

**City of Prospect Heights
Plan/Zoning Board of Appeals
January 24, 2019**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:00 pm by Chairman Dash, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

II. ROLL CALL:

Present: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert & Chairman Dash

Absent:

Quorum is present.

Present at the meeting: Director of Building & Development Daniel A. Peterson and Recording Secretary: Jennifer Myzia

III. APPROVAL OF November 15, 2018 MINUTES

Motion made by Commissioner Tammen, seconded by Commissioner Mellen to approve the meeting minutes.

ROLL CALL VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert & Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Motion carried.

IV. OLD BUSINESS

NONE

V. NEW BUSINESS

1. PZBA – Zoning Public Hearing: Case No. ZBA 19-01 TA/SU

Applicant: Way To Go Limousine Inc. represented by Faisal Rafagat

Address: 1326 N. Rand Rd. Arlington Heights, IL 60004

Description of Request:

- A. Applicant is seeking a Text Amendment to add the definition of Livery Services to Section 5-2-3 and to create Livery Services as a permitted Special Use in the B-3 Commercial, Wholesale and General Services District Section 5-7-5 C of The City of Prospect Heights Zoning Code. 2) Hear a Special Use Request to allow Livery Services at the property commonly known as 1326 N. Rand Rd., Arlington Heights, Illinois, in the City's B-3 General Services District per Section 5-7-5 C of the City of Prospect Heights Zoning Code.

Chairman Dash requests a motion to open the public hearing 19-01 TA/SU at 7:04pm

Motion by Commissioner Tammen
Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash swears in those to testify regarding this hearing.

Director Peterson states that previously the PZBA had recommended approval for automobile storage for the owner Joe Eberhardt. When the case was presented to City Council and concerns were presented regarding a set business using the parking and not just general vehicle storage. Therefore a motion to table the application for the special use permit and a request was made that if Mr. Eberhardt and Way To Go Limousine would like to move forward that Way Too Go Limousine seek a special use for a limousine service and storage. If that was recommended for approval by the PZBA then the City Council would consider in a future meeting and at which time upon approval Mr. Eberhardt would withdraw his original application. If for any reason the recommendation of the livery service does not go forward Mr. Eberhardt reserves the right to proceed on the existing recommendation. Director Peterson states the case tonight is for a text amendment to add livery services because the City does not have one even though in our licensing code there is a requirement to license livery drivers, taxi cab drivers, etc. in town but there is no land use category for that particular use.

At the podium to speak are Mr. Faisal Rafagat and Mr. Joe Eberhardt of 1326 N. Rand Rd.

Director Peterson asks Mr. Rafagat and Mr. Eberhardt for an explanation of the vehicle parking.

Mr. Eberhardt states the vehicles will be parked in the back of the lot. The lot is three hundred and fifty feet deep and the parking would take place in the back sixty feet of the lot. The vehicles would be straight in and straight out parking.

Chairman Dash asks if the parking is currently taking place.

Mr. Eberhardt responds yes.

Chairman Dash asks if there is anyone from the public who has come to speak on this case. No one responds.

Chairman Dash opens the case for questions from the commissioners.

Commissioner Patel asks if these are bus limousines or standard limousines.

Mr. Rafagat responds there are standard limousines, trolley type vehicles and extended cars.

Commissioners Kempa asks what the address of the Limousine service will be or if it is sharing the address of Village Cycle Sport.

Mr. Eberhardt responds it will be the same as Village Cycle Sport at 1326 N. Rand Rd.

Commissioner Saewert states it looks as if the limousine will be double parked and asks what will be done to move the limousine out that is closest to the back property line.

Mr. Eberhardt responds a limousine will have to be pulled out and turned in the circle (see exhibit 3).

Commissioner Saewert states at this time there is a storage trailer in the back and asks if it is located in a parking space.

Mr. Eberhardt states it is behind the building now but will be moved to the property line so it will be out of the way of the turn-around circle. At this time they are waiting for the car wash to go up on the next door property before placing a fence or more permanent dividing line.

Commissioner DeGraf asks Director Peterson that in the event Village Cycle Sport sells his property, does the text amendment stay with the property or business requesting the text amendment.

