



## MINUTES

President and Board of Trustees  
Village of Arlington Heights  
Board Room

Arlington Heights Village Hall  
33 S. Arlington Heights Road  
Arlington Heights, IL 60005

June 19, 2017

8:00 PM

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE**

- A. Presentation of the Colors by Boy Scout Troop  
#32 from First Presbyterian Church

### **III. ROLL CALL OF MEMBERS**

President Hayes and the following Trustees responded to roll: Scaletta, Sidor, Baldino, LaBedz, Blackwood, Glasgow and Tinaglia.

Trustee Rosenberg was absent.

Also present were:

Randy Recklaus, Cris Papierniak, Tom Kuehne, Bill Enright, Robin Ward, Diana Mikula and Becky Hume.

### **IV. APPROVAL OF MINUTES**

- A. Committee of the Whole 05/22/2017 Approved

Trustee Carol Blackwood moved to approve. Trustee Robin LaBedz  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor,  
Tinaglia

Absent: Rosenberg

- B. Committee of the Whole 06/05/2017 Approved

Trustee Richard Baldino moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Abstain: Glasgow, Hayes, Scaletta

Absent: Rosenberg

C. Village Board 06/05/2017

Approved

Trustee Robin LaBedz moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Abstain: Glasgow, Hayes, Scaletta

Absent: Rosenberg

## **V. APPROVAL OF ACCOUNTS PAYABLE**

A. Warrant Register 06/15/2017

Approved

Trustee Robin LaBedz moved to approve the Warrant Register dated 6/15/17 in the amount of \$2,593,862.15. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

## **VI. RECOGNITIONS AND PRESENTATIONS**

A. Recognition of the 75th Anniversary of Boy Scout Troop #32

President Hayes read the proclamation honoring Troop 32 which has had 19 Eagle Scouts in the past 4 years alone. Great projects have been done for the Village by these fine young men.

## **VII. PUBLIC HEARINGS**

## **VIII. CITIZENS TO BE HEARD**

Judi Schuch said it would be wise to amend one of the parking ordinances. On May 8, she received 2 tickets and one of them was for failing to pay the pay box in the Vail Street Parking Garage. The other was for failing to display her parking permit. She tried to pay the \$1.50 but there is no opportunity to cure. She said she wrote the Mayor and requested the in

person hearing. The Adjudicator agreed that it would be a good idea to have a 7 day cure period. She ended up having to pay the ticket meaning she paid \$35 versus \$1.50. She asked the Board to please consider a period to cure for residents who occasionally make a mistake.

President Hayes thanked Ms. Schuch for bringing this forward. He said the Village is constantly evaluating the programs and the pay box situation. Staff will use this information in their reviews. He said it seemed like a good idea and it will be considered.

Ms. Schuch asked for a staff review of the adjudicator's decisions. President Hayes said the Adjudication process is a quasi-judicial proceeding which tries to minimize the number of people that have to make decisions. Ms. Ward explained that the adjudicator's decision is lawfully binding by State Statute.

## **IX. OLD BUSINESS**

- A. Report of the Committee-of-the-Whole Meeting Approved of June 12, 2017

Review of the 12-Month period ending December 31, 2016 Comprehensive Annual Financial Report (CAFR)

Trustee LaBedz moved, seconded by Trustee Tinaglia that the Committee-of-the-Whole recommend to the Village Board that the 12-Month period ending December 31, 2016 Comprehensive Annual Financial Report be accepted.

Trustee Robin LaBedz moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- B. Report of the Committee-of-the-Whole Meeting Approved of June 12, 2017

Proposed Parking Fee Adjustments

Trustee Blackwood moved, seconded by Trustee LaBedz that the Committee-of-the-Whole recommend to the Village Board approval of the proposed parking fee adjustments as

recommended by staff.

Trustee Carol Blackwood moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- C. Report of the Committee-of-the-Whole Meeting Approved of June 19, 2017

Interview of Paul Balga for Appointment to the Environmental Commission - Term Ending: 4/30/19

President Hayes administered the Oath of Office to Paul Balga.

Trustee Mike Sidor moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- D. Report of the Committee-of-the-Whole Meeting Approved of June 19, 2017

Interview of Aaron Coon for Appointment to the Design Commission - Term Ending: 4/30/20

President Hayes administered the Oath of Office to Aaron Coon.

