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PLAN

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

COMMISSION

RE: HEARTS PLACE - 120-122 EAST BOEGER DRIVE - PC#17-014
PUD AMENDMENT, VARIATIONS

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 28th day of February, 2018 at the hour of 7:03 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Community Development Planner
BILL ENRIGHT, Community Development Deputy Director

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CHAIRMAN ENNES: So, our first hearing will be Hearts Place, PC#17-014. Is the Petitioner present? Would you please introduce yourself, spell your first and last name for the court reporter?

MR. KOENIG: Yes. Good evening. My name is Richard Koenig, K-o-e-n-i-g. I'm the executive director of Housing Opportunity Development Corporation, and we are the owner and developer of the property located at 120 Boeger Road called Hearts Place. I'm going to start my presentation by saying I'm sorry I'm back.

CHAIRMAN ENNES: Well, Richard, welcome for being back, and I would like to swear you in.

MR. KOENIG: Oh, sure, absolutely.
(Witness sworn.)

CHAIRMAN ENNES: Please proceed.

MR. KOENIG: I presented to you last summer, and the recommendation was made by the Commission to the Board of Trustees. The Board did approve the proposal for us to build 16 supportive housing units for people with disabilities located at this property. With that approval, we were able to move forward with the project to submit financing to the state agency called the Illinois Housing Development Authority or IHDA. I'll refer to IHDA several times throughout this presentation and that's a state agency that provides the funding for most of the development costs.

We were approved by IHDA for financing. They have approved the funding for the project. They are excited about it and it will be a great project for the community and have fully approved the funding for it. As we were going through discussions with them about the financing for the property, let me know if you have any questions, I'm not sure if you remember all the projects or the details. I'm sure you've seen nothing else interesting since then so I'm happy to go back over any details that you're interested about the project and we can talk more about that. But the important part for this evening is that we're asking for a small modification, and that modification really comes from the funders at IHDA.

In reviewing the proposal, they were interested in the project. They have agreed, we've gone to the board of directors and have fully funded the project, but have asked us to make a few modifications. We had originally asked for 16 two-bedroom units, and through discussions with the staff there, they recommended that it would be more advantageous if we added some additional one-bedroom units and wondered if that was a possibility. It helps with some of the way that the numbers work. I worked with some of however the math works, they believe it worked better with some of the vouchers. They believe based on their experience with other tenants and other types of developments that provide supportive housing that having a slightly different unit mix would be advantageous and asked if there was any way that we could do that.

We said, well, we're happy to do that but it does mean going back to the Board and asking for permission to make a modification. So, we've been working with Staff over the past couple of months to find out what that modification would look like, and they have recommended that we come back to you. We would have had to come back to you for a final PUD approval anyway. So, we are asking for a modification from the original proposal that was recommended and was approved by the Board. When your funder asks you to do something, we are of course willing to do that and see if that's a possibility. Again we're approved by the

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Board, we can go forward as we are. We have the money available to do it but we think that it would actually make the project better and they would be much happier and hopefully fund future projects that we would do by changing that unit mix.

So, just real quickly. Things were approved, the financing approved, we've moved forward. We've been actively working with our architects to design the project going full speed ahead. We are hoping to close probably in May on the financing and start construction in June or July, so things are progressing and we're ready to move forward but with the modification and change in the unit mix.

The exterior will not change at all. The site plan is exactly the same. The Staff had made some recommendation about moving where the air conditioners are located, and that's going to happen. But essentially, the site plan is exactly the same as you saw before. I think one window had to move a little bit because the wall moved a little bit, but essentially, the site plan is 99.9 percent exactly what you saw previously.

This is the floor plan that you saw, and through the magic of technology, if I flip back and forth between the previous plan and the first plan, this is the revised plan and this is the original plan. You can see that the bottom half stays exactly the same. If you look at the top part of the plan, if you look at the four units up in the top, those four units now become five units. This is fun sitting with my computer flipping back and forth. This is lining this up so that you can sort of see all of the -- oh, I broke it now. Sorry, Sam, I flipped too much.

