

APPROVED

MINUTES OF
THE VILLAGE OF ARLINGTON HEIGHTS
DESIGN COMMISSION MEETING
HELD AT THE ARLINGTON HEIGHTS MUNICIPAL BUILDING
33 S. ARLINGTON HEIGHTS RD.
JANUARY 9, 2018

Chair Fitzgerald called the meeting to order at 6:30 p.m.

Members Present: John Fitzgerald, Chair
Aaron Coon
Ted Eckhardt
Kirsten Kingsley
Jonathan Kubow

Members Absent: None

Also Present: Michael Porto, CA Ventures for *Sigwalt Apartments*
Mark Hopkins, HKM Architects for *Sigwalt Apartments*
Tony Divizio, Divizo Group for *523 W. Ridge Ct. & 504 S. Mitchell Ave.*
Piotr J. Janota, Miyako Investments LLC for *223 S. Dunton Ave.*
Brian Hyde, Greenscape Homes for *626 N. Harvard Ave.*
Don Forlani, Owner of *626 N. Harvard Ave.*
Keith Ginnodo, Kingsley/Ginnodo Architects for *132 W. Northwest Hwy.*
Michael & Ellen Para, Owners of *132 W. Northwest Hwy.*
Steve Hautzinger, Staff Liaison

REVIEW OF MEETING MINUTES FROM DECEMBER 12, 2017

A MOTION WAS MADE BY COMMISSIONER ECKHARDT, SECONDED BY COMMISSIONER KUBOW, TO APPROVE THE MEETING MINUTES OF DECEMBER 12, 2017. ALL WERE IN FAVOR. MOTION CARRIED.

ITEM 1. MULTI-FAMILY RE-REVIEWDC#17-156 – Sigwalt Apartments – 45 S. Chestnut Ave.

Michael Porto, representing *CA Ventures*, and Mark Hopkins, representing *HKM Architects*, were present on behalf of the project.

Chair Fitzgerald asked if there was any public comment on the project and there was response from the audience.

Mr. Hautzinger stated that tonight's meeting is regarding design review, and this project will then proceed to the Plan Commission for zoning review which is currently scheduled for February 14, where comments regarding zoning and parking can be discussed, and then proceed to the Village Board for final review. This project was previously reviewed by the Design Commission on August 8, 2017 and again on September 12, 2017. At that time, the Design Commission recommended approval of the design with the following conditions:

1. A requirement to add at least one false window on the east elevation first-floor. This requirement has been addressed in these revised plans.
2. A requirement to change the Morton Sweetspire shrubs around the electrical transformer to evergreen shrubs for year-round screening. This requirement has been addressed in these revised plans.
3. A requirement to change the Candytuft perennials along the front of the brick garden walls to a different perennial that has more height to soften the wall. This requirement has been addressed in these revised plans.
4. A requirement that the north wall be revisited with the same undulations as the east and west walls. This requirement is in regards to the semi-recessed balconies on the east and west walls, which have now been added to the north wall.
5. The design does not meet the Design Guidelines evaluation criteria for 'Harmony and Compatibility', specifically regarding height and setback.
6. The design does not meet the Design Guidelines evaluation criteria for 'Conformance to Ordinances and Comprehensive Plan'.

Following the Design Commission review, the project was reviewed by the Plan Commission on September 27, 2017, and the Plan Commission recommended approval. The project was then reviewed by the Village Board on October 16, 2017, and the project was denied. On December 4, 2017 the petitioner presented revisions to the project to the Village Board during early review.

At this time, the developer has made the changes to the proposed development, with highlights as follows:

1. The top floor of the building has been stepped back to reduce the massing and height at the outer walls in response to the Design Commission's concerns regarding harmony and scale. Staff feels this is a good improvement to the project.
2. The brick on the first floor has been changed from a black color to a brownish color, and the black granite at the building entrance has been changed to the brownish brick. The goal was to be more compatible with the color tones of the neighborhood, which Staff also feels is a nice change.
3. The entire building has been shifted approximately 4 feet to the east on the site providing a larger setback to the west.

Overall, Staff feels the proposed changes to the design are positive improvements to reduce the scaling and massing; however, Staff encourages the petitioner to maximize the amount of windows on the top floor to break up the amount of wall siding and lighten the appearance. Staff recommends approval of the revised design.

