. They also strongly encouraged the developer to host a neighborhood meeting where they would introduce the development to some of the surrounding property owners and identify any issues early on in the process.

After that meeting with the Conceptual Plan Review Committee in August 15th, they met with the Housing Commission which discussed the affordability of the project relative to the Village's Multiple Family Affordable Housing Policy. According to the policy, 15 percent of the units would need to be dedicated as affordable which translates to 13. But in lieu of providing these units, the developer has proposed to pay a \$325,000 contribution to the Village's affordable housing fund which equates to \$25,000 per unit not provided. The Housing Commission found this acceptable and they provided a favorable recommendation of approval.

Next, the Petitioner held their neighborhood meeting on August 21st, and they provided a summary of that meeting which was included in the packet to the Plan Commission.

Finally, they appeared before the Design Commission on two occasions, and this resulted in a lot of positive changes to the design of the building, including changes to the exterior materials, the addition of a cornice, additional landscaping, and they recessed some balconies which actually decreased the extent of one of the variations required. Originally, a 5.3 foot variation was required on both the east and west side; because those balconies are recessed, this variation reduces by roughly maybe about 50 percent there.

The Design Commission ended up making a motion of approval with the requirement of some minor additional changes to the design, like more landscaping in front of

the transformer along Highland. Also, they required recessed balconies on the north facade which will again further reduce the extent of variation there as well. I would mention that there was a lot of discussion about the suitability of this development given the context of the neighborhood and the zoning and Comprehensive Plan. But again, the Design Commission process ended with a favorable recommendation of approval.

So, that brings me to the Comprehensive Plan. In analyzing the suitability of this development, especially in relation to the rezoning of the property into the R-7 District, we looked at both the Comprehensive Plan and the Downtown Master Plan for conformity to these previously adopted planning documents. You can see in front of you that is part of the Comprehensive Plan Map. In the bottom left-hand corner of the map, you can see the subject property outlined in red with a little arrow. The map here designates future acceptable land uses for properties in the downtown area, and the brown that you see on the map represents properties that may be suitable for R-7 zoning designated as high-density multifamily. Both properties to the north and east of the subject property are designated as appropriate for mixed use developments that are suitable for the Downtown District and the B-5 Downtown District zoning classification.

I would mention that the subject property is part of a string of high-density multifamily properties that kind of ring the downtown area. The Comprehensive Plan indicates that these properties are suitable for R-7 zoning. I think I should mention also that up until 1997, the subject property was actually shown as blue which would be more appropriate for the B-5 mixed use designation in the B-5 Zoning District, and that would allow for more intense uses of land than would be what's allowed under the R-7 zoning. However, in 1997, it was changed to the current designation as high-density multifamily. The intent back then was for this piece of property to act as a buffer between the downtown uses and the uses to the south and the west.

Staff believes that the R-7 zoning achieves the goal of providing this buffer. A B-5 zoning on this property would allow buildings around 90 to 140 feet in height. The proposed building is about 62.5 feet high. Relative to density, the B-5 would allow 112 units on this property; the developer has only proposed 88 units this evening. Relative to the use of the property, the B-5 would require that this property provide ground floor retail which would have brought more foot traffic and street level activity. So, the R-7 zoning we feel accomplishes this buffer between the downtown and the neighboring properties.

I would add that one of the land use policies in the Comprehensive Plan states that intensive developments should be limited to the downtown area and areas where there is adequate access to public transportation or in conjunction with an approved redevelopment plan. We believe that the intensity of the proposed development conforms to this standard being that it has close proximity to the downtown area and it's close to the Metra Downtown Arlington Heights Station as well. We believe that the rezoning to R-7 is compliant with the Comprehensive Plan and we are supportive of R-7 in this location.

The other planning document that we used as a guide to analyze this development was the Downtown Master Plan which was adopted in 2007 and involved participation from a 19-member task force and approximately 31 public meetings. This plan analyzed the different areas of downtown and provided specific recommendations for the redevelopment of these areas. As previously mentioned, this property is part of Block 425, and the Downtown Master Plan contains specific redevelopment recommendations for Block 425.

I'd like to highlight recommendation number one which states "relate

piecemeal development of the block in a cohesive manner with six to eight stories mixed use on the northern three-quarters of the block transitioning to four to six stories on the southern quarter of the block". The southern quarter of the block encompasses the subject property and we believe that five stories of height at the proposed development is compliant with the Downtown Master Plan. In light of this, we are supportive of the height of this development.

One of the other factors that's unique about this property, especially when compared to other R-7 properties, is that it does not directly abut any single family homes on any sides. You can see to the west there is Chestnut Avenue, to the south is Sigwalt, to the east is Highland. There are no directly abutting residential homes to this development.

This played a significant role in our analysis of the proposed variations, and I think the separation here provided by the streets has a mitigating effect on the height of the structure, on the setbacks, and on the impact of the bulk and mass of the building. I think we would have trouble supporting the extent of the proposed variations on a single development if that development site was located directly abutting a single family residential district.

One of the key variations requested has to do with the density of the proposed development. The subject property given the proposed unit mix would be able to accommodate about 54 units given the density regulations of the R-7 Zoning District. The developer has proposed 88 units. That creates the need for a density variation.

I would mention that the R-7 density regulations were last amended around 1972. That amendment established the current density regulations that are still applicable to this day. So, we have analyzed the need for this variation in the context of the average household size over the last four decades and found that actually household size has been shrinking steadily since 1970 and even well before that. You can see on the left-hand side of this slide there is data provided by the US Census. Back in 1970, the average household size was 3.14 persons and it steadily shrinks as time elapses, up until about 2010 where there's a slight rise. We would guess that this rise is because of the recession around that time. But once things settled down, we see the trend continuing nationally to further decrease average household size. When we look at this relative to local Arlington Heights data provided by the Census, the same trend is mirrored locally.

I would like to point out that average renter household size is significantly smaller than average owner household size. The R-7 Zoning density regulations don't take into account this, so we think that's an important fact. In analyzing the density variation in light of the trend showing the decrease in national and local housing sizes, we believe that the proposed density is acceptable and we are supportive of the density variation.

The developer has requested several setback variations with regard to the building, specifically on the east and west side front yards where they require 48 feet of setback. The developer is proposing 10.5 feet on the east side and 16.3 feet on the west side. To the south, it's considered an exterior side yard, the code requires a 20-foot setback. The developer is proposing 18.3-foot setback. To the north, it's a side yard and it's required to have a 34-foot setback. The developer has proposed a five-foot setback on the north side.

So, we analyzed these variations and considered the following facts relative to the variations. You'll notice on the east side and west side, there is an area, the red bubble. The developer has been required to dedicate eight feet of land on both the east and west side of their site. So, while the technical variation is 10.5 feet and 16.3 feet, it's really more like

18.5 feet and 24.3 feet on the east and west when you take into consideration this right of way dedication. Usually when a right of way is dedicated, it's because the road needs to be expanded. In this case, there are no immediate plans to expand the road width, so, you know, the area here will likely remain as green space/parkway for the immediate future and the likely long-term future. It will essentially provide a yard and a setback, just not technically by the code.

On the north side, a five-foot setback is proposed, but it's really just for this one story bump-out for the garage ramp. The rest of the building, the bulk and the mass of the five-story structure is actually set back 18.4 feet. To the south, there is a small portion of the one-story lobby that projects out into the required 20-foot setback so there it's 18.3 feet from the south property line where a 20-foot setback is required. But the actual and the bulk of the building here, which is the five-story portion, is actually set back 19.9 feet where the code requires a 20-foot setback. So, we didn't find that 0.1 foot was very significant.

We also considered the context of the building in relation to the closest single family homes that abut to the south and west. So, you can see the proposed building is at its closest point approximately 91 feet set back from the nearest single family home. Kitty corner southwest across Sigwalt and Chestnut, it's about 141 feet. To the south, it's about 92 feet. Furthermore, there are generous parkways to the south and to the west. Here it's 36 feet and to the south it's 35 feet. So, while the technical setbacks are to the property line, there's really going to be a fairly large yard abutting the proposed building.

Finally, we analyzed numerous existing buildings in the R-7 District and we found multiple examples of five-story buildings that directly abut single family homes and provide significantly less space between those buildings and the neighboring single family homes. I'd like to point out two examples that we looked at. On the left-hand side is 121 South Vail, on the right-hand side is 110 South Evergreen. These may not be the best architectural examples, but they do exist. They are part of our downtown fabric, they contribute to the overall fabric of the Village and the character of the area.

When you compare these developments, strictly on a numbers basis, to the setbacks of the proposed building, and if you take into account the right of way dedication which would be the numbers in parentheses here, when you take into account everything besides the bump-out for the garage ramp to the north, the setbacks are actually fairly comparable to what exists on similar R-7 developments. Again, these R-7 developments are in locations where they directly abut single family homes. Then if you look at it beyond just the numbers basis, the proposed development with its separation due to the abutting streets of Chestnut and Sigwalt, the proposed development is actually set back much farther from single family residential homes compared to a lot of the R-7 Zoning District developments.

Again, I would point out that if a similar development of the same intensity and needing the same number and extent of variations was proposed on a site similar to the two buildings that are shown here, I think we'd find Staff very hesitant to support those variations. But given the context of the subject site, we believe that the proposed setbacks will be acceptable and we are supportive of the variations.

Last thing I want to touch on is parking. The developer is proposing 110 parking spaces which translates to 1.25 parking spaces per unit. In order to arrive at that number, they studied similar developments in suburban downtowns across the Chicagoland area. Based on what these similar developments provide, they arrived at the 1.25 spaces per unit number, and they believe that this will capture the required parking demand of the proposed

development.

We looked at the parking ratio of the developments in our downtown area to understand what the market in Downtown Arlington Heights provides relative to parking. Based on these numbers, we believe that the amount of required parking needed to capture demand is probably somewhere closer to 1.4 to 1.5 spaces per unit. I would note that our R-7 District requires 1.5 parking spaces per unit. So, if we go through some of the data here, the two most applicable developments are Dunton Tower and Hancock Square which are both rental developments. They provide respectively 1.4 and about 1.6 spaces per unit which averages out to about 1.5. If you look at it from a parking spaces per bedroom basis, they're a little over 1.1 in average. When you look at the proposed development, it's proposed at about 0.8.

So, if the development were to provide 22 extra spaces, that would bring them up to or close to what the other rental developments in Downtown Arlington Heights provide on a per bedroom basis and similar to what they provide on a per unit basis as well. Our code allows parking requirements to be met if spaces are provided within 300 feet of the subject property which they serve. The Vail Avenue garage meets this distance requirement relative to the subject property. So, the Village can provide 22 spaces in the Vail Avenue garage which is what Staff thinks the demand would be at about 1.5 spaces per unit. Those 22 spaces, in combination with the 110 spaces provided within the building, would make the development conform to the 1.5 space ratio required in the R-7 District.

We studied the Vail Avenue garage, and for those who aren't familiar with how it's laid out, the first floor is reserved for shopper parking. The second floor is dedicated to permit only resident parking as well as the third floor. The fourth floor is dedicated to permit only resident parking and at that point it opens up to daily shopper pay. The fifth floor is only for daily pay and no overnight parking is allowed on the fifth floor.

So, really we're really looking at levels three and four to see if there is capacity to accommodate these 22 spaces. These are permit only areas, and we surveyed the usage of the garage over multiple days over multiple years. We found that, you know, the low, these figures represent the number of available spaces. So, at the peak on level three, there were still 38 spaces available in the Vail Avenue garage. During the evening times, when we would expect a resident to use it, there was significant capacity there. Then when you look at the fourth level, again those, the low, there was always at least 86 spaces available. Then during the evening hours, there's significantly more capacity.

So, in studying the capacity of the Vail Avenue garage, we believe that there is space to accommodate 22 additional spaces needed by the developer. In order to provide these spaces, we would require the developer to make a monetary contribution to the Village, of \$4,400 for each of the 22 spaces provided, which amounts to just under \$100,000. We would also require that they obtain residential parking permits for any resident that wants to use space and park their car in any of those 22 spaces.

Since the developer feels that the 1.25 spaces per unit ratio would be acceptable to capture their parking demand, staff is agreeable to a three-year monitoring period where we would track how many permits they are getting to use the 22 spaces in the garage for a period of three years, and then on years two and three we would average out the, you know, the average usage that they had out of those 22 spaces. If for example their average was 20 spaces out of the 22, then we would refund them the two-space difference between the 20 and the 22 spaces at the same rate that they paid us for those spaces. So, essentially, under that scenario,

they wouldn't have to pay for parking spaces that they didn't in reality have to use.

So, in sum, we are recommending approval of the application subject to 10 conditions. The first two conditions relate to what I just talked about relative to parking in the Vail Avenue garage. The third condition is that overhead utilities along Sigwalt Street east of Highland and west of Chestnut shall be buried unless ComEd or the Village deems it is not feasible, in which case the overhead utilities will need to be relocated to the south side of Sigwalt Street. The developer is, excuse me, still analyzing the feasibility of doing that. Our Fire Department, for fire safety purposes, will need Sigwalt Street to be completely clear of overhead lines. So, at a bare minimum, the developer would be required to have no overhead lines on the north side of Sigwalt Street. For aesthetic purposes, the Planning Department is asking that all overhead lines along Sigwalt be buried, and again the developer is still looking at the feasibility of that, and that's what this condition is referencing.

We're also requiring that move-in and move-out operations be restricted between 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 4:00 p.m. on Saturday and Sunday. This is consistent with what we required for other developments within the downtown area. We're also recommending that if the developer would ever propose changing the tenancy of the building from rental to condos, that this will require an amendment to the PUD. This is because historically we've seen a little bit more parking demand in condo developments, and we would just want the opportunity to analyze if that change is acceptable.

We've also asked the developer to provide a final construction schedule and phasing plan. They've provided a fairly detailed one to date but prior to building permit I think we would just like a bit more detail on exactly when the lane closures will take place and what they will look like. We've also required that the petitioner comply with the Housing Commission motion and the Design Commission recommendations, as well as pay their school, park, and library fees. And then finally, the boilerplate condition to comply with all federal, state, and Village codes, regulations and policies.