Trustee John Scaletta moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- E. Report of the Committee-of-the-Whole Meeting Approved of June 19, 2017

Interview of Benjamin Jaffe for Appointment to the Zoning Board of Appeals - Term Ending: 4/30/18

President Hayes administered the Oath of Office to Ben Jaffe.

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- F. Report of the Committee-of-the-Whole Meeting of June 19, 2017 Approved

Interview of Charlotte Obodzinski for  
Appointment to the Bicycle & Pedestrian  
Advisory Commission - Term Ending: 4/30/20

President Hayes administered the Oath of Office to Charlotte Obodzinski.

Trustee John Scaletta moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- G. Amend Agenda to Add the Report of the Committee-of-the-Whole Meeting of June 19, 2017 - Interview of John Walsh for Appointment to the Arts Commission Approved

Trustee John Scaletta moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- H. Interview of John Walsh for Appointment to the Arts Commission with a term ending 4/30/18 Approved

President Hayes administered the Oath of Office to John Walsh.

Trustee Robin LaBedz moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor,

Tinaglia

Absent: Rosenberg

- I. Report of the Committee-of-the-Whole Meeting Approved  
of June 19, 2017

Interview of Scott Mahon for Appointment to the  
Youth Commission - Term Ending: 4/30/18

President Hayes administered the Oath of Office to Scott Mahon.

Trustee Mike Sidor moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

## **X. CONSENT AGENDA**

### **CONSENT OLD BUSINESS**

### **CONSENT APPROVAL OF BIDS**

- A. Police Station excavation, concrete, Approved  
waterproofing, and underground plumbing. Bid  
Package #3C

Trustee Jim Tinaglia moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- B. Stryker Power-Pro Hydraulic Ambulance Cots Approved

Trustee Jim Tinaglia moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

**CONSENT NEW BUSINESS**

- A. Cash Contribution in Lieu of Land Dedication Approved

Trustee Jim Tinaglia moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

**CONSENT LEGAL**

- A. An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code (Surrender of a Class "B" and a Class "T" liquor license) Approved

Trustee Jim Tinaglia moved to approve 17-025. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- B. An Ordinance Establishing the Speed Limit on a Certain Street in the Village of Arlington Heights (25 mph on Appletree Lane between Arlington Heights Road and Chestnut Avenue) Approved

Trustee Jim Tinaglia moved to approve 17-026. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

- C. A Resolution Approving Certain Property to Participate in the Cook County Class 6b Assessment Incentive Program (Bormont LLC, 525 W. University Drive) Approved

Trustee Jim Tinaglia moved to approve R17-042. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

## **CONSENT REPORT OF THE VILLAGE MANAGER**

### **CONSENT PETITIONS AND COMMUNICATIONS**

A. Bond Waiver - Arlington Heights Senior Center Approved

Trustee Jim Tinaglia moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

## **XI. APPROVAL OF BIDS**

A. Metropolis Theatre Seating Repair Tabled

Trustee Scaletta asked for this item to be removed from the Consent Agenda. He said he did not disagree with the need for doing something with the seating as it is 17 years old. He said he would like a better understanding of the costs of refurbishment versus replacement.

Joe Keefe, Executive Director of Metropolis, said there were 2 competitive bids for refurbishment of the seats. The bids that came in for replacement were way over budget with the lowest bid being \$54,000 and the highest being \$69,000. Refurbishment came in at \$31,400. The consultants said the chair's mechanics were still in the "fair use" category and refurbishment was sufficient to continue using the chairs for the next 10-15 years at least. Based on the budget parameters, refurbishment seemed a good option.

Trustee Scaletta said based on his professional experience the numbers seemed high. He thinks seats should be \$100 and the theater should be able to buy new seats. He said he is supportive of Metropolis, but concerned with spending this amount of money.

Mr. Keefe said he sought input from three other theaters and did a broad search based on their recommendations. They even reached out to a



contact provided by Trustee Scaletta. He said they will follow any search the Board directs. The vendor that Trustee Scaletta suggested never submitted a proposal. Mr. Keefe said the fabric and material are at the end of their useful life.

Trustee Scaletta said he would like to better understand why the prices are what they are.

Trustee Glasgow said he would like to know the return on investment of refurbishment versus replacement and the lives of these two choices and data related to the two choices. He said he doesn't want to replace the fabric only to have bolts fail in a few years.

Mr. Keefe said he can provide that information. The consultants assured them that this refurbishment would be economical and effective.