Mr. Hopkins said that Staff summarized the changes that were made to the building; however, he said that one of the major changes to the building is at the entry, and he presented a revised image that shows a limestone color on the pergola and the canopy, rather than the dark bronze shown on the rendering. They feel the revised color is a better

design. In addition, the pergola was pulled off the elevator tower and brought forward as a garden element, in a further attempt to create a more residential approach to the design.

PUBLIC COMMENT

Vera DeGiorio, 102 S. Chestnut Avenue. She thought this project was denied by the Village Board late last year and now the petitioner is back with what they see as essentially the same plan that was previously denied, although the petitioner claims the development has been redesigned to accommodate earlier Village objections, but we just do not see it that way; what we see is a re-hash of the earlier design with a few non-critical modifications that seems to be in effort to placate the wishes of the Village and our neighborhood. We understand the Design Commission is limited in its scope of review, so she will keep her comments isolated to those comments. She believes the massing of this building on this site, which is just under 1 acre in size, is too dense and is not fitting for this neighborhood. She believes that was a point of objection on the prior design, and the developer has not properly addressed this objection with its new design. The project size for this site and neighborhood was also a strong point of objection, and we notice the developer has made slight modifications to the building size by adding 3 bedroom units to the mix and reducing the total number of units by 8 apartments to the proposed 80 units. The developer's revised plan shows the actual bedroom count has been reduced by only 8 bedrooms in the complex. Once again, we believe the development size is not fitting for the neighborhood and the petitioner has done very little to address the concerns of the Village and the neighbors. Finally, we find the appearance of the building has changed very little over the design that was originally submitted, and subsequently rejected by the Village Board. In several ways we feel this design is actually worse than the original submittal. The petitioner's attempt to set the 5th floor back from the top of the 4th floor exterior wall; while seeing it makes the 5th floor not visible from the neighbor's vantage point is a foolish statement, one completely without merit and a move that drastically degrades the architecture and integrity of this building. In addition to these concerns regarding design, we are at a loss to understand why Staff supports this development with such vigor. It has become somewhat obvious to us that the Staff's desired approval for this development is in direct conflict with the wishes of the neighboring property owners and at least a majority of our Trustees, as proven by their last denial of this plan. We beg the commission to reject the approval of this submittal as presented; this plan does not fit our neighborhood and the petitioner has not made a good faith effort to address objections. Thank you.

Keith Allen, 46 S. Chestnut Avenue. He agreed with Vera's comments completely. Essentially for the third time, this is the same building; same size, same footprint, and the majority of the same issues that caused the project to be rejected in the first place remain unresolved. From his point of view, reducing the number of units by adding the 3 bedroom apartments, enabled the petitioner to comply with the required parking ratio; however, it did not accomplish addressing the problems with the parking layout, the drive aisle widths, insufficient turning radiuses, and the basic layout of the first and basement levels. Parking was added along Sigwalt by taking away the public right-of-way, which the petitioner will argue adds parking, but he will argue that it may exacerbate the parking and traffic issues on Sigwalt, as there is now loading/unloading/move in/move out/public parking/package and mail delivery, all vying for those spots on Sigwalt. If those spots are full, there will be double parking on Sigwalt, which is the thru street, and will cause a disaster. It also takes away substantial green space along that side of the building. The step back at the fifth floor will only be hidden for people standing on this parcel or in the middle of the street; neighbors around this parcel, it makes no difference to them, they see it from their front porch, their front windows and second-story windows; it does not hide it from them at all. All of this leaves us with the following big issues still unresolved: a comprehensive plan that does not reflect the actual conditions surrounding this parcel; an R-7 building on a parcel that is less than half the size required to support an R-7 development; a non-compliant building that still requires numerous variance requests, and a building that is not harmonious or compatible with its surroundings. In the commissioners' evaluation of the proposal tonight, he would ask the commissioners to focus on 2 big picture criteria that are set forth in the Village Design Guidelines that govern this commissions' evaluation of a design proposal: conformance to ordinances and the Comprehensive Plan, and the harmony and compatibility of the proposal to the surroundings.