So, again we're supportive of the development, and I'd be happy to answer any questions.

CHAIRMAN ENNES: Yes, Bill?

MR. ENRIGHT: Chairman, if I could add something? Bill Enright, Deputy Director of Planning. Just on that parking, we fully recognize that, especially levels four and five, are a lot more packed than our numbers really show, because we don't have counts for every single day over the last 10 years. We are in the process of requesting funding for a new parking study downtown which hopefully will be approved in the budget for 2018. So, that would be forthcoming to further analyze possible improvements to the Vail Avenue garage with how we allocate spaces. We've always made changes to that garage as the conditions change downtown.

So, we recognize that level four which is available to customers from 12:00 noon on but not overnight, customers coming to shop and eat and dine and go to the theater, it can get very parked especially during the summer when we have other events like Sound of Summer and events at the Metropolis Performing Arts Theater as well as the numerous restaurants. The fifth level can get crowded, too. So, we really focused on level three which is strictly permit parking. The only people that can park there without a permit would do so illegally and likely get a ticket.

So, as Sam's analysis pointed out, for the most part there's about 50

to 60 spaces available on average on level three during these counts. So, if the Board or the Plan Commission decided that we don't want to allow this developer to have any spaces in the garage, that can be accommodated. We don't have to sell spaces to them. They would need a variation for parking to do the 1.25 instead of 1.5, but the developer is actually not asking for these spaces. They don't think they need them at all. Quite frankly, it's going to be somewhat self-regulating anyway because if you have 110 spaces in the building, that's as many cars as you're going to get from the property. So, they may have to turn away some people who want to get two cars because they can only get one from the building because we're not going to sell permits to them in the garage if the Village Board ultimately decides that we don't want to.

The Village Board did make this a primary discussion according to the early review as Sam pointed out. There was quite a bit of concern from the Board about allowing this development to allocate any parking to it. So, that is still an option with this development to grant variation and say, all right, you've got your 110, that's what you're going to live with. They think it will work for them, they have shown us a lot of evidence of other developments to that effect. But Staff is recommending a little bit more as a safety net.

Bottom line is if they don't get those spaces in the Vail garage, then they're going to be limited to selling, you know, only having 110 in this development because where else are they going to park? They can't park in the streets, they'll get tickets overnight. So, no one is going to rent unless they're assured they've got a space.

So, you know, that's still I think a very valid point, and we think some of the businesses will be, you know, concerned about that. But we are going to look at the Vail garage and how the spaces are allocated. We've got a lot of different users in that garage and everybody wants the better spaces, including the residents who live here and patronize the downtown and that's their parking space in the garage, it's part of their living in downtown. So, there's a very careful balance that we have with all the different users, unique users, commuters, merchants who park and work downtown, and obviously guests which you want to make the most prime spots available for. So, that's something we would definitely be looking at the Vail garage as it relates to customer parking because we do recognize that it's an issue.

CHAIRMAN ENNES: So, individuals can't come to the Village and get a permit in the garage?

MR. ENRIGHT: They can ask, we don't have to give it to them. By and large, unless we have an agreement with a particular development downtown to provide parking, we can say no. Right now, we have been pretty liberal in allowing people to buy extra spaces in our garage for overnight parking because they live down here. But we've always said, you know, it's not a guarantee for the long term because you're supposed to be providing it mostly on your side. But we do require people to show their ID and prove that they live in the downtown.

Now, there are people that live outside of the downtown that we've been selling some permits, too, because we have lots of space overnight. It's a way to make a little bit of money off the permits. But at some point, you know, as part of the parking study, we're going to have to evaluate that. There's more pressure on parking in the downtown with the successes that we've had with all the great businesses and the development, you know, we're going to have to probably constrain some of that parking. I mean we made changes with commuter parkers downtown, not allowing people from Buffalo Grove although they don't have to come here anymore since they got the Central line and station.

So, we've always made the changes to the garage and sometimes

we're a little slow to make them. But again, we're going to do a comprehensive study and try, you know, in theory, hopefully create more spaces that are more accessible to especially customers. But we've got to keep in mind that there are other users within the garage as well.

CHAIRMAN ENNES: Okay, did you have anything else?

MR. ENRIGHT: That's it.

CHAIRMAN ENNES: Sam, thank you very much for that report. Can I have a motion?

COMMISSIONER WARSKOW: I'll make such a motion.

CHAIRMAN ENNES: To approve the --

COMMISSIONER DAWSON: Second.

CHAIRMAN ENNES: And that's seconded. Okay, what we're going to do just to let the audience know here, can I see a show of hands of how many people in the audience might want to come up and make a comment? Okay, so there's a number of you. Just to let you know, what we're going to do is the Commissioners are going to ask questions. When they're done, then I will ask anybody in the audience that wants to make a comment to come forward and make them. I would appreciate, because of the number of you that want to make comments, try not to be too repetitive because I don't want to keep you guys here too late, or us. So, that's the way we're going to proceed.

Commissioner Warskow, if you would like to start?

COMMISSIONER WARSKOW: Sure. I think this came up in the last petition that we have in our Plan Commission as to our ordinances matching what actually is happening in our Village. Can I ask why the R-7 regulations are from 1970 and we don't have something more up to date that represents what we actually want to occur which is, obviously since Staff recommends this, we want to see developments like this in that area? Is there a plan to reevaluate those R-7 regulations and have them more in line with what we're willing to approve?

MR. ENRIGHT: Yes. As you're aware, there's two phases to recent code amendments to Chapter 28. The first phase was about the PUD process and some other items like permitted use table to make the zoning code more user-friendly and practical and up to date. The second phase is looking at add other items like the hardship criteria for land use variations that we always talk about because they're kind of archaic and hard to understand. So, we're hopefully fixing that and making it more clear.

As part of that, we are looking at the Multifamily Zoning Districts, not the Downtown but B-5 which allows up to 140 feet. We had that discussion about 10 years ago with the Board and no changes were recommended. But we are going to look at the R-5, R-6 and R-7 Multifamily Zoning Districts to be more consistent with what developers are looking to do these days, density standards versus population. There's a lot of single people living alone nowadays compared to 30 years ago. That's just the trend, it's been happening and it's projected to continue that way.

So, yes, we are looking at that in phase two which we're proposing to bring before the Ordinance Review Committee by the end of this year.

COMMISSIONER WARSKOW: Okay, thank you. I would look forward to that, to not having to have so many developments come before us with so many variations that puts us in an awkward position.

Question in terms of the parking. You're doing a comparison between

other rental properties in the downtown area. Do any of those have downtown parking spaces figured in those parking spaces per unit calculations? Or is that strictly just parking within the property itself?

MR. HUBBARD: Both Dunton Town and Hancock Square purchase parking from the Village. They don't provide any onsite parking. So, they park all of their, they are parking in the Village facilities.

COMMISSIONER WARSKOW: Do we know from any of these rental properties what the utilization rate is? I mean are they at 100 percent utilization of these parking spaces?

MR. HUBBARD: They purchase, you know, monthly passes for residents. So, the assumption is they're not going to purchase the pass unless they need the space. Now, we're not entirely sure that they're, you know, not purchasing spaces and perhaps they're getting assigned to other people. But generally speaking, I believe that they're not going to purchase a space or a pass unless they need it for a tenant.

COMMISSIONER WARSKOW: Okay, and then the other ones that are in the public garage, do we know that they're 100 percent leased? Have we spoken to those rental properties? Because it does seem like you're talking, you know, 1.5 versus 1.25, so there does seem to be a discrepancy there. But if they provided more parking spaces in their property than are actually being used, then you know, 1.25 doesn't look so bad.

MR. HUBBARD: Unfortunately, we don't have the actual statistics on, you know, how much of those spaces that, you know, the condo developments, that they provide onsite, how much they're used. That was one of the issues we had with the parking study that was prepared. But you know, in lieu of that information, that's why we're studying all of our downtown developments to get, you know, a general feel for what's provided on these.

COMMISSIONER WARSKOW: Then is our Vail Avenue garage analysis, I mean you mentioned that it's across multiple years. Did you work at like what the numbers look like if you just used whatever the most recent year is? Does it have lower availability? Higher availability? Because I just think taking over multiple years you can have wide variations that will make the average potentially skew in your favor as opposed to what is the most recent picture of the garage.

MR. ENRIGHT: It was this year, but you know, we recognize that the upper levels get pretty packed at times, we know that. So, the issue then becomes the middle part of the garage which is set aside for permits, which is not only commuters but merchants and residents, it's are there enough to accommodate 22? The developer doesn't think they need anything. Our Village Board has indicated that they may not be willing to sell the lease. So, if that's where we end up because we don't want to use those spaces for a certain development, then you're going to have 110 in this garage on private property and that's how many cars you'll probably have. You might even have less, you won't have more because you can only 110. So, and there's no other place to be able to park because we have a parking issue, too.

So, in a way it's going to be self-regulating on who they can rent to. If someone goes in there and says, oh, I have two cars and I want to rent a two-bedroom unit, then they'll say, well, you only get one because that's all we got left, then I'm going to have to rent somewhere else if I want my two cars.

COMMISSIONER WARSKOW: Okay, I am going to hold other questions until I hear from the residents.

CHAIRMAN ENNES: Thank you. Commissioner Lorenzini?

COMMISSIONER LORENZINI: Thank you. Sam, a couple of questions. In general, why do developers have to dedicate part of right of way? Is that because of potential widening of streets in the future? Is that really what it's all about?

MR. HUBBARD: In theory, yes. Any time you would do a subdivision, there are requirements for providing minimum right of way widths in the subdivision code. So, it's just a code requirement.

COMMISSIONER LORENZINI: Okay, that's fine.

MR. HUBBARD: Generally, the theory is that the street could be widened, although in this case there is no plan for that widening.

COMMISSIONER LORENZINI: In some of the correspondence, there is a discussion about the drainage off the site and that there is potentially a new storm sewer going in. But it doesn't sound like it's, we're not 100 percent sure when it's going to go. How is that going to work with the timing of this development? Do we need that sewer before this development goes in?

MR. HUBBARD: It's not going to work with the timing of this development, so that's why they proposed all of their detention to be accommodated onsite in that underground detention vault located at the northwest corner of their site which will be all Engineering and MWRD requirements.

COMMISSIONER LORENZINI: All right. So, any sewer after that would just be extra capacity.

MR. HUBBARD: Right, just for neighborhood flooding or something like that.

COMMISSIONER LORENZINI: Right. Sam, you showed us a couple of examples of how some R-7 developments were right up against residential properties. How did they get approved, those developments?

MR. HUBBARD: I mean through the same process I would guess. A lot of those were developed maybe in the 60's and 70's. I don't know, I think the R-7 PUD requirements weren't in the code until later on, so it could be that they were just developed by right and then all the zoning regulations and they didn't have to go through the process.

COMMISSIONER LORENZINI: Again, in the correspondence, there was some discussion about transformers or some type of utility boxes being in the front yards or out in the public view. Could you explain what that would be and what those are?

MR. HUBBARD: Yes. There is a proposed utility box that's going to right about here. Usually, we like to see something like that, you know, in the back, although in this case there's really not much room here. Obviously, you can see the ramp, and then here is the other underground detention vault. So, there's really no practical space to put that. The, we felt like is the best alternative. It's kind of close to other Village utilities located in the right of way and it's away from the single family homes to the south and to the west.

COMMISSIONER LORENZINI: No, no, that's fine. I was just thinking of one of the other developments where they had one in front of each yard. I was just hoping it wasn't going to be something like that. No, that's fine.

Is there any plan for the north two-thirds in this block at this point?

MR. HUBBARD: There are no current applications for further development in the block.

MR. ENRIGHT: We have been meeting with Bruce Adriani though, but

nothing has come forth formally.

COMMISSIONER LORENZINI: All right. Now, we've given some other developers a pretty hard time about having to have businesses on the first floor. Why isn't there a requirement for businesses here?

MR. HUBBARD: It's a requirement in the B-5 District. The proposed rezoning would be to be R-7 which does not require ground floor retail.

COMMISSIONER LORENZINI: Is there an estimated tax revenue that's going to come from this to the Village?

MR. HUBBARD: Yes, I believe in the Staff report there was an estimate.

MR. ENRIGHT: It's about \$280,000 property tax total for the property.

CHAIRMAN ENNES: That's to the Village?

MR. ENRIGHT: No, to the property tax. Most of that goes to school districts. The Village gets about 12 percent of that, could be \$45,000. Plus, the tax benefits with all the people in there buying, shopping, spending money in the downtown.

COMMISSIONER LORENZINI: Why did we accept the fee in lieu of rather than the affordable units?

MR. HUBBARD: That's the policy. We allow both, we allow the provision of the units or fee in lieu of.

MR. ENRIGHT: To a large extent, we kind of prefer to some extent the fee. That's going to a formalizing trust fund which, if some of these developments actually come into fruition, that trust fund will build up. The Housing Commission will then have enough funds to start promoting affordable housing throughout the Village.

COMMISSIONER LORENZINI: What form will that take?

MR. ENRIGHT: That remains to be seen.

COMMISSIONER LORENZINI: All right. Is there any talk or possibility of keeping subsidized rent units or subsidized rental fees in this building?

MR. HUBBARD: No, they're providing the fee in lieu of, so there is no subsidized rent.

COMMISSIONER LORENZINI: Kind of going back to what Mary Jo said, I was kind of wondering, too. This building looks nice I think, and it seems to fit in with a lot of the other large buildings. So, I'm wondering how the heck anything gets built with all these variation needs? So, I kind of was thinking along the same lines Mary Jo had, was why do we need so many variations. But as you explained, we're going to be looking at that in the future.

I've got a couple of questions for Mr. Porto, if you could come back please? What is going to be the range of rents you're looking for in these apartments? Could you spell your name?

MR. KATSAROS: Sure, I'm Matt Katsaros, K-a-t-s-a-r-o-s.

COMMISSIONER LORENZINI: The rents, what's the range of the rents for these?

MR. KATSAROS: We're averaging about \$230 per square foot. So, for 1,000 square feet, it will be \$2,300. One-bedrooms are probably 750 to 800 square feet, some of them are quite short.