Director Peterson states the text amendment will stay with the land however the special use approval will remain with the owner and this applicant. Director Peterson further states this will allow other B-3 zoned businesses to apply for this same special use. The text amendment is being created any B3 would eligible in the future but the special use is specific to this address and this business.

Commissioner Saewert states she is pleased with the direction this has taken in regard to the specific use rather than general automobile and vehicle storage. Although she is in favor of this she would like two conditions added to the amendment and her reasoning is until the storage trailer is moved she does not believe the required thirty six parking spaces are available. The first condition is the thirty six parking space requirement is adhered to and the second condition is that the applicant works with staff to verify compliance with the parking lot standards. In example, the double parking scenario or in the future should additional lighting be required the conditions are that the applicant work with staff and the city engineers for compliance.

Chairman Dash states that in regard to the conditions the thirty six spaces is for the Village Cycle Sport business and asks for Director Petersons' confirmation.

Director Peterson states this is correct.

Chairman Dash asks for clarification if the owner could park a trailer in one of the thirty six spaces or if the trailer would need to be moved.

Director Peterson states that currently the storage trailer which is a shipping container in place to help with additional storage is in a spot that does not obstruct the parking right now and with the back spots he has excessive amounts of parking. When he moves the trailer he still needs to maintain the thirty six spaces and any surplus of that could be used by the limousine service and their fleet. He further states if he understands Commissioner Saewert correctly as long as the primary use is compliant this is satisfactory and the limousine company can use the remaining parking spaces.

Commissioner Saewert states the site plan is deceiving as it does not show the storage container there it only shows the parking spaces which are currently obstructed.

Mr. Eberhardt states it is where the circle is but the circle has been moved back.

Director Peterson states the circle is there to illustrate a turning radius. He asks Mr. Eberhardt if he is in agreement with that condition to guarantee thirty six spaces for the primary use.

Mr. Eberhardt states the limos are not one hundred feet wide so if there is parking along the side it would be available but rarely used.

Chairman Dash asks Mr. Eberhardt to confirm once the storage container is relocated that maintaining thirty six parking spaces for the primary use will not be an issue.

Mr. Eberhardt states he will be able to maintain thirty six available spots for the primary use.

Chairman Dash asks on a typical weekend hoe many parking spaces are in use.

Mr. Eberhardt states eight to ten spaces for customers and another five for employees.

Chairman Dash states if Mr. Eberhardt feels he cannot comply this would be the time to speak in regard to that issue.

Chairman Dash asks Director Peterson since municipal code requires a specific number of spots does this need to be approved with a condition.

Director Peterson asks Commissioner Saewert to confirm the condition she is requesting is to confirm that there is a clear understanding that compliance must be met for the primary use.

Commissioner Saewert confirms. She states because the site plan is deceiving and it shows that spaces are available although they are currently obstructed and unavailable.

Chairman Dash asks Director Peterson if he agrees with the addition of the condition.

Director Peterson agrees and states there are many moving parts in this situation with the up and coming construction of the car wash facility on the next parcel. Once that is complete the City can confirm compliance and any available surplus of parking can be utilized by the limousine company which may be reduced, maintained or increased as long as the thirty six spaces are met.

Chairman Dash asks for confirmation if the condition is warranted or are they already obligated to meet the parking lot standards.

Director Peterson states his approach would be upon final configuration a parking lot plan be submitted to the City verifying the requirements have been met.

Commissioner Patel states like an "as-built".

Director Peterson confirms yes like an "as-built".

Chairman Dash states she feels Commissioner Saewert had other concerns in regard to parking lot standards in regard to lighting or other items.

Commissioner Saewert states the parking lot standards are fairly black and white in the code and some are not being shown such as lighting, double parking, the bumpers and driving out into an aisle. There may be some negotiation with staff that the use of lighting is not needed and security is not an issue and she feels that case needs to be made. She states between staff and the City Engineer that conversation should take place.

Chairman Dash states the condition should be that the applicant continues to work with staff to confirm the parking lot standards are to City satisfaction.

Director Peterson states he believes there was a condition with the automobile storage that if an issue arose lighting would be provided.

Mr. Eberhardt states there is lighting around the building now and the car wash will have lighting and to his knowledge the residents who live directly behind would not want lighting in the back of the lot.

Director Peterson states to his recollection the testimony was there had been no police calls, no crime and no theft and therefore this would be addressed at a future date to determine if lighting would be necessary.