Kari Dwyer, 30 S. Chestnut Avenue. She agreed with her neighbors that already spoke; there are not enough changes that have occurred to the renderings. Her greatest concern is 2-fold, with the first being the amount of variances that are being requested. She had to comply with a lot of regulations that the Village has set forth when restoring her 100

year old home, which she was willing to do so, although frustrating at times, for the fact that the guidelines are in place for a reason; to preserve the aesthetics of this community, the reason why we live in this community. From the community's perspective, she asked what message this sends to the next developer that comes in that asks for more variances; where does it stop and what legal recourse if any, do we have for those that have already complied with these variances and projects were denied. It does seem fair that we can now turn the tide and start to view projects in a different direction because it is convenient when someone is available to build on this property. We should stay true to the community and make sure this project is the right fit for the parcel that is available. Her other concern is that we continue to reflect on the Comprehensive Plan and how this property is R-7 and how our homes are actually on a Comprehensive Plan viewed to be R-6. She would ask then, when proposed to the Commission and Board over a year ago, why was the property next to her at 26 S. Chestnut Avenue approved to be developed for a single-family home? We could have turned the tides then and agreed at that point that it should have been zoned for R-6, but it was not and it continued to remain R-3, and now we have done nothing to create more of a flow from this large massive building to our homes, but yet it was approved. She just wondered: is it the conflict with the Comprehensive Plan that has been established, does that need further review? Because we are trying to fit something so large on such a small space, but yet we are not asking for any changes anywhere else. These are a couple of considerations and we ask that you listen to our voice; we know you are appointed officials and that you are speaking on behalf of us.

Commissioner Eckhardt thanked the neighbors for coming out and asked the petitioner if he had any meetings with the community, which he believed was the intent of the Village Board and others. **Mr. Porto** replied that there was a meeting held with the neighbors. **Commissioner Eckhardt** asked for a show of hands from residents that attended that meeting, and although hands were raised, a resident spoke out and said that the hands raised was not a comprehensive assessment as to who was actually invited to attend the meeting because she was not invited, although she lives directly across from the site. **Commissioner Eckhardt** felt that the intent of the Village Board and others was to make sure the petitioner was talking with the neighbors, which is important, and he reiterated that this commission only reviews the architecture of the building, which the Design Commission previously approved based on the merits of the building, with comments. He was unsure if he agreed with the residents who state that there has been no effort made by the petitioner to change the building; the residents are not architects and the building looks the same to them; however, to those who review architecture, he felt the changes are worthy. He explained that the Master Plan allows for a building of this size or larger on this site, which is unfortunate that in so doing, the Village self-created the need for many of these variations being requested. He is aware that there is another project coming for the north side of this site, and he suspects that it will make this building look like a pipsqueak, although he has only heard rumors and not seen any drawings. **Commissioner Eckhardt** also said that the Master Plan, rightfully or wrongfully, also designates the homes on the west side of Chestnut as a higher density zoning than R-3. In terms of the massing of the building, he referred to the context elevations, and said that the massing of the new building appears to fit going east; however, there is an obvious difference in height and in character to the west, which abuts residential. In terms of the effort to set back the building, he felt a site line would show that the top floor, when standing across the street on the sidewalk, only a hint of the top floor would be visible; however, from the upstairs levels, the top floor would be visible. Although the fifth floor is there, it no longer creates a wall that was at one time right on the front. With regards to the materials being proposed, he liked that the ground-floor of the building is now warmer browns instead of the previous harsh black tones. In an effort to keep cars from double parking on the street, **Commissioner Eckhardt** pointed out that the petitioner has created a place for cars to park around the building and not restrict traffic flow, however, this resulted in a loss of green space in various places around the building, which is somewhat of a concern for him. **Commissioner Eckhardt** asked Staff to review the variances being requested so he can understand how many of the variations are relative to the fact that anything is being built on this small site, versus what might be viewed as getting an advantage to create more density.

Mr. Hautzinger read the list of the variances from the notification for the Plan Commission hearing:

1. Chapter 28, Section 5.1-7.3, Minimum Area for Zoning District, to allow the R-7 District to be approx. 1.39 acres where code requires a minimum of 2 acres for the R-7 District.
2. Chapter 28, Section 5.1-7.4, Minimum Lot Size, to allow a 39,587 sq. ft. lot where code requires a minimum of 61,500 sq. ft. in lot size.