COMMISSIONER LORENZINI: Who owns the property now?

MR. KATSAROS: It's a partnership, SO Holdings.

COMMISSIONER LORENZINI: But you're not --

MR. KATSAROS: No.

COMMISSIONER LORENZINI: The parking spots in the building, is that going to be part of the rent, the monthly rent?

MR. KATSAROS: Correct.

COMMISSIONER LORENZINI: How are they going to be assigned? First come first served? Would each person have an assigned spot?

MR. KATSAROS: That's a good question for the management company. I would assume they'd be assigned but I don't know that for sure. They will be rented per space.

COMMISSIONER LORENZINI: All right, that's all the questions I had for now.

CHAIRMAN ENNES: Thank you. Commissioner Green.

COMMISSIONER GREEN: I'm going to wait. I want to hear what the public has to say on this. But I have a concern over the density which, therefore, has a concern on the parking. Just a quick question for you, Sam. On levels two and three of the Vail Avenue garage, you say permit parking. Can that be commuter permit?

MR. HUBBARD: I don't believe so.

COMMISSIONER GREEN: Is that only residential?

MR. ENRIGHT: No, it's a mix. It's a mix. It's a mix kind of first come first served, too. I mean our permit spaces on two, three and four are, you know, except for Dunton Tower which gets their spaces, 50 spaces, because it goes back to 1985, the agreement. You know, it's a mix of permitable, there's permitable users utilizing the garage who are merchants who work downtown, commuters, and residents.

COMMISSIONER GREEN: Okay, so whoever wants to come up with the money.

MR. ENRIGHT: Those three users.

COMMISSIONER GREEN: Okay. I just, that's all for now. I'll hold it off until later.

CHAIRMAN ENNES: Thanks, Bruce. Commissioner Cherwin?

COMMISSIONER CHERWIN: I saw the project in the committee, so I don't really have many questions right now. I will reserve until after the public. I guess one question I will ask is, I may have missed it in your presentation and I didn't see it in your plans, but the northern elevation of the building, is that just, I noticed, you know, you're looking at the future development there to the north, but what is the plan for the northern elevation? Did I miss that in the packet?

MR. HUBBARD: I can pull it up if you want, give me half a second.

MR. ENRIGHT: One of the things they're doing with the north elevation at the request of the Design Commission is like they're doing in the east and west sides of the building fronting Highland and Chestnut, they're recessing the balconies. Not all of them, I would say 40 percent of them. There's seven tiers of balcony facing the north, and three of those tiers we've been talking to the developer about recessing similar to the side streets where it's half-recessed, and then the four other tiers would remain so that there is still undulation similar to the two sides on the east and west.

COMMISSIONER CHERWIN: Yes, okay. Just of, I'm kind of getting my sense here of the parking issue, not for the project but I'm just thinking for the future in the Downtown District, can that structure bear additional -- in the future if needed, or not?

MR. ENRIGHT: No.

COMMISSIONER CHERWIN: All right. That's it for now. I'll wait for the public comment, thanks.

CHAIRMAN ENNES: Commissioner Sigalos?

COMMISSIONER SIGALOS: Most of the questions I had were already asked and answered. I just had one other question on the property to the north. That's owned by a different group I'm assuming. Was there any possibility of purchasing additional property there and not trying to fit 10 pounds into a five-pound package?

MR. HUBBARD: I'm going to ask the Petitioner to answer that.

MR. KATSAROS: Yes, we've spoken with Mr. Adriani, he's here today. We had several meetings to talk about a potential partnership to do a larger project. Because of the zoning on the north side which is a much higher density per Sam's comments, I think the plan over there might even go bigger. We're under contract to purchase this within that R-7 context. So, when we talked about a larger project, we're going to potentially 300 units or 400 units. We kind of backed off that concept to focus on this size project.

COMMISSIONER SIGALOS: Okay, I wasn't looking to go bigger, I was just looking to try to keep the same number of units but on a larger piece of property where we didn't have all these variations that we're requiring per the current code. I know that they may be changed, but right now that's what you're dealing with.

I don't want to belabor it. I don't have anything further but I would like to hear the comments from the audience.

CHAIRMAN ENNES: Commissioner Dawson?

COMMISSIONER DAWSON: I also would like to hear the comments from the audience. But one item I haven't heard any discussion on is the impact on local schools. Do we have any analysis or assessment of how many anticipated children based on other developments in the area could be feeding into, I believe this would be Westgate and South Junior High? What high school would it be going to, Meadows? Rolling Meadows. So, have you looked into that?

MR. HUBBARD: No. We don't have an estimated number of schoolchildren. However, they did submit a market study along with their petition. It was identifying, you know, primary clientele of -- or, you know, grandparents that were looking to get closer to grandchildren in the area. Then the other demographic they're targeting was younger working professionals. So, we didn't see families as the primary target for this development. It would be required to pay their fees to the school which would come in and go directly to the school as well.

MR. ENRIGHT: Our experience with our downtown developments and some of the new developments, for instance, Arlington Market, the zero lot line homes, there's, you know, very few kids, there's I think less than 10 in that whole 38 units. In the downtown, we've done historical studies on the high rises that we have, both rental and condo. I don't have the numbers in front of me but it's very low in terms of the percentage of kids that are generated in these developments.

COMMISSIONER DAWSON: So, I think it's a good idea going forward when we're looking at these just to have that information because the market study is one thing and where they're targeting their residents, I understand. But in reality, we have many developments in the town right now so we could look to it and see how many school age children generally live there and whether or not the schools in the area have capacity to be absorbing that and what the

impact would be. It would just be helpful for those instead of having to ask for that information. So, I know when we were looking at, not Arlington Market but what's the townhomes right next to it that went up? Over by, you know what I'm talking about, on Dryden?

MR. ENRIGHT: Right. That's what I was mentioning.

COMMISSIONER DAWSON: But those are the homes, there were the townhomes that went up, and I remember at that time at the meeting, the belief was there would be no school age children. But there were more than anticipated that, obviously that's my school district, Windsor, it had overcrowding issues for other reasons, this didn't create a problem, but it was more than was originally anticipated. So, I think we should start looking at that since we have that data going forward. Other than that, I would like to hear from the audience.

CHAIRMAN ENNES: Okay. I have a couple of questions. If I can ask the architect to come up? I'm sorry, your name again?

MR. HOPKINS: My name is Mark Hopkins.

CHAIRMAN ENNES: Hopkins. Mark, one issue that I really saw in the development that I haven't heard mentioned tonight is the offsite loading and unloading zone. How will you put that in the building?

MR. HOPKINS: What we have a curb area designated on Highland. When we get the site plan pulled up, so there is how it works. It's the hatched area there on Highland. So, that's the loading zone, dedicated loading zone, and that's where move-in and move-out would occur. That's also where the garbage truck would park. So, what we failed to mention is that there is a trash room inside the building, and on garbage day, then those dumpsters will be pushed out and then the collection will occur there on the street. But other than that moment, they're stored inside the building in a room that's --

CHAIRMAN ENNES: How would you accommodate loading and unloading from within the building?

MR. HOPKINS: From within the building? We haven't dedicated a room for it. We'd have to move something else out in order to move that in.

CHAIRMAN ENNES: To me that's a potential problem in the neighborhood to have, for I mean with 100 units, and we're also talking about potentially another residential high-density building just to the north. With that many units, renters stay two, three years in a building, you got renters moving in, you got renters moving out. You're probably talking 10-12 percent of the days of a year there's going to be moving trucks parked there.

Can we see this on the aerial which shows the adjoining properties to Highland? Now, I expect, these are smaller apartments so I don't expect big moving trucks. But I just, I don't think, Sam, you can correct me if I'm wrong here, don't our other residential buildings downtown deal with their move-in/move-out internally?

MR. HUBBARD: I think there are some that do have dedicated loading spaces. I think there are other ones that don't, they provide it offsite. Bill, correct me if I'm wrong, but I think Fairview also has similar variances part of the building that's just under construction currently. So, you know, again this is not in the B-5 District, this is in the R-7. So, that's probably a little bit more common in the R-7 not to have a dedicated loading space.

CHAIRMAN ENNES: Okay.

MR. HUBBARD: But you know, again I think we have both.

CHAIRMAN ENNES: So, this is going to be on the east end of the building over by the garage and it won't affect the residents there, okay. That's all I have for right now.

I would like to move to the comments from the audience. Let's start over here on the right side and let's start in the back. Anybody in the back row? Next row up? Sir, would you come up, give us your name and please spell it?

QUESTIONS FROM AUDIENCE

MR. HENNELLY: Hi, my name is Tim Hennelly, H-e-n-n-e-l-l-y. I live at 625 Southeast Rockwell. I think the building is great. Mark Hopkins and team, I think they did a great job of what it looks like. The transition there is fine, I think, as far as four or five stories.

But it's the parking. I'm not sure why we would gobble up more parking spaces from the parking deck that is already difficult to get to. I live here, and getting there and going downtown, trying to find a spot is incredibly confusing on which level you can park at and what have you. So, that's what I don't get. I don't understand why we would allow another development to gobble up some parking lot. That's it.

CHAIRMAN ENNES: Thank you. Anybody else in that same row? The next row forward? Yes, ma'am. You're bringing your group.

MS. CHURCHILL: Yes, sure.

CHAIRMAN ENNES: If you would each give your name?

MS. CHURCHILL: My name is Cindy Churchill.

CHAIRMAN ENNES: Could you spell it?

MS. CHURCHILL: Church and then i-l-l.

MS. GALLAGHER: Bonnie Gallagher, G-a-l-l-a-g-h-e-r.

MR. SARANTAKIS: I'm Nick Sarantakis, S-a-r-a-n-t-a-k-i-s.

MS. CHURCHILL: So, we are going to repeat the parking issue. We have others, but there are, I noticed in your discussion you didn't mention Metro Lofts because on floors two and three of the Vail Parking garage, it's Dunton Towers which is a rental, but Metropolis are condo owners. We love our Metropolis building, thank you, and we assume the same exterior beauty would be in this new building. But Metro Lofts I think which is 10 South Dunton and 1 South Highland, we all, three of those buildings park on floors two and three and it is always crowded. We are trying to figure out why there are so many people parking there even during the day when, it's full when people are at work. Like are there permits being sold that shouldn't be? Because we were told it's only those three buildings that should be parking on floors two and three.

So, Metropolis just had our own board meeting right before this. We told them that we would mention that Metropolis is adamantly opposed to selling any parking spots on floors two, three and four. Five, I'm not sure why five is not overnight, but if any spots are sold, we would, we're adamantly opposed to them being used on floors two, three and four.

Our second issue was traffic flow on Highland right there. It's already very congested with movers. We have the wonderful trucks, beer trucks, we love Ale House.

MS. GALLAGHER: No, we love, that's fine, beer trucks are fine.

MS. CHURCHILL: For the theater, there is always a semi parked there for the theater and the performances. So, I'm just asking you to consider that significant traffic flow. That being the only area to go in and out of that building, we very much agree that moving, adding moving trucks on the other side of the parking garage is not something --

CHAIRMAN ENNES: So, you like some trucks but not all.

MS. CHURCHILL: Pardon me?

CHAIRMAN ENNES: You like some trucks.

MS. CHURCHILL: Beer trucks are okay. If they all show up at once, it's not the best. So, we just think that the traffic flow issue, I don't know, we're not builders or developers, we don't know how to change it.

CHAIRMAN ENNES: So, you're concerned about the parking on floors two, three and four?

MS. CHURCHILL: Correct.

CHAIRMAN ENNES: Bill, we're just talking floors two and three?

MR. ENRIGHT: Well, two, three and four are permits. So, if someone has a permit to the garage, they can park on any of those levels.

CHAIRMAN ENNES: They can park there, okay.

MS. CHURCHILL: They're just always too full. I'm just saying there is not room, there is not 10, 20 or 22 more spots, from the Metropolis perspective, not just me personally, from the board.

CHAIRMAN ENNES: Nick, did you have something to say?

MR. SARANTAKIS: Yes, sir. Mr. Chairman, I would like to echo your comments. I believe the architect and the developers failed to show how close they are in proximity to, not just Highland Avenue and the traffic but to the Vail Avenue parking garage. As residents, we understand how close it is, but our concern is twofold. First, they're seeking 22 spaces in the Vail Avenue parking garage. Second, their garage and loading zone as was demonstrated on the diagram open up onto Highland Avenue.

So, as my neighbors explained, there's a lot of street traffic, not just cars entering and leaving the garage, but also the delivery trucks, the loading trucks, package trucks with UPS, FedEx, moving trucks on occasion, and garbage pickup. Then there is the on-street parking. Of course there is an overhang on the garage, and I think they failed to consider the on-street parking that is perpendicular to Highland Avenue which would be adjacent to their property.

Second, the parking garage, as is, is in our opinion dangerous. It's crowded. The lanes are narrow because of the two-way setup. The corners are blind, there are no safety mirrors. As a board member, I petitioned the Village with my colleagues to improve the safety of the garage, to install safety mirrors, to implement a one-way traffic patterns, and they were not adapted. They were not considered by the Village. So, even as is, I would not be in favor of allocating 22 spaces for this development.

CHAIRMAN ENNES: Thank you.

MR. SARANTAKIS: Thank you, Mr. Chairman.

MS. CHURCHILL: Thank you.

CHAIRMAN ENNES: Anybody else in that same row? Sir?

MR. MARRERO: Good evening. Raul Marrero, M-a-r-r-e-r-o. I guess I just wanted to mention, I know you're going to hear arguments against the major, or not major, the several variances. But one thing that I want to make sure that is not overlooked, you know, is the criteria for that, you know, variances to be approved. Specifically, I have one point I want to make, my second point I think has already been made, but in regards to the minimum lot size variance and all others, the justifications to support, the property in question cannot yield a reasonable return, the Petitioner is claiming that under current regulations he could only allow, you

only allow 55 units and that would not be economically feasible. He cites this market study and he quotes, "The unit makes and sizes appear most suited for the market." I looked at that study, that cited study does not address or consider any return on investment on those allowed 55 units or even the 88 they're proposing. It only focuses on the market environment and how quickly those apartments are going to lease. Other than that, there is no information to support this requirement.