Mr. Eberhardt states he has always been agreeable to work with the City on those items.

Chairman Dash requests a motion to close public hearing 19-01 TA/SU at 7:19 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:
ABSENT:
ABSTAIN:

Chairman Dash requests a motion to receive into the public record the staff review of the zoning compliance for the application 19-01 TA/SU

Motion by Commissioner Mellen

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to recommend that City Council approves a text amendment to add the definition of livery services to section 5-2-3 and to create livery services as a permitted special use in the B-3 Commercial, Wholesale and General Services District Section 5-7-5 C of The City of Prospect Heights Zoning Code.

Motion by Commissioner Mellen

Second by Commissioner Tammen

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to recommend that City Council approves a Special Use Request to allow Livery Services at the property commonly known as 1326 N. Rand Rd., Arlington Heights, in the City's B-3 General Service District per Section 5-7-5 C of the City of Prospect Heights Zoning Code with the following conditions, 1) the applicant meets the required parking spaces identified as thirty six and the applicant will submit an "as-built" parking plan to confirm that the thirty six parking space requirement has been met. 2) The applicant continues to work with City staff in regard to meeting the parking lot standards per the City Code.

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

This case shall go before City Council on Monday February 11, 2019 at 6:30pm

2. PZBA – Zoning Public Hearing: Case No. ZBA 19-02 SU

Applicant: Robert W. Kirk, Architect

Address: 33 E. Palatine Rd. Prospect Heights, IL 60070

Description of Request:

- A. Applicant is seeking consideration of an application for a to allow a parking lot and decks, municipal or private in the B-4 Office/Industrial District, Section 5-7-6 C of The City of Prospect Heights Zoning Code for semi-truck parking.

Chairman Dash requests a motion to open the public hearing 19-02 SU at 7:24pm

Motion by Commissioner Kempa

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash
NAYS:
ABSENT:
ABSTAIN:

Chairman Dash swears in those to testify regarding this hearing.

Director Peterson states this is a case to clean up a use that has been in existence for approximately four years. He states a new exhibit has been entered as no parking lot lighting exists as shown in the original exhibit 5. There is a new facility sit plan that shows the current condition of lighting attached to the building and it also addresses the questions staff had about lighting consideration in regard to photometric, pole heights, etc.

Chairman Dash asks Director Peterson if staff is now satisfied with the parking lot lighting.

Director Peterson states there may still be questions on lighting but there is no necessity for any variation for pole lighting at this time.

Chairman Dash confirms with Director Peterson as an update to the original staff report received that the proposed parking lot will meet city standards.

Director Peterson states that Mr. Kirk has met with the City Engineer and himself to discuss moving forward if the base conditions currently there are satisfactory an appropriate asphalt lift will be placed but the base must be determined to be in compliance first.

Chairman Dash asks since the two items have been update if there is a positive recommendation from staff to approve this request.

Director Peterson states yes.

Mr. Kirk states the site is zoned B4 and they are requesting a special use. He states they have been leasing this about four years and had been notified by former Director Steve Skieber that it may not be zoned for the special use. Upon notification they started the procedure for the special use. Mr. Kirk states the land is owned by the airport. During the four years they have been operating there the property has been maintained in a clean and organized manner. There have been no police reports, no illegal activities, no vandalism, no break-ins or no unlawful activity recorded. During that time there have been no complaints filed by any residents adjacent or anyone in the neighborhood about the activities on site. The site is fully leased. There are fifty trucks that park there. There is a three month waiting list. It is considered one of the top parking facilities in the Northwest. Mr. Kirk states he would like to go through the adherence of the section 5-8-1 which is the general provisions to off street parking ordinance and how Stery Trucking maintains those items. 1. There is no sale or repair of any vehicle on the site. 2. The parking lot is graded for proper drainage. 3. The existing surfaces consist of poured concrete and ground asphalt and Stery trucking will satisfy the City of Prospect Heights engineering and Building Departments to meet the requirements set forth at minimum to place an inch and a half of asphalt of the existing base. Mr. Kirk illustrates with the use of exhibit 6 two spotlights have been added from the building to illuminate the lot which meet the requirements for item number six. Mr. Kirk states in the effort to be good neighbors, on the north and south ends, one on Palatine Road and one on Piper Lane a five foot landscape buffer will be added including planting of seven trees including evergreen and deciduous trees with three inch diameters. In addition a six foot high cedar fence will be added on the south and north to act as a buffer. Mr. Kirk points out that no traffic goes onto Piper Lane it all goes on to Frontage /Palatine Road therefore all truck traffic is keep away from the residential areas on the south side of the site. Item 6, all parking spaces have direct access to parking aisles. 7. Truck bumpers for spaces are in place. 9. All provisions for the code are in approval and Stery Trucking is not asking for relief on any standard.