3. Chapter 28, Section 5.1-7.6, Required Front Yard, to allow a front yard setback (east side) of 6.8' where code requires a 49' setback.
4. Chapter 28, Section 5.1-7.6, Required Front Yard, to allow a front yard setback (west side) of 20.0' where code requires a 49' setback.
5. Chapter 28, Section 5.1-7.6, Required Side Yard, to allow a side yard setback (north side) of 5' where code requires a 39' setback.
6. Chapter 28, Section 5.1-7.7, Maximum Building Lot Coverage, to allow 72% building lot coverage where code allows a maximum 45% building lot coverage.
7. A variation to the maximum allowable building height to increase the maximum allowable building height from 60' to 63'-8".
8. Chapter 28, Section 5.1-7.13, Maximum Floor Area Ratio, to allow 242% F.A.R. where code limits maximum F.A.R. to 200%.
9. Chapter 28, Section 11.7(a), Loading Requirements, to waive the requirement for one off-street loading space.
10. Chapter 28, Section 6.6-5.1, Permitted Obstructions, to allow certain balconies to project 5.3' into the required front, exterior side, and side yards.
11. 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.
12. Chapter 28, Section 11.2-8, to allow certain drive aisles to be no less than 20' wide where code requires a minimum drive aisle width of 24'.

Commissioner Kingsley thanked the audience for being here and addressing the commission in such a concise and thoughtful manner. She liked the changes that were made to the proposed building and agreed with Commissioner Eckhardt that the changes are worthy of looking at, and she commended the petitioner for addressing some of these issues. That being said, she felt that a lot of the items previously talked about by the commissioners had to do with the variances and compatibility; the design does not meet the Design Guidelines criteria for 'Harmony and Compatibility', and the design does not meet the Design Guidelines criteria for 'Conformance to Ordinances and Comprehensive Plan'. These two items are still outstanding and this concerned her. Specifically, the things that both the architect and the developer have done, such as stepping back the top floor, lightening the pergola, changing the base color, and moving the building to the east; all of those were worthy of looking at. It is hard for her to hear the neighbors and their objections, and for the commissioners to approve something based on just the design, when in reality, there are still two items that are outstanding and cause her to pause.

Commissioner Coon said that he does not take this project lightly, being a \$17.5 million dollar project, and he does recognize that changes were made in terms of the massing, density, setbacks, and an effort was made to accommodate the concerns about the fifth floor height, which was one of the major things he previously had an issue with. He watched the Village Board review of the project and put together some thoughts based on that review, because he did not want to come here tonight and say that the changes were not worthy enough and the petitioner did not go far enough, when the petitioner did have a meeting with the neighbors and sent out notices farther than the required 250-foot radius. He received a letter because he lives within the boundaries, and heard there were approximately 40 people at the meeting. He asked the petitioner if there were any changes in the design being presented tonight, as opposed to the design that was shown at the early review with the Village Board on December 4, that incorporated any comments, suggestions, or input from any of the neighbors. **Mr. Porto** replied that no changes were made because drawings for tonight's meeting had already been submitted prior to the neighborhood meeting, and they want to gather all of the input from the neighborhood meeting.

Commissioner Coon liked the changes that were made at the front entrance, going from the black brick to a brownish brick color at the first floor, which fits better with the color tones of the adjacent residential neighborhood. With regards to the massing, in terms of density and height, he illustrated in a very elementary way, the difference in square footage between the original design and the revised design by holding up paper squares representing the two sizes. One representing an 88-unit, 100,165 sf building and the other being 5% less, 95,220 sf of density. He then showed other paper squares with a perceptible difference in the sizes. He then discussed the addition of 3-bedroom units to the building plans and explained the difference in overall beds compared to the overall square footage as being less than

5%, which he would not say are worthy by any means. With all due respect, he heard some really good comments from the residents tonight, and to sweep those aside saying that they are not architects; he has been an architect for 22 years and he knows the difference.

With regards to the height, **Commissioner Coon** referred to the Village Comprehensive Plan, which calls for the best use of an undeveloped site, and pointed out that Planning Department Staff demonstrated the tax generation and retail establishment benefits of the proposed new building. He also referred to the 'Downtown Master Plan Objectives' in the Goals and Policies of the Village Comprehensive Plan, which were touched on at the Village Board early review of this project by Village Staff who said that the site is planned as R-7, 4-6 stories, and the proposed development fits right in at 5 stories, and the building is not adjacent to single-family homes because it is across the street from single-family homes that are comprehensively planned to be R-6 thus creating the change in density and height. He also reported that the Village Manager said that this is a challenging parcel, and **Commissioner Coon** agreed that it is a challenging parcel, which became challenging when it was decided to extend the parking structure over the street. He stated that it was also said this development already takes the height and goes from high to low to lowest to single-family, but right now it is one story higher than the parking structure. It may be true when considering the future development of the AT&T site as residential, which may be 7 to 8 stories in height, but right now this is spot zoning by our own zoning definition. The definition of spot zoning is that it's not continuous with the R-7 development. The R-7 zoning district is 2 acres and this is 1.39 measured to the right-of-way centerline of the adjacent streets and on those borders is a different zoning district. However, Planning Staff also noted that per the Comprehensive Plan, the parcels on either side of Highland are comprehensively planned for R-7, and there is an R-7 development currently at the corner of Vail and Sigwalt on the west side, and taking in all of those elements creates a zoning district.