So, that is our request tonight is if we could have permission to, we need to go back to the Council's part of our final PUD would be to move some interior walls and change the unit mix slightly. The units are still the same size. The rental income stays essentially exactly the same. We're trading four two-bedrooms for five one-bedrooms. The rents all stayed the same, the income stays the same. We moved a couple of walls on the inside, the exterior stays the same.

So, with that, we are asking for that permission to make that change.

CHAIRMAN ENNES: Okay, thank you, Mr. Koenig. You have a seat, we'll have the Staff report.

MR. HUBBARD: As I pull it up on the computer, I will certify that the public notice for this project was met. All obligations on the Petitioner's part and Staff's part were met.

So, the property is at 120-122 East Boeger Drive. When the project originally came before the Plan Commission last year, they asked for a rezoning into the Institutional District. That zoning was granted along with the preliminary PUD at that time and several variations. As you've heard, they would like to increase the number of units from 16 units to 18 units and alter the unit mix.

Based on the density regulations in the I District, you're only allowed 16 units on this property. So, the increase in units to 18 units triggers a required variation. Additionally, they had only provided 33 parking spaces the first time around and that met the code requirements for 16 units. As they have increased the number of units, that increases the parking requirements to 37 spaces. But as you've heard, the site is going to stay the same, so it will keep the 33 spaces which also triggers the need for a variation.

So, here you can see the site. Currently, it's mostly vacant. It has a small utility building. There used to be an antenna on the site and the building is vacant currently. The site will be consolidated into one lot as part of the development with a plat of subdivision. They had originally received a preliminary plat of subdivision when they came

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before the Plan Commission and the Village Board last year. They would still need to provide a final plat of subdivision in order to effectuate final approval of this project.

So, we focused in, in our review, primarily on the density variation and the parking variation. So, relative to density, you can see with the 16-unit development, they were proposing 16 two-bedroom apartments which correlated to 32 bedrooms. With the 18 units and the change in the unit mix, that only translates to 26 units. So, they're actually, although they're increasing the density of units, they are decreasing the overall number of bedrooms. When you apply the building codes to that, it actually decreases the overall allowable density in this project despite the density increase by code.

So, when we evaluated it, we took that into consideration. We also determined that the site is going to remain the same. It's going to remain essentially unchanged. The only changes are going to be really on the interior of the building. The building bulk, mass, setbacks, and the height are going to remain unchanged as well. So, the density increase really doesn't affect the appearance of the property.

We also felt that the density would not increase traffic by a substantial amount. Supportive living facilities do not have the same traffic generation as a normal standard apartment building as the residents traditionally don't have as many cars. So, the density increase is not going to cause any traffic problems either.

We also asked the developer to look into average occupancy in their units based on some of the other projects in their portfolio. They've done this and they determined that under the 16-unit two-bedroom development, they would anticipate on average around 49 residents in the overall development. The increase in units by two to 18 given the change to 10 one-bedroom units and eight two-bedroom units correlates to around only 35 residents. So, again using practical numbers that they have in other developments of a similar nature, we actually expect this to be a less dense development given the increase in units and Staff is supportive of the density variation.

Relative to parking, again as I've mentioned, supportive housing developments are unique. They don't have the same parking requirements when compared to a standard residential rental multifamily apartment facility. Even so, we've asked the developer to look into some of the other developments in their portfolio, and they did and they provided us with some data. In PhilHaven which has 49 occupied units, there are only 18 units that own a vehicle, that's 37 percent. Myers Place, it was 38 occupied units, 14 with a vehicle, again 37 percent. Axley Place with 13 occupied units, only seven households with a vehicle, so that's 54 percent. Hearts Place will provide at least one parking space for 100 percent of the units, so we don't anticipate a parking problem at all.

Again, relative to the variation criteria, we didn't feel this would alter the essential character of the locality. As all residents, caseworkers, property management staff, and visitors are expected to be accommodated within the parking lot site, parking will not overflow onto the street and will not impact the essential character of the locality.

So, that being said, Staff is recommending approval of the PUD amendment and associated variations subject to five conditions as outlined in the Staff report. I'm happy to go into detail if the Plan Commission would like, but that concludes the Staff report this evening.

CHAIRMAN ENNES: Okay, thank you. Can we have a motion to approve the Staff report?