Chairman Dash asks for questions or comments from the public. There is no public testimony. Chairman Dash opens the hearing up for questions and comments from the commissioners.

Commissioner DeGraf asks Director Peterson if MWRD have to get involved when asphalt is added to the existing parking lot which has taken place for the last three to four years. There are semis, oil and possible spillage. Commissioner DeGraf asks what procedure needs to take place and followed.

Director Peterson states Engineer Berez has reviewed this and because it is existing and Stery will not be shoveling out and disturbing because they are not digging or disturbing there are no EPA issues. The letter from Mr. Berez lists numerous requests require that construction plans be submitted showing what is there as our code is very specific regarding what type of base, how much base, coverage, etc. because if a cover is to be added for dust and dirt control it does need to be compliant.

Commissioner Patel asks if the engineer's opinion is that an inch and a half thickness is enough.

Director Peterson states that during discussions an inch and a half of base and an inch and a half of final lift is where things stand however a plan is required prior to issuance of permit.

Commissioner Patel asks Mr. Kirk if these trucks are loaded or empty.

Mr. Kirk responds that some are loaded and states the history of the site at one time was a concrete plant for many years and believes there is at minimum of twelve to twenty four inches of base. He states they will work with engineering to perform a load test to confirm the base is standard which he believes it is.

Commissioner Patel states that in his experience of working with asphalt and semi-trucks that are loaded an inch and a half base is not sufficient and expresses his concerns.

Director Peterson states the final amount has not been agreed upon yet. There will need to be a base layer and then a layer of lift.

Commissioner Patel comments that engineering needs to be involved and some type of testing and asks about the fence height requirement for commercial as he believed the code stated eight feet.

Director Peterson states there is an eight foot fence requirement when commercial property is adjacent to residential property.

Commissioner Saewert states she believes that the fences added to the north and south of the property will be helpful because right now there is a wire fence with barbed wire on the top. The addition of these fences will be a big improvement. Commissioner Saewert points out the landscaping shown is actually outside of their property line and asks if it is in the public right of way and who will be maintaining the landscaping.

Mr. Kirk states Stery Trucking will maintain the landscaping and states the property line isn't really well defined but regardless of who owns the property Stery Trucking will maintain the landscaping. He believes the north is owned by IDOT and the south is owned by the City.

Director Peterson states he has spoken with the Superintendent of Public Works and he is satisfied with the landscaping proposed with the caveat that the applicant maintains the landscaping.

Commissioner Patel states the lighting shown on the building seems to be more to the north and asks if the lighting reaches the south part of the lot.

Mr. Kirk states the lot is really well lit and really serves the purpose acting as security lighting.

Director Peterson states the properties to the south of this lot is owned by Chicago Executive Airport and are both currently vacant.

Chairman Dash asks if there are any other comments or questions from the commissioners.

Commissioner Kempa asks where the entrance and exit are located. He asks for clarification if the entrance or exit is on the adjacent lot or their lot.

Mr. Kirk states the owners to the west are the ones who operate the trucking parking and all the entrances are on their property which you can see there is an opening on Frontage Rd. / Palatine Rd/ which is where all the trucks come in and leave.

Director Peterson asks Mr. Kirk to confirm if the exit on the south just outside of the red dashed line, there is an easement agreement for ingress and egress with the airport on that portion of it.

Mr. Kirk states that is correct however they have not been using that.

Chairman Dash asks for any further comments or discussion.