Commissioner Coon said that he thoroughly studied the 'Goals and Policies' in the Comprehensive Plan and pointed out that there is a lot of revenue that can be used to support our Police and Fire departments; however, what is not being discussed are all of the things in the Comprehensive Plan that are looking out for the residents, which is his job as an appointed design commission member; to look out for what is best for this community and not what is best for the revenue stream of Arlington Heights, that is not his job. After reading through the Comprehensive Plan, he has many questions that he will be sending the Village Trustees and the Comprehensive Planning team of 19 people, because he felt there are some serious issues that need to be addressed with the Comprehensive Plan along this corridor. He also touched on the value of historic preservation in the Comprehensive Plan, which is repeated several times. In the R-7 comprehensively planned zones south of Sigwalt, there are nine houses approximately 100 years old with very fine character that we are justifying this saying these could be other apartment or condo buildings to create a wall of high density multi-family along this corridor. With regards to height, he looked at the height and setbacks of the four buildings along Sigwalt that are located across the street from single-family homes; a comparative analysis of what the right solution is here. Personally, he felt all of the condo buildings located in the single-family neighborhoods are a downside of Arlington Heights; there is no aesthetic value, but it is a condition that exists. There are many examples where these buildings are located across from single-family homes, generally 4-stories, 40 to 45 feet tall, with just one 5-story building that is setback 26 feet. To say that this is the appropriate scale is questionable, but to say that a 5-story building across the street from single-family is an appropriate solution, he strongly disagreed with, and to say that a 20-foot setback is adequate when the majority of that setback is taken up by underground water storage that will not allow for trees or shrubs to grow above that.

Commissioner Coon also wanted to look at what impact the step back has on the building. At the previous review, the petitioner's attorney showed a rendering that was cut off at the top and he stated that the fifth floor would not be seen; however, if the rendering were extended up, there was no question that it would be seen. Line of site studies will show that standing from across the street on the sidewalk, the 60 degree cone of vision encompasses the entire building; you will not see sky until you look up. This is not meaningful to him; it is an incremental change that is not worthy. At the second Design Commission review of the project, the developer stated that if the Design Commission voted no, then they would pull the plug; therefore the commissioners voted yes with comments that the project did not comply with harmony and scale or the zoning guidelines. They say that the Design Commission's job is to approve the aesthetics; however, he felt the commissions' job is to go beyond that, and he reiterated the eight things in the Commercial Design Guidelines that the Design Commission looks at. He said that the building has not really changed

in terms of architectural aesthetics, which he likes now and at the last meeting, he thinks it is a very good looking building, although he questioned the fiber cement board siding but understood this change due to the setback and structural reasons.

Commissioner Coon elaborated on why he feels the building does not comply with ordinances is not just because of the excessive list of variances, but because it does not follow Section 9.4-2 of the Planned Unit Development, 'Qualifications for Granting Variations', 1) such exceptions shall not exercise a detrimental influence on the surrounding neighborhood, and 2) exceptions shall be justified when other characteristics of the development exceed the minimum standards of the Municipal Code. He did not know how it can be justified that they are exceeding the minimum standards, when the petitioner is asking for variances that get them out of all of the requirements for R-7. That is where he stands on that, and he does not support this design. He prefers a 3-1/2 story building, basically the same building with a floor off of it with the same setbacks. Lastly, he commented on the petitioner's statement that any changes to the density meant this project is dead, but the petitioner came back really quick with changes in square footage and in units, and it did not kill the project. He wonders if there is more room to go here. He did not want to see them go away; he felt it was a good project, but it is too tall and it takes up too much site, and the petitioner should work on the setbacks and on the height as it relates to the single-family. He felt there needed to be a balance between what works for the Central Business District and what works for the single-family homes that are adjacent to it, and that is demonstrated in our Goals and Policies throughout Chapter 2 of the Comprehensive Plan.