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COMMISSIONER DROST: I'll make that motion.

CHAIRMAN ENNES: And a second?

COMMISSIONER CHERWIN: Second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

(No response.)

CHAIRMAN ENNES: So, do the Commissioners have questions?

COMMISSIONER JENSEN: I just have a general question of Staff. Since this has already been approved in one format by the Board, what is the charge to the Commission? I assume we're not looking at this whole thing de novo. Are we mainly dealing with just the changes that they're requesting?

MR. HUBBARD: Right. The essential characteristics of the PUD as approved before relative the use stay the same. So, really we're just focusing in on the two variations requested.

COMMISSIONER JENSEN: Okay, great. Well, then I don't have any questions at this point.

CHAIRMAN ENNES: Okay, and since we've already heard this, does anybody else have any questions? Is there anyone in the audience that wanted to comment on this project?

MR. MARK EVERDING: Yes.

CHAIRMAN ENNES: Yes. Would you like to come forward please?

Please state your name and spell it for our court reporter.

MR. MARK EVERDING: Sure. My name is Mark Everding spelled M-a-r-k E-v-e-r-d-i-n-g.

CHAIRMAN ENNES: Okay, please go ahead.

MR. MARK EVERDING: Yes, so, I'm sorry to be here again myself. I don't know if you remember but I've spent a few late nights here about this project.

My mother owns the day school that's right next to the proposed Hearts Place project. Last time we were here, this Board did not approve, did not recommend this to go forward. I don't know if you remember that. It was a tie vote and it was not recommended to go forward despite what was just said. So, I don't know what the legalese is about what can be examined and what can't be examined in light of that.

One of the questions this Board asked of the gentleman that was just up here was we had big concerns about the gazebo being a smoking area that pulls right up next to the children's school playground. You guys asked him could you consider moving that, and he said yes, we could. Do you want to take a look at where that is right now? It's in the exact same place. It's in the exact same place, so I don't know what forum I have, I don't know what can be done. But you guys didn't recommend this to move forward. It continues to be too big of a building on too small of a lot. That's what it is, and it's right next to a day school.

So, Ms. Warskow, you were the person who asked that person. I would be offended if I were you. They told you they were going to look at moving it. Two days after the meeting, they told me we're not going to move it. I don't know, we've been through this before. You know, as I understand the law and the municipal code, Chapter 28 zoning regulations, that what has to take place here is that the Board, only when the Board is satisfied

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that a granting of such variation will not merely serve as a convenience to the applicant but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the Comprehensive Plan as established by this ordinance. At the same time, the surrounding property will be properly protected. Properly protected.

We're not being properly protected. The value of that land, our land, my mom's land, will go down. It's her sole income, 82 years old. That's what's going to happen. It happened once before when we came before this Board eight years ago, and it's going to happen again. I think you guys have a responsibility to that.

So, I just want to make it real clear that we're asking the Committee that you would stick by what you said last time and that you would not make a recommendation to move this project forward. We will be negatively impacted. My family will be negatively impacted, the property value will be negatively impacted. That's all I have to say. Do you have any questions for me?

CHAIRMAN ENNES: We considered it, and as you said we had a tied vote. It went on to the Village Board and they made a decision from that point. But thank you for your comments.

Is there anyone else? Seeing none --

MR. HOROWITZ: No, I have a comment.

CHAIRMAN ENNES: Oh, I'm sorry.

MR. HOROWITZ: Thank you.

CHAIRMAN ENNES: Would you please state your name and spell it for the reporter?

MR. HOROWITZ: Craig Horowitz, 883 Stone Ridge Lane. In 2011, the city after careful consideration voted to protect an existing school and the Everdings by denying the rezoning of these two lots discussed tonight. Then it was called Boeger Place. However, weeks after that, their tenant KinderCare during that discussion expressed a deep concern about this impending rezoning, chose not to re-lease, leaving this property vacant for several years. During that time, property taxes had to be paid, maintenance had to be paid in spite of the fact that they had no revenue on that property.