Trustee Scaletta said he wants apples to apples comparison and to see proposals for replacement and refurbishment.

Mr. Recklaus said this would come back in a reasonable time-frame.

Trustee John Scaletta moved to table to a future meeting. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

## **XII. NEW BUSINESS**

- A. Heart's Place - 120-122 E. Boeger Dr. - PC#17- Approved 004  
Rezoning, Amendment to Comp Plan,  
Preliminary PUD,  
Preliminary Plat of Resubdivision

Trustee Tinaglia recused himself from the discussion and vote as the petitioner has been a client of his in the past. To avoid the appearance of impropriety, he left the room.

Mr. Recklaus said the proposed development site has been vacant for a number of years. The project was discussed by the Board at Early Review in March of 2016. A similar project was proposed and denied at this location in 2010. Many of the issues that led to the denial have been resolved in this new proposal. This project was not recommended by the Plan Commission after a tie vote, so requires a 2/3 majority vote equaling 6 votes. Staff is recommending approval. This development is consistent with the goals and policies of the Comprehensive Plan, the Village's

Consolidated Plan the Village's Multifamily Housing Policy. There are a number of conditions required.

Mr. Enright reviewed the subject property and the neighborhood. He showed where public transportation serves the area. It's a 16 unit permanent supportive housing rental development for individuals with disabilities. It will be disability neutral to allow any individual with a disability to qualify for housing. The Design Commission recommended approval and the landscaping is sufficient. There will be a 6' tall privacy fence. Although there are several variations being requested, the major aspects of the project meet Code including the parking. There is a water main that has to be extended.

In regards to public safety, there have been no more Police calls to Meyer's Place (a similar project) in Mt. Prospect than to any other apartment building. There is an extensive screening process and no child/sex offenders or people with a criminal/felony background will be allowed.

Mr. Enright said they have done a nice job with the design. The building meets all setback requirements. There is an existing cross access easement with Popeye's. They are building a large underground detention vault for storm water and relocating the sanitary sewer. Staff is recommending approval with several conditions.

Richard Koenig, Executive Director of Housing Opportunities Development Corporation said they are a nonprofit dedicated to providing affordable housing for lower income people. He gave the background of the organization. They are the owner of the property and the property manager. They are partnering with local agencies which already provide supportive services like WINGS, Alexian Brothers, Thresholds and Catholic Charities. All units are handicapped accessible. He described the common spaces and the overall make-up of the units. There is a variety of sizes to accommodate different sized families and tenants. He cited the benefits of the location including walk-ability to stores.

President Hayes said there have been some changes since 2010; a significant one is that this project is disability neutral. In early review, it was suggested that the focus might be women who have been victims of domestic violence. Mr. Koenig said the disability neutral requirement comes from the Federal Government Fair Housing Law. The building will not be limited to them, but WINGS is one of the partners and will be included.

Trustee Blackwood said she initially considered recusing herself as her employer had the opportunity to finance this project. The question became if there were any statutory obligations that might impact this. It was decided that it wasn't a statutory issue. She said she can be impartial. The reason she is here is that the role she is in as a Trustee is to be impartial and review proposals based on their own merit. Based on the background materials, buses are now connecting on Dundee and 53. She asked if

residents will have their own cars.

Mr. Koenig said there are 33 parking spaces and every unit will have 2 spaces. Some tenants will have vehicles. Current buildings typically have less than one car per unit. Residents also use the bus system, bicycles and car share programs. Some of the partner organizations have vehicles to assist with transportation as well. Trustee Blackwood said there is a lot of opportunity for pedestrian access in this area.

Trustee Blackwood asked if there will there be a need for staff professionals after 5:00. Mr. Koenig said there is no need for caregivers. There will be an onsite property manager and maintenance people. Case workers will come on an individual basis as needed.

Trustee Sidor asked if the case workers have different credentials and backgrounds. Mr. Koenig said yes, there is an individual service plan for each person based on their agency connections. Each case worker will have their own credentialing. Housing Opportunities functions as the coordinator; they are not involved in the standards for each case worker.

Trustee LaBedz asked if there was storage for bicycles. Mr. Koenig said there are outdoor racks and a small amount of indoor storage. Trustee LaBedz asked if there will there be community events within the complex and if so, does the property manager get involved. Mr. Koenig said he hoped there would be events, and yes, the manager would help facilitate. He said most residents are already coming from the local community, so they are close to their own social networks.