Commissioner Kubow appreciated the comments already made, and said that he was not at the previous reviews of this project, which he acknowledged is a very important matter to the Village and the residents. He agreed with Commissioner Kingsley that the petitioner has taken into account a lot of the recommendations previously made by the commissioners, trustees and residents, and he referred to the list of conditions from the previous approval listed in the Staff report, with Items 1 through 4 being met by the architect and developer. Instead of going back and talking about architecture, massing or zoning, which have already been talked about significantly, he wanted to give the petitioner the opportunity to speak about Items 5 and 6, and how they believe this development meets 'Harmony and Compatibility' and 'Conformance to Ordinances and the Comprehensive Plan'.

Mr. Hopkins said that the Village has been trying to formulate its image of what the Downtown should end up being for many decades. Over the past decades, there have been guided improvements to the Central Business District to try to establish it as what it is today, which is a leader in the nation with regards to urban planning and livability in a Downtown. A zoning district is a chosen mechanism for approval to determine whether this fits into the image of where we think Arlington Heights wants to go, and clearly there is a disconnect and tension here at the edge between the existing residential fabric and the edge of development, which is not uncommon across the country. The Master Plan is in tension with existing conditions at Chestnut and Sigwalt, but looking farther north along Campbell there are 6-story apartment buildings that have been there even prior to the Village Green or Metropolis, and those were adjacent to single-story properties; those tensions occur. He cited other examples of larger buildings adjacent to single-family on Evergreen. The Master Plan anticipates that the west side of Chestnut and the south side of Sigwalt are designated as transitional zones, but what we have here is the first brick in the final steps of the redevelopment of the Downtown, and the next project to the north could be two times the height of this building, according to the mixed-use B-5 district. The AT&T site could be in the range of eight or nine stories. We have to see some sort of common picture of what will be the completed picture of the Central Business District. It is hard to take a look at this project in a vacuum. We have to take a look at this thing as a community and in the context of a bigger picture of an evolving design, and where do we want that evolving design to end up, and what is the real picture of Downtown Arlington Heights in its completed form.

Mr. Hopkins continued and asked how does this development fit in? Well if you believe the Master Plan, it fits in well; in fact, 6-stories is anticipated, with 3 to 4-stories across the street. He questioned whether there would be the same kind of resistance if this were a 4-story building because the building is abrasive at this time because the picture is not complete and we do not have a full context for the final design.

Chair Fitzgerald said he was a little torn, and he went back to what he said at the previous review; he felt the building itself looks good, he liked the materials, he liked the building, and he would go back to the dark color on the pergola and the overhang. That being said, he referred to the resident living across the street from this site who spoke about the renovations she made to her home and was made to stay within specific zoning standards, and now we are telling her and everyone else on her block that this development does not. He was going to stick to just the aesthetics of the building because that is what this commission is supposed to do; he felt the building was a very nice building, but he was not sure if it is good in this spot.

Chair Fitzgerald asked if there were any more comments from the commissioners, or a motion, and there was no response. He added that a minimum of 3 positive votes was required for the project to pass.

Commissioner Kubow asked if Staff had any other comments about the project regarding mechanical screening or any other comments, and **Mr. Hautzinger** replied that he previously did not mention the rooftop mechanical screening because nothing changed since the last review; the rooftop mechanical units are proposed to be screened, and are illustrated on the drawings. Also, the trash dumpsters will be stored inside the building and the transformer on the east side of the building will be screened with evergreens.

Commissioner Eckhardt asked Staff for clarification about whether the Master Plan splits this super block into two areas, or is the entire site zoned R-7, with anticipation that ownership of the north portion of this site will come in with B-5 zoning. **Mr. Hautzinger** replied that the Master Plan designates the southern portion of this block, which is the site being reviewed tonight, to be zoned R-7, and everything north to be B-5 mixed use. **Commissioner Eckhardt** questioned how the line between the R-7 and B-5 was determined. He pointed out that there will be another zoning change request for the north portion of this site, which is rumored to be a B-5 zoning. His concern tonight, which **Mr. Hopkins** hit square on, is the decision about where the edge of the Metropolis of Arlington Heights going to stop. If the Village Board decides not to approve this project, then the value of the property goes down, and someone is going to build 3-story buildings, and eventually the single-family homes across the street might also be 3-story buildings, and that will be the end of the growth going west. He previously lived at Sigwalt and Walnut many years ago and often wondered if the Downtown would ever reach where he lived, and now it is right at the front door of those on Chestnut. He agreed with **Chair Fitzgerald** that we are here to look at a building that has been submitted by a petitioner, and we make a determination based on aesthetics and not so much the zoning, which is reviewed by the Plan Commission and the Village Board. He liked the building and approved it the first time around, even though it was rejected by the Village Board. The petitioner has come back with changes, and as **Commissioner Coon** pointed out from a percentage basis, the changes are not so significant to satisfy the scale and desire of the residents on the other side of the street. He reiterated that something really big could be coming for the north portion of this site, and it will be interesting to see what happens. Honestly, he was of the ilk of being sympathetic, he would like to see this building built, and felt everything to the right and to the north is fitting in; however, if this ends up being the edge of the Downtown, then it is a little bit troubling that it is going to go from this, to that, if it never grows to the west. That is sort of where he stands right now.