For almost three years that property laid vacant. Finally, after spending thousands of dollars renovating the property, the Everdings found a tenant to be in that school that lay empty for so many years. In doing that, they had to make rent concessions so that that school could build a business. Finally, it has come to pass that it's a going concern, only in April of last year for this nightmare to happen once again. Last April, this Commission held another public hearing. Hearts Place was a project then and you voted a tie. One of the Commissioners wasn't here that night, Commissioner Drost. I think you're here tonight, right?

COMMISSIONER DROST: I am.

MR. HOROWITZ: Congratulations. The Everdings then submitted a written protest against the amendment which is within their rights. For some odd reason, when you read the minutes of the vote in June, it was never mentioned. Apparently, the reason for the two-thirds super majority was because of your tie, never mentioning the Everdings' protest which bothers me. It should bother you, too.

The project now is now 18 units. It's still being built on less than two acres. I was kind of curious, how many other villages for institutional have a two-acre recommendation? Wheeling, Palatine, Skokie, Wilmette, Park Ridge, Niles. There must be

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some reason for the two-acre minimum. This project is still next to a school put out of business for several years.

The parking survey, I was kind of interested in it. One of the things it said was that PhilHaven would have an average of 14 cars. So, last night at 1:00 in the morning, I kind of figured everybody would be in the place that lives there. I counted 30 cars and a van. So, how accurate the parking survey is, I don't know. I'm not a parking survey expert but I know what I saw last night and I know what the parking survey said was supposed to be there.

In April and June of 2017, the project Hearts Place had a nice document that showed the square footage of every apartment then all two units. Yet now, the nice document which is now 10 one-bedrooms and eight two-bedrooms doesn't say anything about the square footage. Now, I tried to get that information from the architect today, they wouldn't give it to me. I tried to get that information from the Village. They say that it's noted in here that it meets the minimum of one-bedroom which is 550 square feet and two-bedroom. Now, again I'm not an architect, I just did some basic calculations. But I would think before you vote on this thing for sure, you should know at least whether yet another variance doesn't exist.

Tonight, Commissioners, is your chance to vote not to recommend these latest variations and with comment to vote that this project is the wrong one for this site. We hope tonight that maybe you'll live up to your city of good neighbors. Thank you.

CHAIRMAN ENNES: Thank you, Mr. Horowitz. Was there anyone else? Please state your name and spell it.

MR. BRADY: Good evening. My name is Hugh Brady, and I am the co-president of the Housing Task Force which is the community group that is supporting this project. I would just like to make a couple of comments about the previous two speakers.

First of all, next to Myers Place or around the corner from Myers Place, there's a daycare center. Previous to the April meetings, the folks at Myers Place actually went over and talked to the people at the daycare center around the corner which actually, around the corner but the back of the lot of the daycare center actually backs up against the lot of Myers Place. The daycare people didn't even know that Myers Place was supportive housing. They thought it was just another apartment building and they had not seen any noticeable decline or change at all in their number of students.

Secondly, with regard to the parking, at Myers Place, half of the first floor is a community drop-in mental health center operated by the Kenneth Young Center. So, during the day when that drop-in center is open, then you know, people that are visiting the drop-in center and the clients and the staff are occupying many of the parking places. So, in my experience talking to the staff and the residents of Myers Place, that figure of, you know, around 13-14 people having cars is accurate.

Finally, if I understood correctly, the only question tonight is not to approve the project but to approve the changes. Did I understand correctly?

MR. HUBBARD: Address the Board and then they can answer.

MR. BRADY: Oh, did I understand correctly?

CHAIRMAN ENNES: That is our main goal.

MR. HUBBARD: Yes. So, this, I would think, would make the previous two speakers happy because there are going to be fewer residents than under the original plan. So, thank you.

CHAIRMAN ENNES: Thank you. Yes, sir? Again, if we can have your

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name and please spell it?

MR. BRUCE EVERDING: Yes, it's Bruce Everding, E-v-e-r-d-i-n-g. This is my mom's building, it's her only source of income. Not to reiterate everything but I just did want to clarify that I talked to the tenants today and they have never been and are not supportive of this project. They are very deeply concerned and I just wanted to make sure that you knew that.

I also want to let you know that we have filed a formal protest against this project due to the negative effects that it will have on my mom's property. I mean again, this is her only source of income. It's the wrong building, the wrong project for this place. We're supportive at the right location, this is not it.