With that in mind, I think that, you know, that justification that is being made, that it's not economically feasible, is not verifiable and should be disregarded over this. Thank you.

CHAIRMAN ENNES: Thank you.

MS. MEYER: Hi, I'm Danette Meyer, M-e-y-e-r. I live at 29 South Mitchell Avenue. I just wanted to make a comment that I believe that when the original plan was created, the context surrounding this building was quite a bit different. When we first moved into our house on Mitchell Avenue back in 2003, the folks who lived on Chestnut adjacent to this proposed property, there were many houses in somewhat disrepair, there were open lots. We used to get postcards sent to our house often saying we'll buy your, you know, uninhabitable property. But I think the people on both sides of this block have made significant investment in their homes, and especially those families who are on that side of Chestnut. We've seen remodels, we've seen restoration of historic buildings there, and I know that's that a real value of our community. It was in the last survey, that families do want to see those historic homes.

So, putting this building up across from this area, I believe when the plan was originally proposed, that Downtown Master Plan, I believe that Chestnut looked quite a bit different. So, I'd really encourage you to consider, you know, what does Chestnut look like today, those are, you know, great single family homes that have really been improved. I don't think that this building at all fits with that, although it's not adjacent next door. I mean it really is adjacent right across the street. So, thank you very much.

CHAIRMAN ENNES: Thank you. Sir, at the end of the next row, the second row. Oh, okay, I'm sorry. I'll tell you what, if you're the next one in line, why don't you stand out here when you're ready to come. But sir with the black glasses, please come up.

MR. MEYER: Hi. My name is Tim Meyer, M-e-y-e-r. I am also from 29 South Mitchell. I have some packets I'd like to offer you guys if I can.

COMMISSIONER WARSKOW: We've already got them.

MR. MEYER: Oh, you do.

CHAIRMAN ENNES: They do a good job.

MR. MEYER: Thank you, guys, all right. The only point I want to make is that, to build on what my wife just said, was that because west side of Chestnut is so different today than it was 10 years, including a brand new house that's being built today that's going for over \$700,000 when it's complete, and the one behind that, that's also the same on our street. This is a thriving neighborhood that we're putting this building into, and a very different neighborhood than 10 years ago when the last time that the master plan was updated. They've suggested that we do an R-7 on the south end and then a B-5 on the north.

I would argue that none of those houses that have been remodeled or newly built this year will be bulldozed in the next 50 to 100 years possibly. The idea that the west side of Chestnut is going to be converted to an R-7 or even an R-6 is kind of farfetched today, not 10 years ago. So, what I would suggest, and this is a radical idea, is that the south end of this

block, really R-7 is way too dense for our neighborhood, and that actually an R-6 is more appropriate for the south end of this block.

I understand that there is a B-5 going up there and that means that there's probably going to be 300 more units, possibly 400 more cars on top of what we're talking about here when it's all said and done. So, you know, I hope that you would consider that moving forward. I don't know that we can change the B-5, but it's not too late because this is still an R-3. That's all I have to say.

CHAIRMAN ENNES: Thank you, Tim.

MR. MEYER: Thank you.

CHAIRMAN ENNES: Sir?

MR. PEASE: Hello all, Justin Pease, P-e-a-s-e. I have a property at Chestnut and Sigwalt, very on top of this development. One comment on the parking, I guess maybe I'm confused but it doesn't seem like the developer is asking for those 22 spaces in the Vail Garage. I would say if they think they can survive without them, then we allow that, and it probably would change the demographic of their building and might prevent them from renting to folks who have multiple cars. But if they think they can do it, we let them and we don't give them the spaces. It seems like it's more possibly coming from the Village end saying we think they need them and here is where we think we can fit them. But they don't want them, or if they're not asking for them, I don't think it should necessarily be part of the conversation or should be given to them if it's not something they feel they need.

Then just going back to when I bought this property in late 2012, I actually did look at that master plan. I did see the proposed higher density on the north end of that vacant lot as more of a mixed use, you know, extension of the downtown and then phasing into a little bit lower density but still the three, four-story building that we see here. It seems to fit what's part of the plan and what we all expect.

I think it's a great looking building and I think it fits the plan, and I definitely think it benefits the downtown more than a vacant lot. I'm not sure what others are proposing aside from this, if it's not semi-dense rental housing, how it would benefit, you know, what the benefits to downtown would be that this lot sits vacant. So, those are my comments.

CHAIRMAN ENNES: Thanks. Anybody else from row two?

MS. LICHTER: Hi, I'm Rebecca Lichter, L-i-c-h-t-e-r. I'm at 115 South Highland. I have three points I want to make. One that I heard in one of the previous meetings, there was a question about whether or not there would be a bump-out or a bump-in I guess in front of the building for pickups and drop-offs on Sigwalt because Sigwalt is a really busy street and there's a question about whether or not that was being looked at. The second point I want to make is --

CHAIRMAN ENNES: What do you mean by a bump-out?

MS. LICHTER: I'm sorry, like a bump-in, almost like a --

CHAIRMAN ENNES: You want the curb to go in so a couple of cars can pull in?

MS. LICHTER: Exactly, yes. The other point that I heard in one of the previous meetings was, I believe that loading area on Highland is taking two of the on-street parking spaces. So, there would have been two available spaces there that I think that designated loading area would be taking up. The third point I want to make is that corner on Highland and Sigwalt is becoming more dangerous and more difficult to cross, both in the morning

and in the evening.

People speed through that intersection constantly because the next stop sign going this direction towards the downtown isn't until Vail. People tend to just speed through that until they hit Vail. They also don't stop for pedestrians in the sidewalk. There was a guy this evening, I was coming off the train from work, and he didn't see me, I was already four steps into the street, he didn't see me, he sort of slowed down but he was still looking ahead and he was on his phone. This is typical both in the morning and in the evening, especially in the evening. Well, in the morning, people are speeding to get into the parking lot to get to work as well as the train I assume. In the evening, people are speeding out of the Vail Garage to get home. When I'm trying to cross Sigwalt going south to my house, people rip out of that Vail Street garage, they slam on the brakes when they get to Sigwalt, and then they slam on the gas to get onto Sigwalt because of the existing rush hour traffic.

My main concern is that the garage entry being on Highland is going to add more traffic into that, even if not every person is actually driving to work, we know a certain percentage are, they're just going to be pulled right into that traffic pattern. As well with possible future development on the AT&T side. I don't know what that might end up being, but given the fact that there is an entrance to the garage there, there is a potential for another garage entrance here. If I were somebody developing on the AT&T side, it would only make sense to put another garage entrance on that side which is going to add to more traffic there.

So, my suggestion for that is that we look at getting a stop sign at least on that block. Again, that's a recommendation that I would make. It's a problem now, it's only going to get worse with this development as well as other future developments. Thank you.

CHAIRMAN ENNES: Thank you. Anyone else in row two? Yes.

MS. DEMPSEY: Hi. I'm Amy Dempsey, D-e-m-p-s-e-y. I'm currently living at 10 South Dunton which is the Metro Lofts Condominiums. I know we've beat the parking to death, but I will mention because I'm actually on the board at that building, there are 96 residential units in that building and we are allowed two spots. So, that's 190, well, not exactly, spots that, I don't know when the parking survey was done but there is never a parking spot, 1:00 o'clock, 2:00 o'clock, 6:00 o'clock, 7:00 a.m. I mean I have two small children and we have to actually pull to the building because there are so many cars whipping in and out for the train, for the businesses, so we don't even let the kids in the building.

So, my question would be, or comment, if they're not even asking for the spots, the reality is if people are renting down here and they have visitors or family, friends over, where are people going to park? Are they going to park on all the streets in front of people's homes? Mitchell, Chestnut, I mean there's literally no parking. So, I mean I think that's something that needs to be thought of.

Another thing on the loading zone, so like FedEx, mail, UPS, where are they going to, are they going to know to go on Sigwalt? How are cars going to go around when there's deliveries for all those units?

The other thing is for the kids, you know, the sidewalk, so kids riding their bikes, rollerblading, walking the dog, walking to South Middle, I just think that that's a lot of people in one condensed space.

The only other point, sorry, I think that's all I was going to say. Oh, one issue for someone who's lived downtown here for a while, there's quite a few people on the ComEd grid and the power tends to go out a lot. I don't know what is going to be done or if there's

any additional accommodations to add more residents because when the power goes out, especially in the downtown here, we could be out for a whole day because there's so many people on the grid. So, that's something to consider, too. That's it.

CHAIRMAN ENNES: Thank you. In the front row.

MR. HANLEY: Good evening. I'm Derek Hanley, H-a-n-l-ey.

CHAIRMAN ENNES: Hi, Derek.

MR. McCASKEY: Kevin McCaskey, M-c-C-a-s-k-e-y.

MR. ROGINSKI: Brian Roginski, R-o-g-i-n-s-k-i.

MR. HANLEY: We are the business community of Downtown Arlington Heights. I've been open for 17 years, and the last time I stood in front of this board was about 18 and a half years ago. This is my first time back. I've watched a tremendous amount of growth in Downtown Arlington Heights and we would be very excited for this project as business owners because there are so many new businesses coming to town and we need new businesses to support what we have. However, parking is a brutal major problem.

It's important that you hear it from us. This is probably the first time that we as a business community have maybe come forward to see if the Village, when you're doing studies, we can tell you for free it's a big problem. That's no disrespect, Bill, you know. I would encourage the Village to come down today, corners of Arlington, or Vail and Campbell, and do a survey on busy weekends to talk to every customer that walks through our doors and they'll tell you they've been driving around forever for parking.

You know, we are the backbones of this community. We're the ones who has created Arlington Heights what it is today. It's a desirable place for people to live, and why is that? It's because of our hard work and what we've made it. I was the first of the redevelopments 17 years ago. I've watched 15 restaurants come and go through this community. But we need parking. If we can get these developers together, that's a big lot. I think there's many room to possibly have a big parking garage in that lot.

I understand that the parking garage is not structurally sound any more to go up, but you can't continue to allow businesses to come in, more residential to come in, and not provide parking. You can't forget about us, the ones who have worked so hard, when we have people driving away from our doors because downtown, it's got such a good reputation, it's one of the 10 best places for couples to live in America. That didn't happen on its own, you know.

Again, I'm proud to be a part of that. We've all done our due diligence here, we've worked pretty hard. But you know, you have to reinvest in the community, you have to reinvest in parking, and you have to provide for these people. If they're going to come and spend in our businesses, you know, we need them to come and spend, we need parking for these people. So, it's a big, big problem, you know,

I've generated \$5 million of sales taxes. I've been there with a million dollars of property taxes. I have 50 employees. Now, I can give you some hard numbers when it comes to, I think we tend to forget about the customers that are coming downtown. Brian 190 in and out, 300 seats in Vail Street or Arlington Ale House. I have 360 in and out. Shiku, 260, brand new addition. La Tasca, 230. You know, the list goes on. I can show you thousands of, you know, we're talking about units that have 1.5 people. What about the thousands of customers that we have, people coming to have their hair done over in Jackie's place, you know, Runners High 'n Tri.

You know, you need to remember who we are, and we're the ones

who made it possible and made it what it is and take that into consideration please. Thank you.
(Applause.)

MR. McCASKEY: I do have to make a comment. I am president of two condo boards in Arlington Heights. One is at 1 North Chestnut. I have eight units there and 12 parking spots. Continuously, I've asked for two or three spots, so one or 1.5 I know will not work.

CHAIRMAN ENNES: Okay. Hi.

MS. DELANEY: Hi, I'm Mary Beth Delaney, D-e-l-a-n-e-y, and I'm a resident of the 44 North Vail. I have concerns again about parking, but not about the resident parking so much as it is about visitor parking. Once I found out that visitor parking was not going to be considered in the Design Committee meetings, there has been a week between that time and this time, and so I've been walking the area for the free parking.

So, on 10 different occasions, on six different days of the week at multiple different times that I'm getting my information, I counted the number of parking spaces, the number of open spaces on Vail between Wing and Campbell, on Vail between Campbell and the crosswalk to the garage, on Campbell between Dunton and Vail, and on Campbell between Vail and Highland, and then on Highland. Also, there's 35 spots behind 44 North Vail that we share with, 44 North Vail with 151 Wing, 200 Campbell, and then that is also because it's not permit use by people who frequent the downtown area. In total, that's 112 spaces.

From 1:30 in the afternoon until 9:30 at night, the least number of openings, or I should say 88 percent were filled and that was the least amount, up to 100 percent. So, there were no open spots, or only two percent open spots on many days, and that's including the handicap spots. Those were usually the ones that were open. Again, I can show you all the data. I have it sorted by days of the week and I have it sorted by times of the day.

So, I'm very concerned because you can't tell me that 88 units aren't going to have some visitors on some occasions. When we brought this up at the Planning Committee, sorry, the Design Committee, a comment was made, well, if they have a visitor, then that visitor can use their parking space. Then who are they visiting if you are not there? So, that's a big concern.

Mike Cerniglia from Armand's was not able to attend, but he asked me say we have weekends where hundreds of people are going to a wedding reception, play, Maggo, the Ale House, and Armand's. This causes a huge strain on parking. We get calls from people canceling reservations because they can't find parking. Most are from the elderly or handicapped. We have asked for spots in front of Peggy's and Armand's for drop-off and have been asking for over 10 years. If we do add apartments, which I'm in favor of, we need more parking.

Then one final point, I think that it's important to know that when the Design Committee approved this project, they approved with the requirements of a few design changes and, in their words, strong recommendation that variations should be seriously reviewed due to issues with harmony and compatibility and conformity to ordinances, discussion especially on height and setbacks. That's why the motion was approved. Thank you.

CHAIRMAN ENNES: Thank you.

MS. LEWIS: Hi, I'm Jackie Lewis from Forbci Salon & Spa. I'm at 7 South Highland. My last name is L-e-w-i-s. I really don't have too much to add on what they are trying to say.