Mr. Hautzinger said that he did not come prepared to talk about the Comprehensive Plan; however, based on information he pulled from his file, he clarified that per the Comprehensive Plan, this site is envisioned to be zoned R-7; everything north on this block is envisioned to be mixed-use, which essentially is the Downtown B-5 Zoning District. Across the street to the west is envisioned be either moderate density or single-family attached, zoned either R-5 or R-6, and R-7 is envisioned all across the south side of Sigwalt, except for the westernmost edge that changes to R-5 or R-6 before transitioning back to single-family neighborhood that is envisioned to always remain that way. So according to the Comprehensive Plan, this site is not quite the edge of development, and it is possible that the houses on the west side of Chestnut could be redeveloped as something more dense in the future.

Chair Fitzgerald asked if all the properties located on the west side of Chestnut could eventually be similar to what is on Evergreen south of Sigwalt, where there are some attached row homes; or are we talking even bigger. **Mr. Hautzinger** replied that it could probably be three-story row homes to which **Chair Fitzgerald** said that in his opinion, row homes next to this proposed building is a fairly large transition. **Commissioner Eckhardt** added that row homes

could be 35-foot tall, 3-stories. **Commissioner Kingsley** pointed out that if the single-family homes across the street are rezoned to R-5 or R-6, the lots would need to be consolidated, and it could be 100 years or more before that ever happens. We see a lot of this throughout the Village where there are larger homes intermittent in a residential community, and it would be interesting if we could get some background on when this zoning was written, which could have been when some of these neighborhoods were previously in transition and we were not yet established. This is another thing that causes us to stop and ask whether the Comprehensive Plan is really something that is going to happen, or are we going to have this severe drop off. **Commissioner Eckhardt** asked staff if any preliminary drawings have been submitted for the north side of this site and **Mr. Hautzinger** said there are none to his knowledge.

Chair Fitzgerald asked if there was a motion to forward this project with any changes to it, or a motion to deny this project, or do a straw vote of what the commissioners think about this project as presented. A straw vote was taken with **Commissioner Kubow** being in favor of approving, **Commissioner Coon** being against, **Chair Fitzgerald** being against, and **Commissioner Eckhardt** being in favor of eliminating one-story.

Commissioner Kingsley said that she had a very difficult time with this because the commissioners previously approved the project with specific conditions, after debating about whether or not to approve the project, as well as discussing the purview of this commission. At that time, she wanted to send a very strong opinion to the Plan Commission and Village Board that the Design Commission likes the aesthetics of the new building, but not Items 5 and 6 listed in the motion that was made. The petitioner has returned with Items 1 through 4 taken care, but not Items 5 and 6; so does that mean that the project should be denied tonight?

Mr. Hautzinger stated that the commissioners had the same discussion and struggles at the last review of this project, and he reiterated the two options that Staff suggested at that time: a motion to approve because the commissioners like the design, which was done with a caveat about concerns about the harmony, compatibility, ordinances and Comprehensive Plan; or a motion for denial, which he recommended should include an explanation that the denial is not because of how the building looks, but rather that it does not meet some of the Design Guidelines evaluation criteria. He explained that the Design Commissioners have stated tonight that they like the design, and the Plan Commission and Village Board want an opinion from the Design Commission on the aesthetics of the building. He understood the Design Commission's concerns about harmony and compatibility, but he posed the question that, in a bubble, without context, do you like the way the building looks or not? Last time the decision was to recommend approval with the concerns about the Design Guideline criteria, which is a viable approach again this time. If there is a motion for denial, then it should be clarified as well. **Chair Fitzgerald** was in favor of that line of thinking, saying that the building looks good but here are the reasons why not. He thought that was fair to everyone and clear moving forward.