This building is not designed for this lot. The orientation is wrong. It's overlooking a daycare, it's not orientated to the front of the street. We want, we just want it to be known that this is going to drastically, negatively impact our values. Thank you.

CHAIRMAN ENNES: Thank you. Is there anyone else? Okay, why don't we start it down with you? Please state your name and spell it.

MR. GOULD: Good evening. Arlin Gould, 502 East Burr Oak, resident of North Gate for 30-some odd years.

Just a couple of facts. First of all, to insinuate that KinderCare left because hypothetically at some point in the future a supportive care facility would be built there is ludicrous and you know it. Number two --

MR. HOROWITZ: I have to comment --

MR. GOULD: You had your time.

MR. HOROWITZ: I have a comment. Let me know, no problem.

MR. GOULD: I'm sure you do. Number two, why don't you come and visit one of the other facilities that's operating right now? PhilHaven in Wheeling, we brought the police chief there a week ago and his staff. Their report back to me was they are thrilled with how it's operated, their staff loves it because when they go there, if there's an issue they know what they're dealing with and it has worked very, very well. That's a quote from the police chief of Wheeling. If you go to the facility in Mount Prospect, same thing. The mayor and the team there, they're very supportive. There have been no major issues.

The fact of the matter is the individuals who will populate this facility as with PhilHaven already live in our community. They're your neighbors, they are your uncles, they're your sisters, they're your children. I have friends of mine whose kids are 35-40 years old and still living at home because there is no place they can go to get the supportive care which they would get in one of these facilities.

I will tell you another story, and I'm really tired of hearing from people we support this program, just not near us. A friend of mine, some of you may know her, very active in Illinois politics, lived in Arlington Heights with her mother in a condo. She had a full-time job. Her mother passed away. She lost the condo, she wound up on the streets. She could have called me, she could have called you, she could have called Mark Kirk, she could have called Bob Dolan. She knew everybody in the state but was so embarrassed that hard times had fallen on her that she chose not to. Fortunately for her and society, Thresholds found her and got her into a facility, where are you?

AUDIENCE MEMBER: Woodstock.

MR. GOULD: In Woodstock, and bent a few rules, got her back in a program, got her back on her meds. She's now working full time. She has a boyfriend/fiancé.

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She's a productive member of society. That's what this program does.

So, it's time to open the door and understand that those who come before you and say I support this program but it should be someplace else simply don't support care for those who have mental and physical disabilities.

AUDIENCE MEMBER: That's the wrong thing to say. That's a mean, nasty thing to say.

MR. GOULD: I'm sorry. I understand --

CHAIRMAN ENNES: Please, excuse me. Excuse me, there's going to be no comments from the audience. If you want to speak, you can come up. We'll hear everybody.

MR. GOULD: So, these individuals are not a threat to society. That's why they're there. I hope you support the changes.

CHAIRMAN ENNES: Thank you, Mr. Gould. Yes?

MR. HOROWITZ: May I put this in the public record?

CHAIRMAN ENNES: Would you come up?

MR. HOROWITZ: I'd just like to get it part of the public record. During the vote on May 17th, 2010 for Boeger Place, Todd Rowden of Thompson Coburn who was the attorney for KinderCare, this is from your minutes:

KinderCare objects to this development for two reasons. First, this is really a zoning mess. This would be spot zoning. It does not conform with the surrounding properties and it does not conform with the Village plan. Also, the hodgepodge of variances that the developer has requested establishes just how out of use the suggested use is with the surrounding uses. There was not an effective notice to the property owners. We respectfully ask you to deny this petition.

That's from the attorney of KinderCare. Thank you.

CHAIRMAN ENNES: Thank you. Just for the record, that was Mr. Horowitz again, correct?

MR. HOROWITZ: Yes.

CHAIRMAN ENNES: Does anybody else want to make a comment? Again, please state your name.

MR. MARK EVERDING: My name is Mark Everding, I spoke earlier. I just need to put it on the public record, I care deeply for disadvantaged people. I would be willing to bet that I've given more money for disadvantaged people than most people in this room, probably all. I donate my time to disadvantaged people, and what was just said is mean and cruel. It's wrong. It's wrong, because we disagree that it shouldn't be next to my mom's daycare center, that is her sole income, is not a reason to stand and put in the public record that I don't care about those people and that I'm misleading you. So, I just need to say that, thank you.