Chairman Dash requests a motion to close public hearing 19-02 SU at 7:40pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to receive into the public record the staff review of the zoning compliance for the application 19-02 SU

Motion by Commissioner DeGraf

Second by Commissioner Mellen

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to recommend that City Council approves the application 19-02 SU

Motion by Commissioner Tammen

Second by Commissioner DeGraf

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

This case shall go before City Council on Monday February 11, 2019 at 6:30pm

3. PZBA – Zoning Public Hearing: Case No. ZBA 19-03 TA/SU

Applicant: Conor Commercial Real Estate, LLC

Address: 25-35 Piper Lane, Prospect Heights, IL 60070

Description of Request:

- A. Applicant is seeking a 1) Text Amendment to add “Warehouse” use as a permitted Special Use, 2) Special Use request to allow the construction of a 150,000 sq. ft. warehouse industrial building in the B-4 Office/Industrial District, Section 5-7-6 C of The City of Prospect Heights Zoning Code

Director Peterson states during the hearing of 19-03 there will be some cross testimony that will impact the next case 19-04 which is not a public hearing but a public meeting for the subdivision, engineering and appearance review therefore if it is the commissions will, we could combine the cases and have separate votes at the end of the hearing because they will all work together.

Chairman Dash confirms that 19-04 is not a public hearing but a public meeting. She continues to state unless there is anyone opposed the case for 19-03 will be opened and the plan commission will use that venue to discuss both requests.

Chairman Dash continues by reading the request for 19-04 PB SUB/ENG/AR.

Chairman Dash requests a motion to open the public hearing 19-03 TA/SU at 7:45pm

Motion by Commissioner Tammen

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash swears in those to testify regarding this hearing.

Director Peterson states the applicants Conor Commercial are the contract purchasers of the property. They have been working with the City and staff and have come forward. The text amendment before us is because even though the lot is in an industrial office district the code is silent on warehouse use as an approved use in the district. There is already a definition for warehouse but the applicant is requesting to add a warehouse as an approved permitted special use in the code under section 5-7-6 C. The applicant hosted an open house at Quincy Park, the neighboring community and reviewed their proposal with the residents including in attendance was myself and Alderman Dolick.

Mr. Brian Quigley of Conor Commercial (points to the site plan displayed on the video screen) describes a ten acre site currently owned by the City of Prospect Heights located at 25-35 Piper Lane just east of Wolf Rd. He states this is a class A industrial building with office and warehousing as the intended use. The building is going to be erected on speculation as there are no tenants lined up at this time. Conor has hired a marketing firm Payne Wetzel to advertise and to generate interest from potential users. Mr. Quigley describes the design of the structure. He states the car traffic will be separated from the truck traffic. The car traffic will be in front where the offices will be located and the trucks will go to the rear of the building through one entry on the east side of the property. The expectation is the contract to purchase the property will close in March. Construction will begin immediately and will be finished by year end. Any potential users will be brought to Prospect heights for a meeting so there will be an understanding of who will be leasing the facility.

Chairman Dash asks Director Peterson is the end users will need a business license.

Director Peterson states depending on their use however all leases will be evaluated to make sure their use complies with City standards.

Chairman Dash opens the hearing for public testimony. No one from the public steps forward. Chairman Dash opens the hearing for questions and comments from the commissioners. Commissioner Kempa asks what some of the comments from the residents were.

Mr. Quigley states their main concerns were noise and light spill over onto their property. An agreement was made to have a berm built between their property and the Conor property and on top of the berm a solid wood fence and on both sides of the solid wood fence there will be heavy landscaping put into place. He further states that looking from the residential area to the

industrial you will not be able to see any truck activity. In regard to light spill over the lights are being brought down and shrouding the lights so there will be no light spill over.

Commissioner Saewert asks Director Peterson if there is a height restriction in this area because it is her understanding there is not and asks if the airport has a height regulation.

Director Peterson states the zoning code does not have a height restriction but the FAA and other parts of our code restrict heights to seventy feet and this project will have to seek approval from the FAA and go through their application process but at the thirty two to forty seven feet elevation at that site it is actually shorter than a couple of the other buildings along Piper Lane. We do not see any issue with the FAA approval.

Commissioner Saewert asks for clarification on the request for the use of approval for a warehouse but in most of the drawings it is considered an industrial building, is there any type of conflict where the drawings are indicating an industrial building and the request for approval is for a warehouse facility.