Trustee Glasgow asked how the units will be filled. Mr. Koenig said there are two people max per bedroom. The rent amount is based on the salary of the resident. It costs 30% of their income. Trustee Glasgow asked if the cross walks were sufficient and if there will there be extended walking time on the main roads. Mr. Enright said crosswalks exist because of the high school there. The lights are push button activated, he will find out from IDOT if they have extended times.

Trustee Glasgow asked why they chose this location considering the number of variances being sought. Mr. Koenig said they look at what is available and what kind of access it has. This site is available and is a good opportunity. Trustee Glasgow asked if there was another site that might have better access and walk-ability. He asked if this project is correct for this particular area. He asked if it was a price issue. Mr. Koenig said it was a good site that was available. Mr. Koenig said they try to comply with the big variance issues like bulk and setback. The variances they are asking for are small ones.

Trustee Glasgow said he toured the facility in Mt. Prospect and said it was very nice. Mr. Koenig said that's the idea, to create a great community asset. They want their buildings to blend or be the best on the block.

Trustee Glasgow said he recused himself in 2010 because he had a relationship with KinderCare, but no longer has an existing conflict as there is a different operator on that site now.

Trustee Scaletta asked if the gazebo had been moved from the original plan. Mr. Enright said yes, it was relocated because it was not practical to put it near the storm sewers. Mr. Enright said walkways were also added to address issues. There is no land banked parking and they developer will build all 33 spaces. Trustee Scaletta asked where people will move in an out. Mr. Koenig said they will use the parking lot and the front door. Trustee Scaletta asked if there were there limits to the number of people that can be in unit. Mr. Koenig said yes, two people per bedroom. They can be roommates, families, veterans with their family and unmarried couple with disabilities. There are a range of options. There could be an adult child with a parent. A previous statement from UP Development said that an adult child could not have a parent with them. Now it's a different situation and it could be an adult child with a parent.

Trustee Scaletta asked if there was a change in petitioner from Early Review. Mr. Enright said other people involved represented the project in Early Review. Mr. Recklaus said Early Review is an option not a requirement and is allowed if a petitioner requests it.

Trustee Scaletta asked if this was a non profit organization. Mr. Koenig said yes. Trustee Scaletta asked where the funding came from. Mr. Koenig said through the Illinois Housing Authority, some Federal programs and Cook County. IDA is a quasi-governmental agency and has their own bonding authority, so the money does not go through the State Legislature. Each unit pays 30% of their income for rent. All of the units are two bedrooms, but no one is forced to live together. Each person has to be on the lease. People are not assigned to one another. Rooming arrangements are figured out between residents but there is a selection process that Housing Opportunities facilitates. They will not shove two people in every bedroom either. But a family may have two children in one room, it depends on how the household wants to live. Ideally, there is one person per bedroom.

Trustee Sidor noted that the two bedroom units are of various sizes.

Trustee Glasgow asked what the effect of the tie vote from the Plan Commission was.

Mr. Recklaus explained that because the Plan Commission came to a 4/4 tie, pursuant to State Statute, a super-majority vote is required for passage which is 6 votes.

Trustee Baldino said the tenant selection plan dated Feb. 2014 seems to be more restricted than what was presented tonight. According to that plan, battered women are not eligible. Mr. Koenig said that plan that was submitted initially, but a new more inclusive one will be submitted in

conjunction with getting financing.

Louis Guagneti, Gary Gephart, Mark Levin, Mary Beth Canty (speaking on behalf of the League of Women Voters), Hugh Brady, Linda Waycie, Cindy Greenwood, Laura Fox, Heidi Graham and Nancy Duel, Sally Medill and Jan Lovin all spoke in favor of the project for the following reasons:

- Those who defeat mental illness need support
- Community should support the most vulnerable
- There is a demonstrated need for this kind of housing in the community
- The vetting process is very thorough
- This kind of housing provides the necessary services for its residents
- Residents support of a comprehensive and coordinated system of treatment and rehabilitation services for adults and children with disabilities
- Support of policies that insure a village's housing supply provides a decent home and suitable living environment for persons with disabilities
- Local government should provide in their zoning ordinances for residential programs for persons with disabilities
- The wait lists at similar projects number up to 250 people
- The location is excellent with proximity to schools, day care, shopping, entertainment options and transportation
- There has been no adverse situation with Meyer's place in Mt. Prospect with its proximity to a day care.
- People with disabilities deserve equal access to housing and care
- Palatine, Wheeling and Mt. Prospect have all approved similar projects
- Assisted living for seniors is similarly funded
- Funding is a forthright process that is transparent
- Don't let slacktivism get the best of us, prove that we are the City of Good Neighbors and that Hate has No Home Here.
- If not here, where?
- if not us, who?
- Daughter is a child care giver for KinderCare and lives in Meyers Place. The day care should not be afraid of people with disabilities living next door.
- The people against this should be grateful they have never had to raise a child with disabilities.