CHAIRMAN ENNES: Thank you. Is there anyone else? Okay, I'm going to close the public portion and come back to the Commissioners.

COMMISSIONER JENSEN: The only thing I want to say is we had a long discussion when it's gone before us before about the reduction in the property value due to this development that we proposed. But we have to realize that that would have put it in 2009 or '10, and I remember the discussion quite well, that was sort of the bottom of the housing market. The housing market had collapsed. It's a little hard to tie property values and other things to a specific thing such as a facility being placed there. So, I think it's somewhat inconclusive that this would reduce the property values and I just want to get that back in the record because it

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was in an earlier discussion.

CHAIRMAN ENNES: Mary Jo, do you have any comments?

COMMISSIONER WARSKOW: No, I have no comments.

CHAIRMAN ENNES: Joe?

COMMISSIONER LORENZINI: No, nothing.

CHAIRMAN ENNES: Mr. Green?

COMMISSIONER GREEN: I have some comments that I'd like to get out there. I was waiting for the public response before I said anything. I can say that Mr. Gould, I resent everything you just said. We're here as a Plan Commission to discuss zoning, not the touchy-feely stories of how good this is or how bad this is. There is no argument on how good this is. I just think, as I said before when I voted no for this project, that it would be just as good at another location. It would be better at another location for all concerned.

We have a daycare next door that went out of business. Regardless of whose fault it was, this seemed to be the catalyst that drove them out of business at that time. So, they have a history of it. So, property values, whatever you're saying now doesn't really fall into what happened to the Everding family in 2010.

So, my other comment is as a zoning issue, this would be better served on a bigger lot. That's why we have zoning ordinances. And a question for Staff, in these minutes was brought up the 2010 project and the difference in the variations. So, my simple question is when we add two more variations of density and parking to this, how is this any different than the project in 2010? Bill, maybe you can answer.

MR. ENRIGHT: It's a lot different. The project in 2010 which was denied by the Village Board and recommended for denial by the Plan Commission, we subsequently got sued and prevailed. That project was twice the density allowance. They were asking for 30 units where 15, or 32 where 16 was allowed. Therefore, the PUD that's been approved already for this project, this iteration of the Hearts Place, they met code for density. Now, they're coming back looking for an increase of two units whereas before in 2010 it was twice the amount of units that were allowed.

In addition, they were seeking back then a pretty significant parking variation as well because they had, I forgot the exact numbers but it was significantly less than they were required to have whereas this project is just a couple short. But as shown by the other projects, and even if you take 31 units of PhilHaven, they have 31 spaces at PhilHaven, if you take into account the counts that Mr. Horowitz took, they have 49 units there. That's still less than one per unit. This project has close to two per unit.

So, those are two of the biggest variations at the time in 2010 for density which is twice as much and the parking.

COMMISSIONER GREEN: So, it's a degree of variation.

MR. ENRIGHT: Yes.

COMMISSIONER GREEN: So, it's to a degree but it's still a variation.

MR. ENRIGHT: Correct.

COMMISSIONER GREEN: So, okay. I think that, like I say, I take this project as a whole because I can't pick little pieces out of it, because if there was, you just asked me for two more variations and to me that's going in the wrong direction. So, anyway that's all I have to say for now. I'm going to hold back any other comments.

CHAIRMAN ENNES: Commissioner Cherwin?

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COMMISSIONER CHERWIN: Thank you. Commissioner Jensen at the beginning brought up the question of sort of what we're focusing in on here, and I thought it was a good question and maybe the most relevant for me. I saw this in the, you know, this additional variation in the Conceptual Review Committee. The way I view this is regardless of what the prior vote was at this Commission, the issues that were discussed at that time, the matter went on and was approved by the Board. Currently, Mr. Koenig's group is in a position, if they so chose and they had their financing maybe rearranged a bit, to build consistent with the existing approvals. What they're coming and asking for us tonight is, while it may consist of these variations, I think in a practical sense it's making the site less intense and potentially mitigating some of the issues that some of the folks who are concerned about this site may have.