I've been in the downtown area doing business for almost 30 years

and have seen the ebb and flow of the growth and decline through the economy, and then now in this new growth. The restaurants are just booming. That is driving the traffic along with the special events. Between 4:00 o'clock on, there is no parking. I drove through on my way here at 7:15, I went through the garage, I went through all the streets, there was one space in the shopper parking and none on the street.

I know you guys all know this, but inasmuch as I want to see this development come through, I just don't see how it can possibly come without parking that's in abundance of what we already have. I don't know why there isn't a bump-out. Why can't this be set back and some street parking for visitor parking?

Something has to change or we will lose our businesses because our clients are complaining. They are calling from their phones and they're saying we can't find parking, we're going somewhere else. So, I just really strongly believe that we need help before this becomes out of hand, it already is. Thank you.

CHAIRMAN ENNES: Jackie? Jackie, could I just ask you a question?

MS. LEWIS: Certainly.

CHAIRMAN ENNES: I'm downtown all the time, familiar with your salon. Do the people want to park right in front of a store or they can't find garage parking?

MS. LEWIS: I think about 10 years ago, Terry, it was people who were afraid to park in the garage. They weren't used to that yet, and they would say that. Over time, they've become very happy to park in the garage. However, the garage doesn't have enough shopper parking.

I think our levels two, three and four that is merchant parking as well as permit parking, I think there's some other people in there maybe getting stickers that shouldn't be. Perhaps the permit parking needs to move up a level and the shopper parking needs to expand on to the level two so that it's more convenient, because people really don't understand where they're supposed to park. They really don't. They also get more fearful as the more floors they go up. Not sure why but they do.

So, and it does need to be bumps around the corners. People are almost hitting one another on a daily basis, I'm in there everyday. We do need mirrors in there. It's not a safe garage. Those walls when you come out are too high. You can't see people walking. People almost get hit there everyday. So, when they built those walls higher, I have no idea why they did that. They were safer lower.

CHAIRMAN ENNES: Thank you.

MR. FRAZIER: My name is Jason Frazier, F-r-a-z-i-e-r. I have a salon on 210, or 160 West Campbell. I am on the corner of Campbell and Highland. I also see tons of accidents right at the corner of the intersection. I see a lot of people honking horns and causing commotion.

Anyway, my customers, they love my facility. They actually say my prices are cheaper and my facility is nicer. But they go elsewhere because they cannot find parking. Usually my parking, they go down Campbell and they will park two or three blocks to walk to my facility. I used to have over 200 people a day, now I can't see half that.

So, parking is definitely a problem. It's not on one, two, three and four, it's everywhere on the street and the garage. So, thank you.

CHAIRMAN ENNES: Thank you, Jason.

MR. ROUSE: Mark Rouse, R-o-u-s-e, owner and operator of Runners High

'n Tri at 121 West Campbell, and my partner.

MS. RAY: Teresa Ray, R-a-y.

MR. ROUSE: I'd like to thank you for having us all speak up. Most of our comments have already been addressed. A lot of frustration about parking so I'll leave that alone, but we do have that frustration also.

My question is mostly about infrastructure. As we add more apartments and people to the downtown area, are our police, fire, utilities, and so forth, needs being addressed? A building this size is probably going to get six to eight calls for service from either police, fire or parking a week with that number in there. Are we prepared that handle that?

CHAIRMAN ENNES: They review all these proposals.

MR. ROUSE: I'm sorry?

CHAIRMAN ENNES: They, police and fire review these proposals, so they're aware of it.

MR. ROUSE: They're all approved and everything? But parking is our main thing. There seems to be more and more vandalism going on in the downtown area, more and more petty crime, theft, and so forth. I think as parking gets more and more stressed, we're going to get more of that. I think our potential for petty crime to turn into more serious crime is there, especially when there is a frustration of a parking. People have to walk farther.

We have had a couple of incidents as you know recently in the downtown area where a violent crime has happened. That's a concern for us and our employees. But other than that, we appreciate you taking our comments. Just kind of repeating what everybody else has already said. So, that's all.

MS. RAY: I have one suggestion. If you could put cameras in the parking structure on Vail Street, I think that would be very helpful. I don't know why there's not cameras there.

MR. ROUSE: Additional safety things, the walls, but that's another, it really doesn't have --

CHAIRMAN ENNES: This is an interesting comment but it's really not something that relates necessarily to this hearing. I'd like to suggest you go to the Village Board meeting and let the Trustees know that.

MS. RAY: Okay. I've had my car keyed and I've had a resident that was assaulted in the parking garage. If there was a camera that would have been in there, they probably could have caught the person.

MR. ROUSE: So, safety concern with additional parking.

MS. RAY: That's just a safety concern with more people parking there.

CHAIRMAN ENNES: Sure, I understand.

MR. ROUSE: Thank you.

MS. RAY: Thank you.

CHAIRMAN ENNES: Thank you. Let's move to the other side of the room. We'll start in the back again.

MR. ALLEN: My name is Keith Allen. I live at 46 South Chestnut, so directly to the west of the corner of Sigwalt and Chestnut from this parcel. I've got nothing on parking, but I would like to comment on three areas where I feel there is real inherent conflict with the proposed project before you tonight.

First is the conflicted nature of the Design Commission approval of

this project. I think it's important to convey to you the conflicted nature of that approval because it should provide you some background for the decisions which you are about to make. It took two meetings, about four hours of discourse for them to come to a decision. I don't know if you've had a chance to read the minutes from both those meetings, but they reflect very well the struggles that they went through to approve.

I think their issues can be summarized as follows. On the one hand, the Design Commission aesthetically reviewed and approved this building as presented. That's their mission. On the other hand, they didn't believe the building could, should or would be built as presented due to the restrictions of the site, the number of the variances required, the height of the building, and especially the lack of harmony and compatibility with the surrounding neighborhood. They were essentially approving a building they thought would never look like the building they were approving.

At that point, the Design Commission considered two options: table the issue and wait for this Commission to act on the variance requests, or to vote no entirely. Ultimately, they were persuaded by Staff, some would argue appropriately, some would argue inappropriately, to try and write their concerns and apprehensions into a motion to approve. Ultimately, that's what happened. Those concerns were written into two amendments to the original motion and they read as follows:

- The design does not meet the design guidelines evaluation criteria for harmony and compatibility, specifically regarding height and setback.
- The design does not meet the design guidelines evaluation criteria for conformance to ordinances and the Comprehensive Plan.

So, to say the least, it comes before you with a conflicted motion from the Design Commission.

Second, I'd like to address the conflict that exists within the Comprehensive Plan itself in terms of what may have been desired for this area when the plan was drafted, and the real life conditions that we have today. I don't know if we can bring that map back up there or not, but the plan calls for this parcel obviously to become R-7. That plan also calls for our side of the block to the west to become R-6, and the north half of the block directly to the south to become R-6 and R-7. I can tell you that the chance of either of those becoming R-6 in our lifetimes is absolutely zero.

As was stated before, we've all invested considerable resources into the restoration and renovation of our homes. We live there, we're not going anywhere. It's not going to happen. In addition, as was stated before, we also have a new home, \$700,000 on the one vacant parcel on the west side of Chestnut being built right now.

So, what are we left with? 100-year-old historic homes directly across from an R-7 project that sits on a site that's just over half the required size with no transition to, buffer to, or contextual dialogue with the adjacent neighborhood. The transition from downtown to our existing single family R-3 neighborhood needs to take place within this block. That may not be easy, but good solutions are rarely the easy solutions. I don't believe this project as presented provides any of the required transition or contextualism needed to get us from the massing of downtown to our front doors immediately adjacent to this site.

Third, I'd just like to address the number and magnitude of some of the variances under consideration. To begin with, the actual rezoning of the parcel to R-7, the parcel assembled by the Petitioner is 1.39 acres. I'm not sure how they got the extra half an acre,

all the previous correspondence had it listed as 0.91 acres. But that being as it may, the minimum for R-7 parcel is two acres. They're at 69 percent of the minimum size for an R-7. That immediately leads me to believe they're going to have a tough time making their project compliant with the required guidelines for an R-7, and I think that's fairly evident in the number of variances being requested. As the Commissioner said, we're shoving 10 pounds of building in a five-pound lot.

Lastly, the sheer magnitude of several of these variances before you tonight, minimum lot size, 39,000 plus square feet requested versus 67,800 required, they're at 58 percent of the requirement. The required minimum is larger than their entire parcel. East side setback, 10.5 feet requested versus 48 required, they're at 22 percent of the requirement. West side setback, 16.3 versus 48, they're at 34 percent. These aren't even close. Side yard setback, five feet versus 34, 15 percent of required. Side yard setback, 18 feet versus 20, they're at 91 percent. That's as close as they get, almost got it there.

Maximum building lot coverage 72 percent requested versus max allowed, 45 percent, they're 60 percent in excess of the allowed. Maximum floor area ratio, 253 requested versus 200 percent allowed, 26 percent in excess of the allowed. So, in my opinion, allowing the Petitioner to circumvent this number of rules and ordinances, I think we're up to 14, and to do so by the egregious amounts just listed would really render the rules and ordinances to be quite meaningless.

In conclusion, I hope that this Commission, as they decide the fate of the petition before you, holds the Petitioner to three very important standards: compliance and conformance to the ordinances; harmony and compatibility with the surrounding neighborhood; and finally, the criteria that if a variance is granted, it will not alter the essential character of the locality. That's all I have. Thank you.

(Applause.)

CHAIRMAN ENNES: Thank you, Mr. Allen.

MR. ROGERS: Hi, Dan Rogers at 206 South Chestnut. I just wanted to speak because I love the businesses that we have. I care that they're not getting the business that I'd like to see. I often, you know, have my friends and say, hey, come on to Downtown Arlington Heights, meet up with me. They're like we can't ever find parking there. It doesn't stop me, I go and I join them in Mount Prospect, Chicago, wherever. But it's kind of sad that it's a reality.

I care about families, too. I know a lot of families that live right down the block from me and they're already affected by the traffic in the area. It is serious. But I'm also learning in this whole process about the ordinances and the variances. I just wanted to read this as I don't understand how we can grant these variances. When I read Section 9.4-2, qualifications for granting variations, such exceptions shall not exercise a detrimental influence on the surrounding neighborhood. Exceptions shall be justified when other characteristics of the development exceed the minimum standards of the municipal code.

So, I go back to your original statement. We either need to change the ordinances or we just, we can't allow this to go forward. The one variance that really grabs me is the one on Chestnut. I just, that setback is, you're taking a lot of sunlight away from those people.

CHAIRMAN ENNES: You know that doesn't take in the dedicated right of way.

MR. ROGER: Thank you.

CHAIRMAN ENNES: Thank you.

MR. MEERSMAN: Good evening. My name is Donald Meersman, I live at 202 South on Highland Avenue, M-e-e-r-s-m-a-n. Please respect the Comprehensive Plan and deny the density variances requested. How does this meet provisions of Section 9.4-2, to respect the harmony of the neighborhood and the compatibility? I was at the Design Commission meeting which the other gentleman talked about. In my opinion, the Design Committee thinks that this project is too much hat for the head.

The variance allowance for something which is normally forbidden is forbidden for good reason. The developer has requested an R-7 and then has ignored some of the important R-7 rules in the design. Please respect the minimum requirements. The Village of Arlington Heights is a very successful community because our rules are enforced. It doesn't seem like they're requesting variations, they seem to be requesting a blanket exemption.

The developer knew what the R-7 compliance required. The Village of Arlington Heights is not a challenged community which is desperate for investment. If that lot stays vacant, it will not hurt the Village of Arlington Heights. The developer has a perfect right to build on their property and they have a responsibility to follow the rules.

Please respect the idea of a transitional building as proposed. This building covers too much of the land area. The developer should be held to follow the R-7 rules. There are some pieces of the puzzle that we do not have. The north elevation will be exposed for how many years? I don't know, it might just be above us and don't look so good. Some pieces of the parking puzzle seem to be missing.

My 30-year traffic study at the corner of George and Highland is clear. Parking is not adequate and 88 new units will also have guests with cars. Thank you.

(Applause.)

CHAIRMAN ENNES: Thank you.

MS. HARP: Lori Harp, 44 North Vail. I have lived in Arlington Heights for 40 years. 22 of those I lived in the suburb of Arlington Heights. The remainder I live in the urban downtown city. I accepted that. I moved down here because I wanted the environment, I wanted to be able to walk to shopping and stores and restaurants, which I got. I also learned very quickly that I share that with a lot of other people. Over time, the Village has grown and continue to grow.

We have restaurants that are very viable, but the sidewalks have become very crowded, if you can actually find a parking place which I agree with everything that everyone else has said. But I do want to share with you, living in a condo, that all the parking is self-contained at 44 North Vail. We constantly have notices on the bulletin board of people that are looking for places to park. So, our unit is full, Campbell is full, Wing is full, and those are self-contained under the building. They're not taking units that could be used for people to come in to our downtown and our restaurants.

Also, behind our building, we have that shared parking area. There are deliveries and moving trucks there almost every day of the week, multiple every day of the week. So, by not allowing a bump-out or whatever you call that curb design on Sigwalt, it's going to be an absolute disaster. People are not going to park on the side and unload, they're going to park in front, and then you have a policing issue. So, I just wanted to share that, thank you.

CHAIRMAN ENNES: Lori, a question for you.

MS. HARP: Yes?

CHAIRMAN ENNES: New building, you have underground parking for all of your residents?

MS. HARP: We do.

CHAIRMAN ENNES: Where do your guests park?

MS. HARP: If there is a spot, they can park in the lot behind us. They try to find street parking.

CHAIRMAN ENNES: That's a commercial lot, right?

MS. HARP: Commercial lot. Selfishly, I bought two spots. I'm an original owner and I can let them park down below.

CHAIRMAN ENNES: Okay, thank you. Next?

MS. COLLINS: Hi.

CHAIRMAN ENNES: Hi.

MS. COLLINS: My name is Shawn Collins, C-o-l-l-i-n-s. I live at 116 South Chestnut Avenue, and I have lived there for more than half of my life. Although I would love to see a development on this property, I need to reiterate it's a neighborhood. I raised five kids there, so even though population may be going down, it's not going down in our area. Wayside is growing and booming.