Director Peterson states he does not believe there is a conflict because the building could be used for industrial purposes however it was asked for due to the expanding potential of an end user who does do warehousing which is the basis of the request. The type of construction, the method of construction and the style of building is conducive to both industrial and warehousing. Open floor plans and loading docks, the ability to have employees manufacture or have equipment and it could be distribution, storage and warehouse type use. It allows the contract purchaser some flexibility in marketing.

Mr. Quigley states they are try to cast as wide of a net as possible and not eliminate any potential users.

Commissioner Saewert asks for confirmation if the approval is to go through based on the idea that it is going to be a warehouse and it comes through later as an industrial building then it would have to be reviewed under all the industrial use criteria at that point.

Director Peterson states the specific standards listed in the B3 apply to B4 and any user that comes in would have to meet those standards anyway as part of our tenant evaluation.

Commissioner DeGraf asks if this was part of the original proposed arena site.

Director Peterson states that is correct and this is the last parcel of the approximately twenty five acres the City has purchased at one time. The previous applicant Stery Trucking bought a portion, the Chicago Executive Airport bought a portion and this is the remaining parcel that the City has been marketing for a little over two years and getting it back on the tax roll not as City property.

Commissioner DeGraf states he believes the building looks absolutely spectacular and as a resident would rather have this in his back yard rather than an arena with a lot of cars and sporting events on the weekend.

Chairman Dash asks Director Peterson that when staff issued the report a recommendation was made in regard to the photometric lighting plan and if that plan is in compliance with City requirements at this time or if that is still being worked on.

Director Peterson states after the staff evaluation, Conor was notified and submitted a revised photometric that did make it into your packet however it was the same day as the packet was issued and therefore the staff report was not corrected. The revised photometrics do comply with the City standards therefore no variations will be required.

Chairman Dash asks if the applicant address the trash storage plan.

Director Peterson states that has not been addressed and is open for discussion. He states typically in a commercial use all garbage service needs to be in a corral and per the site plans

there is no corral. The question needing to be asked is will the user be required to store inside or how will the trash be addressed.

Chairman Dash asks if that should be addressed to Conor Commercial or if that would be addressed with an end user.

Director Peterson states the question can be asked here to begin discussions on how trash will be handled or it can be addressed with the end user. The problem is, if the end user would like to garbage outside it is not shown on this plan. Then the regular permit process would take place if there is sufficient space to put it. As one can see by looking at the plan there is a lot of landscaping to be placed in the back and many places for the trash to go but that is an unanswered question during the initial review.

Commissioner Patel mentioned the garage receptacle may end up taking a truck stall.

Director Peterson states there are different options but it is an item from the code evaluation that needs to be addressed.

Chairman Dash asks if there are or are not any concerns from the commissioners this would not be required for approval.

Director Peterson states no that a condition is not required.

Commissioner Saewert asks Director Peterson to address to screening of mechanical equipment.

Mr. Quigley states they will be screening the mechanical equipment and directs the conversation to Mr. Brian Harris.

Commissioner Saewert states the screening of mechanicals is not illustrated on the plans or any of the elevations.

Director Peterson asks how high the parapet wall is.

Chairman Dash swears in Mr. Ben Harris

Mr. Ben Harris of Conor Commercial 9500 W. Bryn Mawr Avenue, Suite 200 Rosemont, IL 60018 states the parapet wall is estimated at seven to seven and a half feet above the roofline. The HVAC units will be on the roof and the parapet wall will cover the sightline of the HVAC units by a couple of feet. From the street the mechanicals will not be visible.

Chairman Dash asks if there are any other questions for the presenters.

Director Peterson asks for a more clear description of how the traffic pattern will work.

Mr. Quigley states the traffic will be coming from the west from Wolf Road. He states the traffic study shows the traffic will come from 294 in the east, heading west on Palatine Rd and making a left turn onto Wolf Road then a left onto Piper Lane and will enter our facility on the east side of the site adjacent to the Prospect Heights municipal yard. He states this is on the one point of ingress and egress for trucks. He states when trucks exit, they will be able to exit with a left turn onto Piper Lane then heading north on Pinecrest to Palatine and 294. He states there is a no truck sign on Piper that will need to be removed allowing trucks an additional one hundred feet to the entrance.