Craig Horowitz said his client owns the property next door. KinderCare did not renew their lease after the last vote for Boeger Place. He said this is spot zoning and does not confirm with the Village plan. There is a hodgepodge of variances. This is not about zoning or variance, do the right thing for the neighborhood and the right thing for a long time business on this street. After KinderCare left, the property owner had no income for three years, but had to pay \$50,000 a year in taxes. She is a wheelchair bound senior who needs this income. She has put thousands of dollars into renovating the property and finally got a business to come. Now, that business may leave.

Bruce Everding said he represents his mom who is the property owner next door. She is an 81-year-old widow in a wheelchair. Her husband purchased the property because of strict zoning laws in the City of Good Neighbors. It was the wrong location in 2010 and it is the wrong location now. They are putting 64 people on 1 acre. They are a for profit partnership paid for the taxpayers. This is about making a profit, that is why they are asking for so many variances. The KinderCare that left was one of the most profitable in the nation but did not renew its lease because of the project. It took years to develop a profitable business in this location. She has lost income for 3 years and did a major renovation. She paid \$50,000 a year tax bill and had no tenant. He came to ask for your help. Please vote no.

Laurie Taylor said there is an economic impasse on north end of town. She said it is extremely lucrative to be a developer and work on supportive housing projects. A lot of credits are handed out to developers to shield taxes and income from taxes. The day care center abutting this property pays \$50,000 a year in taxes. 70% of taxes on the north end got to a School District. There is a like development already in the District 21 area called Philhaven. She asked what kind of taxes will this new development pay how will it affect District 21's property taxes. Will the tax payers be expected to absorbing more costs? Residents are having to pick up more school district funding every year. District 21 resides in the 10<sup>th</sup> largest TIF district. District 25 is in a lower TIF district. All residents pay for property taxes for the Senior Center and the Wheeling Township office. There are 5 of these developments in a 10-mile radius. She said these developments are inequitable in their placement. She asked the Board to see the big picture.

President Hayes said he was sympathetic to the concerns of the daycare center owner. He said he was struck by Mr. Brady's comments regarding the benefits of this project being near the daycare center and Buffalo Grove High School as this could provide opportunities for this proposal. The daycare can further their business with additional patrons and the high school with potential service projects. He thought that some of the concerns of the adjacent center are perhaps unfounded. He said he chooses to look at opportunities for good. He said in 2010 he voted against Boeger Place as there were too many unanswered questions. There were more variations and the nature and extent of the variation were more significant than this proposal. He said he liked that this project is open to those with disabilities with all kinds. Residents could be a disabled veteran with a wife and 2 children, or a battered woman with her children. It seems to be a healthy mix of individuals living in a supportive environment. There is a great need. There are hidden needs within our fortunate community and he sees them on a daily basis. He hears stories from individuals who are in dire need and financial assistance and in most cases the Village cannot help because it is not our mission, the Village has to rely on others to provide for those with needs. President Hayes said that he finds this proposal much different than the one in 2010, it addresses a need and will

have many upsides rather than downsides. He said he was in favor.

Trustee Sidor agreed and asked if Mr. Koenig agreed to all of the conditions. Mr. Koenig said yes. Trustee Sidor made the motion to approve the project at this time.

Trustee Glasgow asked if the gazebo was designated for smoking. Mr. Koenig said no. Trustee Glasgow asked if it could be made non-smoking as it was near the playground of the daycare. Mr. Koenig said they would be willing to do that. Mr. Enright said the gazebo does not directly abut the playground. Trustee Sidor said he would be willing to amend his motion.