But I would like to say that it's a neighborhood, and five stories is not a great transition next to one-story homes. We lack privacy. Nobody has addressed, except for a little bit, on flooding. You know, all the overdevelopment in downtown area, in our streets, Highland, Chestnut, there's massive flooding issues. People who have never flooded their entire lives, now every time we get a heavy rain, they're concerned. So, I have yet to hear how that's going to get addressed.

So, I appreciate you listening to us. Please remember, it's a neighborhood. We're losing privacy, the flooding issue, and the transition and the integrity and the characteristic of that neighborhood. Please honor that and keep that in the entire design plan. Thank you.

CHAIRMAN ENNES: Thank you, Ms. Collins. Can I ask again that the next person who wants to speak, please step up so we can proceed more quickly? Is there anybody?

MS. VOSS: Good evening. My name is Barbara Voss, V-o-s-s. I live at 105 South Mitchell. I've been a resident there for more than 27 years.

Everything that all of my neighbors have said tonight really rings true. There is a significant lack of parking. It is a crucial safety issue. Our business owners in the area suffer everyday from the lack of parking. That is not your issue tonight, that is one element of the problem.

This community has been known as the city of good neighbors and village of good neighbors, and we are that. We want to be neighbors and welcome whatever development goes there. But again, we implore you to consider that we are a neighborhood of one and two-story homes. This five-story building with insignificant parking with very little green space and that, yes, does indeed take away our sunlight even though that's not your responsibility, I mean I'm standing at my kitchen sink and I can see the people in Dunton Tower on the first of December, and I'm four blocks away. Can you imagine what it's going to be like for those people that are more immediate to this building?

I'm sorry, you are here because you've been entrusted with a responsibility. It is not to that developer, it is to us. I'd like you to remember that and I trust that

you will. I thank you for your time.

(Applause.)

CHAIRMAN ENNES: Is there anybody else? Seeing no one, I'm going to close the public comment portion and then come back to the Commissioners to readdress our issues. Sue, would you like to start?

COMMISSIONER DAWSON: So, I'm just curious if we want to address the parking as, you know, rather than going down the row, address the parking. It seems as if there's a 22 parking space issue, whether or not that should be reserved, and then whether or not there is sufficient parking for the building at all. I'm not sure if, to me, I don't know why we're reserving the 22 spaces if they are not asking for it.

I think potentially if we're going to be reviewing the parking lot, I could see asking the builders to pay the money, put that into escrow until we are able to determine whether or not it's needed and relinquish it later, rather than giving them the 22 spots. Then if they don't need it, pay them back for two, perhaps holding it for a year or two, and then if it's not determined it's needed or if it's determined there was not a significant impact, then we could give all of the money back. I understand we're not going to get it later, so if we're going to get it, we're going to get it now. But it's just something to think about.

But I have significant concerns about giving up the spot. I mean we have an intense problem parking in this community, and it's not the developer's issue but it is the Village's issue. Until we have a parking plan, I don't know how we can be discussing more development. I don't know how anyone else feels about that.

COMMISSIONER GREEN: Well, if I can jump in, I think that the other side of that is I don't think that we should give up 22 spots in the parking garage to begin with. I think that from what we've heard here tonight, there's not enough parking anywhere in the downtown. So, to give it up to one developer, I'm against that.

As far as I'm concerned, if we have 1.5 ratio in these other units and that works, they should have a 1.5 ratio in their building. Therefore, you guys are short on parking. That's my feeling.

COMMISSIONER SIGALOS: There was an article in today's Daily Herald about Downtown Arlington Heights and how it's growing and developing, it's one of the best downtown areas of all the Chicago land suburbs. But one of the issues was the parking and they're talking about like the businesses that we're hearing here tonight, that patrons are frustrated. If they don't have the parking there, they go elsewhere.

Arlington Heights is a community that is very desirable for residents to live in and businesses to develop here in the community because of our regulations, our codes, our ordinances. When we start compromising this, we're compromising then our residents and our businesses. I don't think we should be doing that, I really don't. I think if somebody wants to come in and develop a property, they have to provide and comply with the codes and ordinances that we have in place today. That's what's made Arlington Heights the community that it is, and I don't think we should compromise that.

COMMISSIONER CHERWIN: I guess, you know, my thought, you know, I think what Commissioner Dawson said made a lot of sense. One thing I just ask, maybe Bill or Sam, if you want to maybe clarify, they're asking for a PUD approval here and how that, you know, we talk about complying with ordinances and everything. But what, you know, the PUD process, you know, is, we have large projects like this, you know, we've put other buildings up in

this downtown that also have had variations from the standard code. So, it's typical and going to other municipalities as well where you're not necessarily meeting this, you know, you have a big development on a big parcel of property and you're doing it as a planned unit development, there are going to typically be changes from meeting the strict zoning code.

I mean could you just maybe explain that in terms of how the other projects have gone downtown and why we're seeing variances here? Is it somewhat typical in a project like this?

MR. ENRIGHT: No, it's not.

COMMISSIONER CHERWIN: It's not?

MR. ENRIGHT: It hasn't been typical of our downtown, B-5 developments. But of course the B-5 developments that we're seeing most of the bigger buildings, you know, the density is a lot higher compared to the allowance. The setbacks are a lot less because we actually want zero lot line in the downtown for the first floor of commercial. So, it's really apples and oranges with respect to the mixed use high rises that we have versus the transitional areas for the density.

But having said that, the downtown developments, like right across the street here, they've got 93 units but it's spread out over a big whole block because that's part of a PUD. So, that's how you look at the zoning. You don't just look at the separate parcel in that case because it's part of a larger PUD. So, as far as the downtown buildings, maybe they don't meet the density, but again it meets twice as much than the R-7 ones.

COMMISSIONER CHERWIN: Yes, I mean I would echo, I think the parking issue, it seems to me like this project is going to, you know, generate obviously some issues with parking although I don't know that it's the, you know, the real driving factor here. It's much more than just this project when it comes to parking. As I think we've heard, maybe not just parking but other infrastructure issues, that we could maybe tweak this project and get maybe less density or a little bit more parking. I don't know that the problem for Derek or Kevin goes away, you know.

So, we need to figure out how we can help our businesses I think more comprehensively, and doing it in the context of this project I think is maybe just more of a one-off or a band-aid. I think it's a real issue that we've got to help our businesses with. So, it's one consideration here but I don't know that either way that's going to solve the problem for our businesses.

MR. ENRIGHT: Just to address a couple points if I may? First of all, there is a thorough study underway for all the flooding problems that we have in various neighborhoods. This is one of the neighborhoods. We have a consultant, I think this has been going on for a while but now it's actually really happening in terms of how this is going to be engineered and how big the pipes are going to be. So, in 2018, that study is going to be developed specifically with what pipes are going where on this area of the west part of downtown into the neighborhood to address these concerns. So, that's a larger global picture that we'll be addressing with this new study and the actual implementation of that. So, that is moving forward, it has to be designed.

Regarding, you know, the detention, they're going to be providing the required detention on the site themselves. So, they meet those requirements, not only the Village but MWRD standards as well.

COMMISSIONER CHERWIN: Yes. Yes, I got that. I guess, and then the other thing on parking maybe that we ask, we haven't really mentioned that fifth level at all. I mean is there a reason, I mean, I guess the municipal structure, I don't know if that's ever used

for, you know, weekends or anything like that. But are there any other opportunities other than the first through fourth floor in that parking structure to look at? Can we offload some of the commuter spaces on the fifth level or is that not --

MR. ENRIGHT: Well, the fifth level is used by commuters, mostly daily pay but also I think who patronize the downtown, too. The reason we don't allow overnight parking on the fifth level is because we don't have a roof, so the snow. We've actually looked at the possibility of putting a light roof on there, but we have to study the load of that on the structure because when the Village expanded it 10 years ago up a level and out west over Highland, we had to upgrade the footings and foundations for certain parts of the structure to handle it, to go up the one level.

I mean obviously there's really two opportunities to add more parking at least to the garage, and that's west. We've actually talked to Mr. Adriani about that, a joint expansion. The concern is do we have the funding. Right now, the Village doesn't have that funding. Obviously the AT&T site is now available, that could be an option to expand the garage as well, or work with a developer there on something shared to expand the capacity, because that's really the only way to do it, right? It's unlikely to go up another level given the foundations, unless, I guess anything could be done in engineering but, you know, when you start getting too tall, you know, do people really want to go that high?

So, practically speaking, the opportunities are west and potentially south. But again obviously how do you pay for it?

COMMISSIONER CHERWIN: Thank you.

COMMISSIONER DAWSON: Could I just ask really quick before you move on just to clarify? There's three lots for lack of a better, we're using one-third of the space, right, on the vacant lot? On the vacant property, one-third?

CHAIRMAN ENNES: There's six lots.

COMMISSIONER DAWSON: I know, I know that. But for lack of better, we're using a third?

MR. HUBBARD: The subject property is about one-third of the overall block.

COMMISSIONER DAWSON: Right, so I guess in my head I'm thinking there's two more thirds, right? I understand there's multiple lots. My main concern isn't necessarily just these 22 spaces. It's if we put, and then in the other areas we're looking at even more density potentially. What do we do then? When that building comes to us and says, well, you gave, what's this building called again, Sigwalt Apartments, 22 spaces, we should get 22 spaces. Too, we work a lot of precedent here on what we've done with other buildings.

So, I would, you know, I just, I would be absolutely hesitant for any more development to happen without a plan on this space. But I'm just curious, this lot has been vacant for how long? 17 plus years?

MR. ENRIGHT: 20 years ago, the east and the south part, those little houses were torn down quite a few years ago I would say.

COMMISSIONER DAWSON: Right. So, in all that time, I know we have had multiple plans never really get off the ground but come to the Village, nothing's been able to work out, and I know how hard you guys have tried to get something in this space. So, I'm glad that we have a viable project. I think the building is really attractive, and it does seem to fit in within the Comprehensive Plan. It's excessive on variances, I'm not going to go down that road, just know that I'm talking parking. But I think we should have at some point come up with a

parking plan and how we're going to overload this, so that's, anyway, I'm off my soapbox. It's your turn, Mary Jo.

COMMISSIONER WARSKOW: Oh, thank you.

COMMISSIONER DAWSON: Sorry. Terry, you can just say that, I'm sorry.

CHAIRMAN ENNES: Go ahead, Mary Jo.

COMMISSIONER WARSKOW: One of the public spoke to the difference between an R-6 and an R-7. We think it would help the public to understand what the density difference is between an R-6 and an R-7. If you came in with an R-6, would we have as many variances here before us? But would it viable in terms of the market? So, I don't know if you can answer all those questions.

MR. ENRIGHT: You know, any developer can ask for variances no matter what zoning it is. R-7 needs 600 square feet of land or 900 square feet of land depending upon the bedroom mix. If it's two-bedrooms or less, it's 600, and if three or more, it's 900?

MR. HUBBARD: I think it's one-bedroom and 600.

MR. ENRIGHT: Okay, one-bedroom or less, one studio, it's 600 square feet of land area, not the size of the unit. 900 square feet, it's two-bedrooms or greater. So, that's how you factor in the density. That's R-7. R-6 is quite a bit less. I believe it's, for two-bedroom, I think something like 2,400 or 2,700?

MR. HUBBARD: I believe you're right, 2,400.

MR. ENRIGHT: 2,400 square feet of land. So, it's quite a bit less density permitted under the R-6. Probably about, you know, roughly maybe 60 percent less.

COMMISSIONER WARSKOW: Okay, but we have not had somebody come before us with a viable R-6 development that would require less parking because it's less dense and would ease some of the transition going from R-3 to R-7, that's not happened any time?

MR. ENRIGHT: No. No, and I think in this case, an R-6 would look probably more like row homes in terms of, you know, if it met all the code requirements. You could come in with R-6 and ask for variances and it would be a bigger building. But no, we haven't. The proposals we've gotten have been, you know, similar to this, some a little bigger, some a little smaller. But they never went anywhere, you know, sort of any formal review.

COMMISSIONER WARSKOW: I'm supportive of higher density mixed use. I just think it makes sense in the downtown with all the amenities we have to offer, with a grocery store, with the Metra Station. I can see millennials coming in here with less cars and we just offer the kind of downtown atmosphere that millennials would look for. But I also have a concern about the number of variances that we're allowing here and the parking situation.

The trend, yes, millennials would be interested in this and they would have less cars. Can we guarantee that? No, and we have an issue with parking. So, we can't guarantee that and we already have a parking problem. I can't see allowing variances that make that even worse.

CHAIRMAN ENNES: Joe?

COMMISSIONER LORENZINI: I've got a couple of questions, questions for the owner starting with the parking study. Is the gentleman who did the study here?

MR. PORTO: Yes, he is.

COMMISSIONER LORENZINI: It's getting late, so can you in a snapshot tell me what the parking study showed?

MR. ABOONA: Yes. For the record, my name is Luay Aboona, A-b-o-o-n-a. We looked at a couple of factors as part of our parking analysis. One, we looked at approvals of developments, developments that have been approved recently in different communities throughout the suburbs of Chicago in terms of number of units and number of parking spaces provided. The trend on a lot of these developments was to provide less parking because of their location similar to Arlington Heights in terms of close to amenities, close to the train station, close to the restaurants, supermarket, and the type of units being proposed and the target market for these developments.

So, when we looked at these different projects, you know, in Glenview, Orland Park, Wheaton, Evanston, Downers Grove, Oak Brook, and the list goes on, when we looked at all of these and looked at their number of units and parking spaces and what it averages out to be, it came very close to what this proposal is providing.

COMMISSIONER LORENZINI: The 1.25 here?

MR. ABOONA: The 1.25.

COMMISSIONER LORENZINI: Okay, what about traffic on the streets?

MR. ABOONA: What about what?

COMMISSIONER LORENZINI: What about the traffic on the street? What does your study show?

MR. ABOONA: Well, we did a comprehensive study. We looked at the number of intersections in the area. We looked at about eight intersections and we looked at the morning and evening peak hours and the traffic patterns and the additional traffic from the development. What we found is that the increase of traffic from this development is going to be low, and the impact would be also low. So, we're not going to see a major change in terms of operations of the intersections that are adjoining the site.