So, from a practical matter, that's how I'm looking at it and I'm in general support of it.

CHAIRMAN ENNES: Commissioner Sigalos?

COMMISSIONER SIGALOS: I just had a question. Since 2010, I know you've constructed three or four other similar facilities and you mentioned Mount Prospect and Wheeling and Palatine. Are those all at 100 percent capacity?

MR. KOENIG: Yes, all four properties that are listed on that list, I know PhilHaven, Myers Place, Axley, the other one, they are all full. They are fully occupied and completely operating, yes.

COMMISSIONER SIGALOS: Again, my concern before and my concern now were the variations and would have been with of course this parking. I understand that your residents get a lot of subsidy from the state, correct? We know what a financial mess we are in the state. What would happen if this, let's say closed for whatever reason? Now we have a building, whether it would be converted to apartments or condos, whatever, and it doesn't meet our parking requirements?

MR. KOENIG: So, you're asking if it were a worst case scenario, the project completely went away and we just converted from supportive housing to just a rental building?

COMMISSIONER SIGALOS: Right, right.

MR. KOENIG: Right. So, the parking rate is right around 1.75, so it's just about two spaces per unit. So, it's very, very close to that, so it's just assuming that a couple of places wouldn't have parking. It's not too dissimilar from where we are now with 16 to 33 spaces, so that's just over two spaces. With 18 but smaller, so smaller or fewer number of people. Really with the comment about the decreasing amount of density, there are just going to be fewer people there. So, I think that went back to parking positively also. So, there are fewer people, fewer cars, less impact, less density, less need for parking spaces.

COMMISSIONER SIGALOS: Okay, I don't have anything further.

CHAIRMAN ENNES: Commissioner Dawson?

COMMISSIONER DAWSON: Along the lines of what Commissioner Cherwin said, that's been my view of this. Could you clarify, there's approval for the project already as exists, correct?

MR. HUBBARD: Approval for 16 units --

COMMISSIONER DAWSON: And if we were to deny today, they could move forward with the current approval?

MR. HUBBARD: Once they got final plat of subdivision approval, yes.

COMMISSIONER DAWSON: So, our focus is whether or not the

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amendment is appropriate. I wasn't supportive of the project in the first place, I'll go back on the record for that. This is less dense. So, I am supportive of the amendment.

CHAIRMAN ENNES: Commissioner Drost?

COMMISSIONER DROST: Yes, I have no comment.

CHAIRMAN ENNES: Okay. If the Petitioner would come up, I have a couple of questions. You provided us with an extensive packet of information and I went through a bunch of it. Something caught my eye in particular. One thing in regard to the parking, the street parking in that area is pretty intense during the daytime. Have you noticed that when you're in the area?

MR. KOENIG: There are businesses there and there are other uses along there, sure.

CHAIRMAN ENNES: Their parking. Sam, do you know, there is public parking there during the day?

MR. HUBBARD: Correct, yes, there is street parking.

CHAIRMAN ENNES: How about in the evening?

MR. HUBBARD: I don't know the particulars but the Village has a no parking from 2:00 a.m. to 5:00 a.m. I believe on the residential streets.

CHAIRMAN ENNES: I noticed in your tenant manual, and in your comments you indicate that there's no anticipated need to use street parking. Yet in your tenant manual you indicate that there is parking available for the tenants and guests on the street. Is that just because this is a manual you use with all your locations? It needs to be customized?

MR. KOENIG: Yes, that's the standard manual that we have for all of our properties. We don't do a special one for each building. We have a number of properties we manage and that's just generic language used for that.

CHAIRMAN ENNES: Also in that manual, one other thing I noticed, it indicated it's a drug-free building, I have an office building, and a lot of other conditions that it's interesting that you put in those. I have a business in the immediate area, I have an office there, and all over the building it's marked this is a gun-free zone. Is your facility, is it a gun-free zone? I didn't see anything mentioned about that.

MR. KOENIG: We don't have any language regarding that. I don't know if there's any standard for that with this type of housing. I'm not aware of any standard from HUD or from the state.