Trustee Glasgow asked what the substantial change was from B-2 to I. Mr. Recklaus said intermediate care facilities are only permitted in Institutional zoning areas. The lot to the east is in Buffalo Grove. The property to the west would have to be rezoned if its use were to change to a care facility. Mr. Enright said a property used as care facility is permitted in Institutional zoning, but not in B-1 or B-2. Trustee Glasgow asked how long the current waiting lists were. Mr. Koenig said each building has its own. In Glenview 100 people asked to be on the list for 13 units and they closed the list. They try not to let the lists get over 100 people. He said they hope to have the units rented before completing the project so people can move in immediately. There are two parking spaces per unit and they have not had to limit parking in the past so won't automatically regulate them.

Trustee Glasgow said this the best use of this property despite the variances. He said that the KinderCare did not terminate their lease because of this project, but because the location. It will benefit the people of Arlington Heights. He said this is no different than an assisted living place for seniors which also applies for tax credits. It's a greater society cost if we don't provide this for our people with disabilities. He said he wasn't supportive of the motion pending the resolution of the smoking near the playground issue.

Trustee Scaletta said he was appreciative of the passionate arguments on both sides. He was frustrated by those who suggested that the Board didn't believe in supportive housing. He said he voted no in 2010 because the variations were too significant. He said he was also frustrated by those who want the Board to vote no based on negative stigmas and a laundry list of what ifs. This is a better project. He said he shares the concerns with Trustee Glasgow regarding the gazebo placement but wouldn't want to create a situation where people go beyond the gazebo, if it is deemed a no smoking location, and ultimately smoke closer to the children. He said he would like the building management to respect its neighbors and not have residents smoke near the children. He said he did not want to over legislate. Sometimes good intentions make things worse.

Trustee LaBedz said she was in support of this project. When you look at the nature of the variations, they are not unusual and many projects ask for

these kind of variations. The need is great. Even if it was not disability neutral, she would be supportive. Mental health issues are everywhere and mostly go unknown.

Trustee Baldino asked if there was a smoking plan at their other facilities. Mr. Koenig said the place a smoking receptacle in an area and that's where people tend to smoke. Smokers congregate by the location of the receptacle. He said they will put a smoking receptacle on the other side of the building, away from the daycare. It is a smoke free building.

President Hayes said he thinks the smoking issue should be in the hands of the property manager. Mr. Koenig said he recognized that smoking is an issue.

Trustee Mike Sidor moved to approve PC #17-004, A REZONING FROM B-1, LIMITED RETAIL BUSINESS DISTRICT AND B-2, GENERAL BUSINESS DISTRICT TO I, INSTITUTIONAL; A PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE CONSTRUCTION OF A TWO STORY, 16 UNIT SUPPORTIVE HOUSING DEVELOPMENT; AN AMENDMENT TO THE VILLAGE'S COMPREHENSIVE PLAN TO CHANGE THE UNDERLYING LAND USE DESIGNATION FROM COMMERCIAL TO INSTITUTIONAL; A PRELIMINARY PLAT OF RESUBDIVISION TO CONSOLIDATE THE TWO LOTS INTO ONE LOT; A VARIATION FROM CHAPTER 28, SECTION 5.1-8.3, MINIMUM AREA FOR ZONING DISTRICT, TO ALLOW A REDUCTION TO THE MINIMUM DISTRICT STANDARD SIZE FROM 2.0 TO 0.93 ACRES; A VARIATION TO CHAPTER 28, SECTION 5.1-8.1.A., LOCATION, TO WAIVE THE REQUIREMENT THAT PROPERTY UP TO FOUR ACRES AND ZONED INSTITUTIONAL SHALL HAVE FRONTAGE ON A STREET CLASSIFIED AT LEAST AS A COLLECTOR ON THE ARLINGTON HEIGHTS THOROUGHFARE PLAN; A VARIATION TO CHAPTER 28, SECTION 5.1-8.14, MINIMUM DISTANCE FROM BUILDING WALL TO PAVED AREA, TO ALLOW A REDUCTION TO THE MINIMUM DISTANCE FROM 25 TO 15 FEET; A VARIATION TO CHAPTER 28, SECTION 6.5-2, ACCESSORY STRUCTURES, TO ALLOW AN ACCESSORY STRUCTURE (GAZEBO) IN A SIDE YARD; A VARIATION TO CHAPTER 28, SECTION 11.7(B), LOADING REQUIREMENTS, TO WAIVE THE REQUIREMENT FOR A LOADING BERTH ON THE SUBJECT PROPERTY, AND A VARIATION TO CHAPTER 28, SECTION 16.12-1, TRAFFIC ENGINEERING APPROVAL, TO WAIVE THE REQUIREMENT FOR A TRAFFIC ANALYSIS. THIS APPROVAL SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS: 1. THE PETITIONER SHALL HAVE 24 MONTHS FROM FINAL PUD APPROVAL TO COMMENCE CONSTRUCTION AS REQUIRED BY VILLAGE CODE. IF CONSTRUCTION DOES NOT COMMENCE WITHIN 24 MONTHS OF FINAL PUD APPROVAL, OR A REQUEST FOR EXTENSION IS NOT RECEIVED AND APPROVED, THEN ALL ORDINANCES APPROVING THIS DEVELOPMENT BECOME NULL AND VOID AND THE ZONING REVERTS BACK TO ITS ORIGINAL B-1 AND B-2 CLASSIFICATIONS AND THE COMPREHENSIVE PLAN DESIGNATION REVERTS BACK TO 'COMMERCIAL'. 2. ALL UNITS WITHIN THE DEVELOPMENT SHALL BE DEED RESTRICTED SO THAT