COMMISSIONER LORENZINI: Okay, thank you. Mr. Porto, can you come back up please?

MR. HUBBARD: Can we have a motion to extend the meeting past 10:00?

COMMISSIONER DAWSON: So moved. How long do we want to extend to? Does it go until an hour? I'm sorry?

MR. ENRIGHT: Extend it for one hour.

COMMISSIONER DAWSON: One hour. Motion to extend one hour.

COMMISSIONER GREEN: I'll second that.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

COMMISSIONER LORENZINI: The statement was made that if you, if I remember this right, if you met all the, if you didn't need any variances, you can only put up 55 units. Is that true? Where did that come from?

MR. HUBBARD: Approximately, by R-7 density standards, they would fit around 45, I'm sorry, around 54 or 55 units.

COMMISSIONER LORENZINI: Generally, how did you arrive at that? Just by making the footprint smaller?

MR. HUBBARD: Well, they're allowed, you know, you need 600 square feet of lot size for a one-bedroom unit and you need 900 square feet for a two-bedroom unit. Based on the unit mix, we've added all that up to --

COMMISSIONER LORENZINI: Okay, all right, that's fine. Thank you.

Who's going to maintain the building? How is the maintenance of the building going to be handled?

MR. PORTO: We have a third party operator that will be maintaining the building.

COMMISSIONER LORENZINI: What did you anticipate as far as accommodating visitors? Visitor parking? Or maybe I should be asking the Planning Department that. Sam or Bill?

MR. HUBBARD: You mean guest parking passes?

COMMISSIONER LORENZINI: Yes. Yes.

MR. HUBBARD: Vail Avenue garage.

COMMISSIONER LORENZINI: Pardon me?

MR. HUBBARD: You can get guest parking passes, any downtown resident can purchase guest passes for guest parking in Village-owned facilities.

COMMISSIONER LORENZINI: All right. You guys did a good job explaining your reasoning for creating a lot of the variances. But what about the issue about needing two acres for an R-7 development? Why was that justified?

MR. HUBBARD: So, if you look at the Comprehensive Plan here, you can see that the subject property is part of a larger strip of potential future R-7 zoning. So, once, you know, if the Comp Plan is realized, then all of this property will be zoned R-7 and will be well over two acres. So, it's supported by the Comprehensive Plan.

COMMISSIONER LORENZINI: So, the two acres doesn't have to be just for an individual developer?

MR. HUBBARD: It's just for the overall district.

COMMISSIONER LORENZINI: Got you, okay. Again, why are they being allowed to exceed the FAR requirements so substantially?

MR. HUBBARD: I think it's a function of the size of the building and the setbacks they proposed. Floor area ratio is really a way to contain bulk and mass of a building. Given the setbacks and the spaces of the building on the streets on Highland, Sigwalt and Chestnut, again we felt that the bulk and mass of the building is somewhat mitigated by the open spaces of the streets around it.

COMMISSIONER LORENZINI: You know, we have had a lot of discussions about transitional zoning. It doesn't seem like we really have a true transitional zone here.

MR. ENRIGHT: Well, I don't know if I agree with that. Whether or not this building meets that, there is a difference of opinion actually. But the whole master plan going back, it actually goes back really to the 70's when the Village created the, you know, first idea of mixed use higher density with zoning changes. Then following that, in 1983, the first tax increment financing district by the south end of town was created with a plan that called for higher density mixed use development, '86, the first Downtown Master Plan, 2006, the updated Downtown Master Plan. Ever since the 70's, there has been this concept of high density right in the downtown, the B-5 where you see the big buildings, the mixed use, first floor commercial, zero lot line development. Then the ring around the downtown, this heavy brown area is that transitional area where you go from potentially 140-foot buildings which we have a couple of them, several of the 100 to 140-foot high size. Then the second to this first ring goes down to 60 feet, and then from there you have the residential single family.

COMMISSIONER LORENZINI: Okay, so you feel we meet that intent?

MR. ENRIGHT: I believe we do. I mean our opinion is, although we respect that the citizens feel otherwise, we the Staff, the administration does believe that this project does meet the objectives of the long-range vision for the downtown and its environment.

COMMISSIONER LORENZINI: I mean, obviously the majority of the comments have been about parking. To be quite honest, whether we accept this project or not, that problem is not going to go away.

How confident are you, everybody is saying that there's no spots there, but you know, the Planning Department shows figures that there are spots. Is there just a perception of the spots out there or maybe our Department's count is a little off?

MR. ENRIGHT: Well, I think our counts are limited, and I said that, you know, earlier. We don't have counts 365 days a year for 10 years. We do with a new parking study if it's authorized in the budget which I think it will be because it's from our parking fund, so it's not the general fund dollars, we have \$75,000 requested for that. I do think it's important to have a parking study to really get into the nitty-gritty of having counts done so we know exactly when spaces are being utilized to the maximum, and to guide us because a consultant would help us because they have a lot of experience with parking garages throughout, you know, whoever we hire, throughout the region and probably the country. So, I think that's going to be important to determine and, you know, allow the Board to have direction on how to address these issues.

Clearly, you know, there aren't a lot of opportunities to address this issue. You know, we've got the Vail garage and there's not much else, it's pretty much developed downtown, unless Block 425 develops. As I mentioned earlier, Mr. Adriani and Staff have had some very preliminary discussions to expand that garage, you know, mutual use by the Village and Mr. Adriani. But there's a cost to that. Now that AT&T is available, there is a possibility there of the Village potentially acquiring that and expanding. But again, it's not cheap to build these garages. But you know, we understand that there is a parking issue in the downtown and we've had a tremendous amount of success. But when you get more success like Shiku coming in and bringing in more people, you know, it starts moving on more and more.

So, the Board is aware of it, there is no doubt. It's just a matter of how do you address it and how do you fund it.

COMMISSIONER LORENZINI: Okay, thank you.

CHAIRMAN ENNES: Bruce?

COMMISSIONER GREEN: I think I made my point. But just to restate what I feel on this, I think it's a good building. I just wish it was self parked. I think I could live with a lot of the variations that are asked for here. I just don't feel comfortable saying that we're going to push their parking problem off on the Vail Street garage or on the downtown area. So, that's my problem.

I think it does, it's a little taller than I'd like to see but I think it's a nice transitional space from the single family to the downtown. I just think it should be self parked.

CHAIRMAN ENNES: Bill, one of the, I believe it was one of the neighbors who came up and made a statement that the parking garage is structurally unsound. Are you aware of anything?

MR. ENRIGHT: That's not factual, but there are certainly maintenance issues that we're addressing. We're updating the lighting in there.

CHAIRMAN ENNES: Okay, I just didn't want that to go into the record.

COMMISSIONER CHERWIN: Terry, I think it was in response to the ability

to go up. It wasn't, it wouldn't support it.

COMMISSIONER GREEN: To add more.

COMMISSIONER SIGALOS: Upper levels.

CHAIRMAN ENNES: Okay. If I can ask the architect, Mark, to come back up? Can we go to the basement garage level? There was a question about flooding. Where is the vault? Is this going to be a basement below or a vault is going to be below the basement?

MR. HOPKINS: No, it's actually going to be parallel with the basement, starting at about 24 inches above, there it is. He's outlining it here. That's where it is. There's a dash line on the site plan there.

CHAIRMAN ENNES: That's a temporary holding vault for the stormwater --

MR. HOPKINS: Right, stormwater and for volume control.

CHAIRMAN ENNES: That's been engineered to be adequate to take --

MR. HOPKINS: Yes, satisfactory to self-contain the project per the regulations in place.

CHAIRMAN ENNES: Okay, that can help me where I was going. To me there's two issues with the parking. We have a downtown success that's created a parking problem, and we have your property which you believe is adequately parked but which we don't think is. What could be done to add additional parking?

MR. HOPKINS: A few of the things that have come up over time, especially, Chairman, with your comment about loading is that, whoops, I'm doing it again, is that, now there is a ComEd structure here and here and what have you. You know, this is not something that we have explored in detail with Staff. So, I'm speaking of the school, but the developer is sure willing to do a parallel slot all the way along here short of the sidewalk, and there's room for it. It should be something that we could explore and that would get a combination of a few guest spots, and then a short-term lay-by spot as well. So, it can take some pressure off of this and what have you. That's a direction we could go.

CHAIRMAN ENNES: Could that be limited, Bill, to just the building? That's kind of like street parking.

MR. ENRIGHT: No, because it's a public right of way.

CHAIRMAN ENNES: Oh, you wouldn't expect it to be --

MR. HOPKINS: Yes, we're not saying for anything other than guest spots and for the public benefit, but also for short-term drop-offs and such for the building itself. So, it would kind of be for the benefit for both the developer and the community.

CHAIRMAN ENNES: Neighborhood.

MR. ENRIGHT: One thing I just want to add is that, you know, Dunton Tower has an on-street loading space.

CHAIRMAN ENNES: Right.

MR. ENRIGHT: But it's 15 minutes, so it's UPS or it can be move-in/move-out, although Dunton Tower uses their back alley for those. So, this will be similar to that, you know, Highland instead of Sigwalt. I'm not sure we would be wild about the idea of parking on Sigwalt. We could certainly look at it, but we want to study that very carefully.

CHAIRMAN ENNES: Wait, I saw the marker down here on Sigwalt, not on Highland.

MR. HOPKINS: Right.

CHAIRMAN ENNES: Where the loading and unloading is.

MR. ENRIGHT: I'm just referring to what was proposed on Highland. It's no different than what we did in front of Dunton Tower.

CHAIRMAN ENNES: Oh, okay.

MR. ENRIGHT: It's not different than what's in front of the high rise over here.

CHAIRMAN ENNES: But that's eliminating parking spots on Highland.

MR. ENRIGHT: Yes.

CHAIRMAN ENNES: When it's going to be used infrequently. Is the suggestion that they could put, do you have any idea how many parking spots you could put in there? On Sigwalt at an angle?

MR. HOPKINS: 216 feet minus the knuckles at the corners divided by 22. What do you think, Sam?

MR. HUBBARD: Probably 10.

CHAIRMAN ENNES: I know I'm asking you off the top.

MR. HOPKINS: Eight?

MR. HUBBARD: About 10.

CHAIRMAN ENNES: 10, that's in addition to what would be there --

MR. HOPKINS: Let me reiterate, you know, this is outside of our control right here, that thing. You know, and this might preclude the width of one of those.

CHAIRMAN ENNES: What is there?

MR. HOPKINS: So, I'm thinking about eight, but we literally have never drawn it and we haven't really discussed it with Staff. But since it came up here a couple of times, we're sure willing to chase it.

CHAIRMAN ENNES: Okay.

COMMISSIONER LORENZINI: You know, in the city, the big city, they do a lot of public parking all over the city. Can you do public parking there?

MR. ENRIGHT: Where? Public parking on Sigwalt?

COMMISSIONER LORENZINI: The street, yes.

MR. ENRIGHT: No, we're not going to get into that in our streets, these are public streets and they're available to the general public for short-term parking.

MR. HOPKINS: Just to reiterate, you know, the developer is not asking for those 22 spaces.

CHAIRMAN ENNES: Right, I understand. But you're hearing the concern of the neighbors and other local businesses that parking is a huge issue. I don't believe the parking that you have internally can take care of guest parking and some of the other overload that would be added to the neighborhood from time to time.

MR. ENRIGHT: I want to add that there is two-hour parking, I made a statement about on-street parking, I mean our on-street system is downtown to our parking. In this bigger neighborhood where it is allowed, the streets are very narrow so it's usually only allowed on one side or the other, not both.

CHAIRMAN ENNES: Right.

MR. ENRIGHT: It's typically two hours. There is no parking allowed on Sigwalt because it's a collector street, so it collects quite a few cars transitioning from the neighborhoods to the major arterials.

COMMISSIONER CHERWIN: Terry, can I ask a question?

CHAIRMAN ENNES: Sure.

COMMISSIONER CHERWIN: Just as we're kind of, you know, brainstorming here on this parking issue, if we go back to that north side of the building, is there any opportunity for angled parking with a small drive aisle, say like one way or something like that back there that would potentially --

MR. HOPKINS: It's only 18 feet. 18.4 or something like that, and we've used about 40 percent of it up with our ramp bump, and we're detaining in the remainder. So, we don't have enough there to give, you know. I don't think we're in the business, I don't think we are in favor of, or the Village isn't in favor of doing angled parking or anything like that or pull in with 90 degree parking on any of the --

MR. ENRIGHT: I don't think we'd be real wild about parking on Sigwalt with, you know, taking that curb and losing a lot of green space. You know, we may, I guess we do have a little bit of parking downtown adjacent to, you know, I believe 18 feet, but you know, it can be looked at. I'm not so sure we'd be too wild about that, especially coupled with the variations that are sought.

CHAIRMAN ENNES: It could resolve some of the guest parking issue, as the developer is saying that they are adequately parked.

COMMISSIONER WARSKOW: Wait, wait, wait. What would the variance be? We would have to provide them a variance if we did not consider the 22 spots in the Vail Street garage.

MR. ENRIGHT: That's correct. That's because --

COMMISSIONER WARSKOW: So, what would that, what number of spaces would that variance be if we --

MR. ENRIGHT: 22.

COMMISSIONER WARSKOW: 22, okay.

MR. ENRIGHT: They would have 110 in the building which would be 1.25, they need 1.5 which is the 22 spaces. But if the Village decides based on the input that we're hearing and based on really previous input from the Board, they were saying a lot of the same things that the citizens are saying here tonight, that we don't sell it to them. We put a condition here of not only get a variance to parking that say in your leases you have to say you can't go to the Village looking for parking because we won't sell it to you, they won't be on our list. We have a list of the addresses that are eligible to buy parking, and this building would not be on that list.

So, in effect, it's going to, you know, to an extent I believe it ends up self-regulating. Again, if someone comes to them saying I want to rent that last two-bedroom unit or one-bedroom, I got two cars, they're like we only got one space left, all right, I've got to go up north where there's, you know, more parking in a different type of development.

MR. HOPKINS: The developer agrees with that.