Based on that, **Commissioner Coon** wanted to add some thoughts on the aesthetics of the building that he did not previously address. He wanted the color of the fiber cement board siding to be studied so that it better works with the two brick tones, because now it feels even more of a third material. He felt the darker brown brick was an improvement and he liked getting rid of the stone at the base; he felt the entry feature has improved greatly, especially now that it is symmetrical and seems to have resolved itself a little more in a nicer way. He also felt that the charcoal grey siding should be looked at to determine whether it is appropriate, or whether it should be a warmer material or something with more earth tones to it. Also, the fifth floor was previously a corrugated metal panel that he strongly objected to; however, a change was made to bring in the dark brick at the top floor, which is a nice change, but now along the north side the fifth-floor wall is on top of brick, but now it is siding. He wanted to see that come back to the more permanent material.

A MOTION WAS MADE BY COMMISSIONER KUBOW, TO APPROVE THE PROPOSED ARCHITECTURAL DESIGN FOR SIGWALT APARTMENTS TO BE LOCATED AT 45 S. CHESTNUT AVENUE. THIS APPROVAL IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS DATED AND RECEIVED 12/11/17, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS, AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. A REQUIREMENT THAT ADDITIONAL WINDOWS BE ADDED TO THE TOP FLOOR TO BREAK UP THE AMOUNT OF WALL SIDING.
2. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

There was no second to the motion; therefore, the motion failed.

A MOTION WAS MADE BY COMMISSIONER KINGSLEY, SECONDED BY COMMISSIONER COON, TO DENY THE PETITION FOR *SIGWALT APARTMENTS* TO BE LOCATED AT 45 S. CHESTNUT AVENUE. THIS DENIAL IS BASED UPON THE ARCHITECTURAL PLANS DATED AND RECEIVED 12/11/17, AND THE FOLLOWING:

1. IN GENERAL, THE DESIGN COMMISSION IS IN APPROVAL OF THE AESTHETICS OF THE BUILDING WITH THE FOLLOWING COMMENTS:
 - a. THAT THE COLOR OF THE FIBER CEMENT SIDING, THE COLOR OF THE CANOPY, AND THE COLOR OF THE PERGOLA BE RECONSIDERED.
 - b. THAT ADDITIONAL WINDOWS AT THE TOP FLOOR TO BREAK UP THE AMOUNT OF WALL SIDING BE CONSIDERED.
2. DUE TO THE FACT THAT ITEMS 5 & 6 FROM THE DESIGN COMMISSION'S PREVIOUS APPROVAL, WHICH HAD TO DO WITH 'HARMONY AND COMPATIBILITY' AND 'CONFORMANCE TO ORDINANCES AND THE COMPREHENSIVE PLAN', THE DESIGN COMMISSION IS OBLIGED TO DENY THE PETITION.

Commissioner Eckhardt said that he continues to be very concerned that when a large development comes in on the north part of the block, the entire site is going to look out of balance and lopsided and be a complete failure. He is now rethinking his thoughts about a stepped elevation concept where the building would get taller as it goes back. His gut feeling is that he wants to see this building here, but the reality is that it is going to sit alone for a long time before the rest of the block development comes around, and for that reason, he goes back to the Design Guidelines about compatibility. The building makes sense where it is, but there is one side of it that does not make sense, and he wonders if the U-shaped top floor could be pulled back to leave the taller part in the back, so that there is no chance of seeing it because it will be at least one unit back. At this time, he is leaning towards some modifications to the building, although he believes he could still support it, but the way it is presented tonight and the way things are going, and the uncertainty, he is very concerned about this, and even more concerned about what is happening to the north.

Chair Fitzgerald made the point that we do not know what is happening to the north, nothing has been submitted; therefore, it should not be considered at this time.

KINGSLEY, AYE; COON, AYE; FITZGERALD, AYE; KUBOW, NAY, ECKHARDT, NAY.
MOTION CARRIED.

Chair Fitzgerald asked Staff what the petitioner's next steps are. **Mr. Hautzinger** stated that the project can continue to proceed forward to the Plan Commission and the Village Board if the petitioner chooses. The Design Commission is advisory to the Village Board, so they will be taking the Design Commission's vote into consideration for their final review.