THEY REMAIN IN PERPETUITY AS AN AFFORDABLE HOUSING DEVELOPMENT FOR INDIVIDUALS WITH DISABILITIES AND MEETING ALL HUD DEFINED INCOME LEVELS. 3. THE PETITIONER SHALL COORDINATE WITH PROPERTY OWNER OF THE POPEYE'S RESTAURANT TO PROVIDE THE REQUIRED IMPROVEMENTS TO THE ACCESS EASEMENT TO ALLOW FOR PROPER EXISTING AND ACCESS FOR EMERGENCY SERVICES AS DETERMINED BY THE VILLAGE OF ARLINGTON HEIGHTS. THIS SHALL BE DONE PRIOR TO FINAL PUD APPROVAL. 4. THE PETITIONER SHALL PROVIDE THE FOLLOWING ON-SITE STAFFING: A. SHARED PROPERTY MANAGER AND PART-TIME MAINTENANCE STAFF – MONDAY THROUGH FRIDAY 9 AM TO 5 PM AS NEEDED. B. CASE WORKERS AND SERVICE PROVIDERS STAFF – AS NEEDED. THE PETITIONER SHALL PROVIDE ESTIMATES FOR THE MINIMUM HOURS FOR REVIEW AND APPROVAL BY THE VILLAGE. 5. ADDITIONAL UNOBSTRUCTED PATHS OF TRAVEL AROUND THE BUILDING MAY BE REQUIRED DURING FINAL PUD. 6. SHALL COMPLY WITH ALL DESIGN COMMISSION RECOMMENDATIONS FROM APRIL 6, 2016. 7. PETITIONER SHALL WORK WITH STAFF TO RELOCATE AND SCREEN MOUNTED CONDENSING UNITS TO THE NORTHWEST CORNER OF THE PROPERTY TO THE EXTENT FEASIBLE. 8. A CODE-COMPLIANT PHOTOMETRIC PLAN SHALL BE REQUIRED AS PART OF FINAL PUD. 9. SCHOOL, PARK, AND LIBRARY CONTRIBUTIONS SHALL BE REQUIRED PER VILLAGE CODE PRIOR TO ISSUANCE OF A BUILDING PERMIT. 10. PETITIONER SHALL COMPLY WITH ALL FEDERAL, STATE AND VILLAGE CODES, REGULATIONS, AND POLICIES. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor

Abstain: Tinaglia

Absent: Rosenberg

### **XIII. LEGAL**

- |    |   |          |
|----|---|----------|
| A. | An Ordinance Amending Chapter 28 of the Arlington Heights Municipal Code<br>(Amendment to sections of Chapter 28, Zoning Regulations) | Approved |
|----|---|----------|

Trustee Glasgow said he asked for a red line version of the proposed changes as it was not available on the website for this meeting. Staff got this information to him quickly. Moving forward, he said he would like the public to have access to the red line versions too. Mr. Recklaus he appreciated the comments and the information is on the website attached to the June 5<sup>th</sup> Village Board meeting where staff presented the information and the Board discussed it.

Trustee Thomas Glasgow moved to approve 17-027. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg

**XIV. REPORT OF THE VILLAGE MANAGER**

**XV. APPOINTMENTS**

**XVI. PETITIONS AND COMMUNICATIONS**

**XVII. ADJOURNMENT**

Trustee John Scaletta moved to adjourn at 10:41 p.m. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia

Absent: Rosenberg