Commissioner Mellen addresses Director Peterson and states he noticed that the City Engineer made no comments in regard to reviewing the traffic impact study. Commissioner Mellen asks if the study has been approved by the City Engineer or if that is still pending comments.

Director Peterson states the City Engineer received the traffic study after the initial plan review for sites, it has been discussed with the City Engineer and Director Peterson states he himself has read the study. The preliminary discussion is that it does not pose a problem and is in

conformance with GO TO 240 PLAN in terms of traffic density as listed with the Metropolitan Planning Commission. He further states there is a slight increase in waiting times at Wolf Rd. during the afternoon rush but the KLOA traffic engineer indicated that is in conformance with the engineer plans for Wolf Rd and the traffic congestion. The time increase is mainly for the left hand turn out of Piper Lane onto southbound Wolf Rd.

Commissioner Mellen asks if this is a section of Wolf Rd that is on schedule for upgrading by the State if that is part of the State route at that point.

Director Peterson states that section of Wolf Rd. is part of the State route and however there have been no discussion regarding the south bound extension of the improvements. Palatine Road will be resurfaced this summer by IDOT from Palatine to Milwaukee but there have been no discussions about improvements coming southbound on Wolf Rd.

Commissioner Saewert asks if there are any improvements needed for Piper Lane in regard to the weight limits.

Director Peterson states the road was reconstructed to meet the weight of the trucks however because there was no viable access going east to get to Milwaukee without going down Apple Drive and further east the City had placed a stop on truck traffic going east of the S-curve therefore truck traffic was stopped on the west side of the S-curve. The asphalt is fine, the curving is fine, and it would be the relocation of the sign to prohibit movement east of the S-curve.

Commissioner Mellen asks if anyone has seen auto turn exhibits for moving in and out of the site. He states he is particularly concerned about the S-curve, two trucks making turns in opposite directions through that turn. He is concerned that the northern bend doesn't have a sufficient radius to pass two vehicles simultaneously.

Director Peterson states that is a question for the Conor Commercial engineer to address.

Brian Johnson of Pinnacle Engineering Group states part of the comments received from the City Engineer was to provide not only on-site auto turn exhibits but also to provide auto turn exhibits for Piper Lane. He states they will model that so that you can see how the truck turning movements can occur and if there are any changes warranted at that corner we will go ahead and make those.

Commissioner Mellen asks if there is anyone who can speak to traffic distribution. Commissioner Mellen states he has some concerns over the distribution created by the site shown by the exhibit.

Mr. Johnson states he did not put the traffic study together but would try to help address these concerns.

Commissioner Mellen states his concern is that the study indicates that half of the traffic is going to be coming down Apple Drive. (Commissioner Mellen points to a part of the traffic study that shows 55% & 45% traffic distribution down Apple Dr.) He states that statistic jumped out at him will reviewing the study and believes that needs more scrutiny.

Director Peterson addresses Mr. Quigley and asks if he was speaking to truck activity or pedestrian activity.

Mr. Quigley states truck activity.

Director Peterson states he believes that is the clarification.

Commissioner Mellen states he is still concerned that in regard to pedestrian vehicles at 55% if major movements are considered, Palatine Road east and west those movements will come to Wolf Rd. north and south, southbound Milwaukee is going to come to Wolf. It's only northbound Milwaukee and the southern leg of Milwaukee that will potentially use Apple Dr. In Commissioner Mellen's opinion the traffic distribution could use some reconsideration.

Mr. Quigley states he believes the cars that will come and go on Wolf Rd won't happen unless of course the people live there.

Commissioner Mellen agrees and states between the applicant and the staff feels the direction of the distribution updating however his concern is the wait time on Wolf has already doubled based on the estimated traffic distribution by adding another thirty to fifty per cent of the applicants traffic, what is the impact then and does it still meet the standards Director Peterson described earlier.

Director Peterson asks Commissioner Mellen if he is looking for further clarification on the traffic distribution.

Commissioner Mellen states yes and that he would be interested in hearing the City Engineer's input on that.

Chairman Dash asks if the objective for this evening is to grant preliminary approval if this is something that can be further addressed at final.

Director Peterson states yes it can. He also states the Engineer Berecz has completed a preliminary report stating it was fine to move forward and that details relating to the S-curve could be worked out, turn radius etc. and that could be added as other items prior to final engineering approval.