CHAIRMAN ENNES: Do you see any reason, with what's going on, do you see any reason why that wouldn't be part of your manual as a requirement?

MR. KOENIG: I would have to find out if we can do that from HUD and from IDOT, if that would, I just, that's not something that has been addressed before.

CHAIRMAN ENNES: You tell tenants that they can't have gasoline or flammable liquids in their apartment, why couldn't you tell them that?

MR. KOENIG: I'm not familiar with the gun laws. I don't know what is and what isn't allowed. I know there are gun laws in Chicago and other communities in the northern suburbs that if we tried to restrict folks from having guns in their homes, so we have to follow what those rules are. I just don't have enough information on that.

CHAIRMAN ENNES: Okay, well, I mean, I don't know, this is supportive housing, right?

MR. KOENIG: Correct.

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CHAIRMAN ENNES: So, you set the rules in a lot of cases, you tell them they can't have gasoline. That was one of the things I noticed. So, why, you're next to a --

MR. KOENIG: What --

CHAIRMAN ENNES: Let me finish my question, let me finish my question.

MR. KOENIG: Sure.

CHAIRMAN ENNES: You're adjacent to a preschool and you're across the street from a high school. Why wouldn't you make that a requirement?

MR. KOENIG: If we're allowed to, we will absolutely.

CHAIRMAN ENNES: You will, okay.

MR. KOENIG: Sure, yes.

CHAIRMAN ENNES: That's the only question that I have.

COMMISSIONER LORENZINI: Terry, I do have one.

CHAIRMAN ENNES: Yes, Joe.

COMMISSIONER LORENZINI: So, I'm just looking at the landscape plans. So, there's a six-foot high fence between your property and the daycare next door?

MR. KOENIG: There's a six-foot high fence all the way around, correct. It's between the daycare and it's all the way around.

COMMISSIONER LORENZINI: Okay, thank you.

CHAIRMAN ENNES: Does anyone want to make a motion? Any further questions?

COMMISSIONER LORENZINI: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#17-014, an amendment to Preliminary Planned Unit Development (PUD) Ordinance #17-028 to allow the construction of a two-story, 18-unit supportive housing development, which amendment will constitute final PUD approval and the following variations:

- 1. Chapter 28, Section 5.1-8.4, *Minimum Lot Size*, to allow a reduction to the minimum required lot size from 43,200 square feet to 40,435 square feet.**
- 2. Chapter 28, Section 11.4-1, *Residential Uses*, to reduce the off-street parking requirements from 37 spaces to 33 parking spaces.**

This approval shall be subject to the following conditions:

- 1. Final plat of subdivision approval shall be required.**
- 2. The fire lane connection from the subject property to the parking lot located on the Popeye's property (7 W. Dundee Rd.) must be completed prior to final certificate occupancy of the subject property.**
- 3. The air conditioning units placed in the side yard near the front facade shall be relocated behind the building (if feasible) and, at a minimum, must be pushed back so that they are behind the gazebo and screened with additional landscaping.**
- 4. The final landscape plan will be subject to Staff review and approval. Additional modifications and/or plantings may be required to achieve compliance with code.**

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5. **The Petitioner shall comply with all applicable federal, state, and Village codes, regulations and policies.**

CHAIRMAN ENNES: Is there a second?

COMMISSIONER JENSEN: Second.

CHAIRMAN ENNES: Any discussion? All in favor? Could we have a roll call vote?

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: No.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: No.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes, with comment. I would strongly recommend --

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

CHAIRMAN ENNES: Did we get everybody?

MR. HUBBARD: That's everyone.

CHAIRMAN ENNES: Okay, I would just strongly recommend to the Village Board that they consider the fact that that building should be a gun-free zone and that we have the commitment from Mr. Koenig to look into that.

MR. KOENIG: We will look into that.

CHAIRMAN ENNES: Okay, you have approval from the Plan Commission to take your motion for these modifications to the Village Board. Is there a date?

MR. HUBBARD: We're tentatively looking at the second meeting in March 19th.

CHAIRMAN ENNES: Okay, thank you.

MR. KOENIG: Thank you for your time, I appreciate it.

(Whereupon, the above-mentioned petition was adjourned at 7:50 p.m.)