COMMISSIONER DAWSON: Could I just ask? You said that any one in those other buildings will just need a guest parking. Is that a one-day overnight pass? What does guest parking mean?

MR. ENRIGHT: You can get up to eight 24-hour passes, and that runs from 12:00 noon to 12:00 noon.

COMMISSIONER DAWSON: So, eight in a row?

MR. ENRIGHT: You can get eight in a month.

COMMISSIONER DAWSON: Eight in a month.

MR. ENRIGHT: Then you can use them eight nights in a row or spread out. We've done a study on this, Jake here did it. For our whole downtown in 2016, 365 days, we sold approximately 2,200 nights of, you know, permits which are one, you know, one parking permit which equates to, and some of that is spread out in different garages but the Vail garage is the most predominant one, that equates to I think about five spaces on average per day.

COMMISSIONER DAWSON: So, this building would not be allowed to get guest parking then, is that what you're saying?

MR. ENRIGHT: No, I didn't say that.

COMMISSIONER DAWSON: Oh, okay. They would be able to get guest parking but not be able to get a permit for monthly parking at this garage.

MR. ENRIGHT: That's right.

COMMISSIONER DAWSON: For overnight parking. They could, but the other garages don't allow overnight parking, correct? When I used to commute in the city, I parked underneath in Evergreen. That's not overnight?

MR. ENRIGHT: No. Well, part of it is because --

COMMISSIONER DAWSON: But not for commuters.

MR. ENRIGHT: There are leased spaces for 77 South Evergreen.

COMMISSIONER DAWSON: But not for commuter.

MR. ENRIGHT: No.

COMMISSIONER DAWSON: I mean I guess my point is they couldn't even go get an overnight spot in a different building if they wanted it.

MR. ENRIGHT: No. We sell some reverse commuters that do park overnight, but that practice has been greatly reduced over the years.

COMMISSIONER DAWSON: So, the concern then from the Village, so why did Staff initially want to provide the 22 units? I just want to make sure. It seems like what you're saying to me now is the Staff would support or be comfortable with us removing those 22 units because it's self-regulating and that they would not be able to get monthly overnight parking. They could get guest parking but that's significantly limited, and then it would be up to the developer to make this successful with the limited parking that they have. Is that correct?

MR. ENRIGHT: Optimally, they should meet code. But again, it would be self-regulating because there's going to be no other option for people to park overnight. We don't allow it on the streets. So, they're going to be stuck with the 110. We think that our data shows that they're going to want a little more than that. They're saying no. Quite frankly, they are more experts than we are in developing, but we have some data from our downtown, we do have data though that shows that it's as little as one or 1.1 per complex but it's been more on the 1.4 to 1.6. Some of those are condos though which tend to be a higher number because it's a condominium.

So, would we be uncomfortable if they add a variation for 1.25 and had the 110? No, we wouldn't. If it's better to save those spaces for something else like customers, but there's another component to that. Just because you do that with this development doesn't necessarily mean that overnight those spaces become available for customers either because we're going to have to make bigger changes to how we allocate parking in that garage to begin with. Because right now those 22 spaces are only for permits, not for customers.

COMMISSIONER DAWSON: Sure.

MR. ENRIGHT: But we are going to be looking at that. We're going to be

looking at how these spaces are set up in the garage.

COMMISSIONER DAWSON: I completely understand why Staff wanted those spaces and that you have a lot of experience with what people that live in Arlington Heights are looking for associated with cars. Typically when we're talking about a shopping mall with customers and such, the shop owner can't always control how many people are driving in. Here, it is somewhat self-regulating. But I hear the burden on the parking garage. I drive there very rarely, even when I drive there it's crazy in that garage.

I'm also concerned about the drop-off on Highland. I agree, that area there is dangerous, driving through there. Can we limit, I saw the drop-off hours, there's too much paper, but they were very, it's like 9:00 to 4:00 on Saturdays, and 9:00 to 6:00. Can we limit that more? Is there a way to maybe police better how -- no?

MR. ENRIGHT: That's a tough one.

COMMISSIONER DAWSON: That's a tough one? Okay.

MR. ENRIGHT: I mean, you know, the police have a lot of things to be attending to, you know, safety. This is safety for sure, I get it, but checking to see if this loading zone is one thing versus other loading zones, oh, which hours is this one by the way, I have to look it up somewhere.

COMMISSIONER DAWSON: Yes.

MR. ENRIGHT: That gets untenable quite frankly, to try to monitor that and enforce something like that.

COMMISSIONER DAWSON: Yes, I guess when I said policing, I didn't necessarily actually mean the police. I meant, I agree with what you're saying, it's a burden on the Police Department to put those rules in place. But generally people will follow, not all but many people follow the rules. If we could restrict the hours, it might ease some of the burden on this area. I mean I understand what you're saying about the police. Any other thoughts? Terry, I'll let you do your job this time.

CHAIRMAN ENNES: So, do we all agree we have two parking issues here? We have a downtown parking and we have this property.

COMMISSIONER DAWSON: Right.

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Are we comfortable with the variance that's proposed?

COMMISSIONER DAWSON: The variance that's proposed as they buy the 22 spots?

CHAIRMAN ENNES: Right, that they have access to those?

COMMISSIONER DAWSON: No, I'm not comfortable giving them the 22 spots.

COMMISSIONER WARSKOW: No, I'm not.

CHAIRMAN ENNES: So, you're saying don't give them any, just let them go on their own?

COMMISSIONER WARSKOW: And another variance.

MR. ENRIGHT: That would require a variance.

COMMISSIONER DAWSON: We would add a variance, too.

CHAIRMAN ENNES: A parking variance, that we'd allow them to have fewer parking spots.

MR. ENRIGHT: 1.25 instead of the required.

CHAIRMAN ENNES: 1.5, right. The setback issue, when I first looked at --
COMMISSIONER WARSKOW: Because it's required by code, if they're not

going to have enough parking spaces, we would have to write a variance to allow them to have those parking spaces. They're saying they wouldn't rent to somebody who would have more cars than they have spaces to provide them.

AUDIENCE MEMBER: They also have tandem parking spots in their basement parking.

CHAIRMAN ENNES: Wait, wait. The public section is done. So, as far as the green space, when I first looked at these setbacks, I couldn't believe how small they are. But when we see this 18 or 20-foot right of way and the landscape drawings, it's pretty nice green space.

COMMISSIONER WARSKOW: Right.

COMMISSIONER DAWSON: Yes. Yes.

COMMISSIONER WARSKOW: It's not as much as I would want, but are we ever going to get a development in here that's going to say it's going to be able to make its return on investment and have a smaller footprint? I don't know.

COMMISSIONER DAWSON: I think the history with this property is that it's been extremely difficult to find someone to put something in this space. I don't agree that the vacant space there isn't, damaging is the wrong word, but I think having a big parcel of vacant space is unattractive to our downtown and attracts littering and other elements. I as a resident of Arlington Heights have always wanted to see something go there.

COMMISSIONER WARSKOW: I'd love a park, but that isn't going to happen.

COMMISSIONER DAWSON: Well, I'd love a park, too. So, I can see that Staff is working hard to bring someone in, and this is the only type of development that's going to go in that space that is economically feasible for that space.

COMMISSIONER WARSKOW: Yes. Mixed use, higher density, yes.

CHAIRMAN ENNES: Transitional, doesn't have the retail for shopping, in and out parkers. Do we have --

COMMISSIONER CHERWIN: I have one question. Bill, could you, real quick, the AT&T building to the right, I see on the Comp Plan it's a mixed use designation. What is it currently?

MR. ENRIGHT: It's currently mixed use on the Comprehensive Plan and currently zoned B-5 Downtown.

COMMISSIONER CHERWIN: So, without the types of variations other than say the mixed use and the first floor commercial, what kind of building, I'm kind of looking at those sites somewhat similarly sized, and so we've got the same neighbors here, we've got this AT&T building being marketed. Without any sort of variations right now, what kind of structure, you know, sort of density-wise, what kind of structure could go up on that?

MR. HUBBARD: It would be 112 units under the B-5 with the exact same size as this property.

COMMISSIONER CHERWIN: So, right now the property we're looking at, without any of the variances that we're talking about, you could, CA Properties could go on to AT&T building site for almost about the same footprint and put up how many units?

MR. HUBBARD: 112 units.

COMMISSIONER CHERWIN: Without coming for the variances, and that's right across the street.

CHAIRMAN ENNES: Or that could be an expanded parking garage, although those --

COMMISSIONER GREEN: And they have the opportunity to go in higher or taller.

COMMISSIONER CHERWIN: Right. I mean what's the height on that then? So, we're talking, I think in your Design Committee it was four to six on the subject property height-wise, four to six stories. What's permitted on the AT&T site right now?

MR. HUBBARD: 90 to 140 feet depending on different setback --

MR. ENRIGHT: But it won't be 140, I can tell you that. They couldn't get that much.

COMMISSIONER DAWSON: No, but the point is well made.

CHAIRMAN ENNES: So, does anybody want to make a motion?

COMMISSIONER LORENZINI: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#17-008, a Rezoning from R-3 One-Family Dwelling District into the R-7 Multiple-Family Dwelling District; a Planned Unit Development (PUD) to allow the construction of a five-story 88-unit residential development; a Preliminary and Final Plat of Resubdivision to consolidate six lots into one lot;

And the following variations:

1. **Chapter 28, Section 5.1-7.3, *Minimum Area for Zoning District*, to allow the R-7 District to be approximately 1.39 acres where code requires a minimum of two acres for the R-7 District.**
2. **Chapter 28, Section 5.1-7.4, *Minimum Lot Size*, to allow a 39,587 square foot lot where code requires a minimum of 67,800 square feet in lot size.**
3. **Chapter 28, Section 5.1-7.6, *Required Front Yard*, to allow a front yard setback (east side) of 10.5 feet where code requires a 48-foot setback.**
4. **Chapter 28, Section 5.1-7.6, *Required Front Yard*, to allow a front yard setback (west side) of 16.3 feet where code requires a 48-foot setback.**
5. **Chapter 28, Section 5.1-7.6, *Required Side Yard*, to allow a side yard setback of five feet where code requires a 34-foot setback.**
6. **Chapter 28, Section 5.1-7.6, *Required Exterior Side Yard*, to allow an exterior side yard setback of 18.3 feet where code requires a 20-foot setback.**
7. **Chapter 28, Section 5.1-7.7, *Maximum Building Lot Coverage*, to allow 72 percent building lot coverage where code allows a maximum 45 percent building lot coverage.**
8. **A variation to the maximum allowable building height to increase the maximum allowable building height from 60 feet to 62.5 feet.**
9. **Chapter 28, Section 5.1-7.13, *Maximum Floor Area Ratio*, to allow 253 percent FAR where code limits maximum FAR to 200 percent.**
10. **Chapter 28, Section 11.7(A), *Loading Requirements*, to waive the requirement for**

- one off-street loading space.
11. Chapter 28, Section 6.6-5.1 *Permitted Obstructions*, to allow certain balconies to project 5.3 feet into the required front, exterior side, and side yards.
 12. Chapter 28, Section 6.6-5.1, *Permitted Obstructions*, to allow a transformer within the required front yard setback where code requires all transformers to be located outside of all setback areas.
 13. Chapter 28, Section 11.2-7, *Size*, to reduce the required depth of certain parking stalls from 18 feet to 16 feet.
 14. Chapter 28, Section 11.2-8, to allow certain drive aisles to be no less than 20 feet wide where code requires a minimum drive aisle width of 24 feet.
 15. Parking variance from 1.5 spaces down to 1.25.

This approval shall be subject to the following conditions:

1. Overhead utilities along the Sigwalt Street east of Highland Avenue and west of Chestnut Avenue shall be buried unless Commonwealth Edison and the Village deems that it is not feasible, in which case the overheard utilities will need to be relocated to the south side of Sigwalt Street.
2. Move-in/move-out operations shall be restricted to between 7:00 a.m. to 6:00 p.m. on Monday through Friday and 9:00 a.m. to 4:00 p.m. on Saturday and Sunday.
3. Residential units are approved as rental apartments. Converting residential units to condominiums shall require an amendment to the Planned Unit Development.
4. The Petitioner shall provide a final construction schedule/phasing plan, including detailed information on street closures, at time of building permit for review and approval by Staff.
5. The Petitioner shall comply with the August 15, 2017 motion of the Housing Commission to provide a \$325,000 fee in lieu of providing the 13 affordable housing units (\$25,000 for each affordable unit omitted from the development) to be paid at the time of the building permit.
6. The Petitioner shall comply with all Design Commission recommendations from the September 12, 2017 Design Commission meeting.
7. School, Park, and Library contributions shall be required per Village code prior to the issuance of a building permit.
8. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

COMMISSIONER DAWSON: Wait, number one is out?

MR. HUBBARD: Number two would be out.

COMMISSIONER LORENZINI: Number one is the Village is going to sell up to 22 permits, we're going to eliminate that.

COMMISSIONER DAWSON: Oh, right.

CHAIRMAN ENNES: Yes. That's on the conditions.

MR. HUBBARD: Conditions should be three through eight.

COMMISSIONER DAWSON: Yes, two needs to be out as well.

COMMISSIONER LORENZINI: Okay, yes. Okay, correct that to the following conditions, one and two are out, and three through ten are included.

COMMISSIONER DAWSON: Second.

CHAIRMAN ENNES: We should take a vote.

COMMISSIONER LORENZINI: Roll call.

COMMISSIONER DAWSON: Roll call.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: No.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: No.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: No.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes. That's three-three? Or no, four-three.

MR. HUBBARD: Four-three.

CHAIRMAN ENNES: So, you've got a favorable recommendation. You're familiar with the remaining variations and conditions and you're agreeable to them?

MR. PORTO: Yes.

CHAIRMAN ENNES: So, your next step is to go before the Village Board.

MR. HUBBARD: That will be on October 16th --

CHAIRMAN ENNES: Thank you. Do we have anything else? We're done?

So, do we have motion to adjourn?

COMMISSIONER GREEN: Motion to adjourn.

COMMISSIONER DAWSON: Second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

(Whereupon, at 10:30 p.m., the above-entitled petition was concluded.)