Chairman Dash asks that this could be approved this evening with a condition that prior to final engineering approval the traffic impact study be further reviewed and verified.

Commissioner Mellen states he concern is approving the use and then finding out the westbound leg of Piper on to southbound Wolf warrants additional signal. He states according to the report the wait time has already doubled and any changes to that distribution are only going to extend that. He asks at what point is the criteria met for no longer being a functional intersection. He is concerned that at that point the board has approved something that is not functional.

Director Peterson states understood.

Chairman Dash addresses Commissioner Mellen and asks if Commissioner Mellen feels his concerns are impactful enough that more information needs to be provided or does he feel comfortable moving forward.

Commissioner Mellen states he doesn't feel it needs to be addressed at Plan Commission but should be addressed at City Council.

Director Peterson states he can get information from the applicants engineer and relay that to the City Engineer and have the information addressed in a timeframe so that when this does appear before City Council they know what it is. Director Peterson states he isn't sure if the level of detail required is accessible in a two week period of time. Benchmarks could be put into place so that the applicant can be prepared to speak to Council and prior to final engineering approval.

Commissioner Mellen asks if that would also apply to the question of turning radius on Piper Lane that this would be conditional approval based on resolution of that issue as well.

Director Peterson states Engineer Berecz is fine with the plans as they were presented. There are still questions that are open however it was not enough to warrant a delay and could be worked through during the permitting process. There will still be MWRD permitting. There will be other engineering issues to be addressed such as Illinois American Water, sewer issues, it could be the expansion of the retention ponds but preliminarily it meets the City standards but still needs to go through those other agencies and approvals.

Chairman Dash asks if there are any other questions or comments.

Chairman Dash confirms if all discussion has been concluded in regard to the proposed text amendment, the proposed special use permit and the appearance review.

Chairman Dash requests a motion to close public hearing 19-03 TA/SU at 8:15 pm

Motion by Commissioner Tammen

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to receive into the public record the staff review of the zoning compliance for the application 19-03 TA/SU

Motion by Commissioner Kempa

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash states there will be three separate motions to go before City Council.

Chairman Dash requests a motion to recommend that City Council approves the text amendment to add "Warehouse" use as a permitted Special Use.

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

Chairman Dash requests a motion to recommend that City Council approves a Special Use request to allow the construction of a 150,000 sq. ft. warehouse industrial building in the B-4 Office/Industrial District, Section 5-7-6 C of The City of Prospect Heights Zoning Code

Motion by Commissioner DeGraf

Second by Commissioner Kempa

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

This case shall go before City Council on Monday February 11, 2019 at 6:30pm

4. PZBA – Zoning Public Meeting: Case No. ZBA 19-04 PC SUB/ENG/AR

Applicant: Conor Commercial Real Estate, LLC

Address: 25-35 Piper Lane, Prospect Heights, IL 60070

Description of Request:

- A. Applicant is seeking the following approvals for a proposed 150,000 sq. ft. new industrial building development on the 10 acres at the subject property:
1) Preliminary Plat of Subdivision, 2) Preliminary Engineering and 3) Appearance Review.

Chairman Dash requests a motion to recommend that City Council approvals for a proposed 150,000 sq. ft. new industrial building development on the 10 acres at the subject property: 1) Preliminary Plat of Subdivision, 2) Preliminary Engineering and 3) Appearance Review with the condition of compliance and verification of all engineering requests stated during the hearing

Motion by Commissioner Saewert

Second by Commissioner Patel

ROLL CALL:

AYES: Commissioners Kempa, DeGraf, Tammen, Patel, Mellen, Saewert and Chairman Dash

NAYS:

ABSENT:

ABSTAIN:

VI. Previous Application Updates

Director Peterson gave updates on the previously heard ZBA cases.

- A. PZBA 18-16 SU: Everclean Car Wash
- B. PZBA 16-13 SU/V: Thorntons Convenience Store
- C. PZBA 18-03 SU: Lollipop Chicken Wings

VII. Communications

Cook County Economic Disclosure Statement – PZBA members will be receiving their notice by email sometime in February. Must be completed prior to May 1, 2019.

VII. Adjournment: At 8:26 p.m.

Motion to Adjourn: Commissioner Tammen

Second: Commissioner DeGraf

Voice Vote: Unanimous