

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX PLAN COMMISSION

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, January 3, 2012 7:00 p.m.

#12-01-A

CALL TO ORDER

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:03 p.m. by Chairman Mark Muehlnickel, with a quorum present.

Chairman Mark Muehlnickel led the Pledge of Allegiance.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Rob Moss, John Kuchler, Annette Boyd and Tony Orsini.

The following were absent: Commissioners Joan Byerley and Gary Berner.

Also present were: Planning and Development Administrator Robin Ellis and Senior Planner Jeff Smith.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF DECEMBER 20, 2011

Chairman Muehlnickel entertained a motion to approve the minutes of the December 20, 2011, Plan Commission meeting. Commissioner Kuchler made a motion, seconded by Commissioner Boyd. Voice vote was taken. Motion carried.

REQUEST FOR SPECIAL USE FOR A PRELIMINARY P.U.D. PLAT FOR SENIOR HOUSING (Public Hearing)

Lenox Place

3-acre site located along the east side of Calistoga Drive, approximately 265 feet south of

Laraway Road

William Bolker/Lincoln-Way Development Corporation - Petitioner

Cass Wennlund - Attorney

Chairman Muehlnickel explained the public hearing process to the audience for the upcoming public hearing.

Chairman Muehlnickel entertained a motion to open the public hearing at 7:06 p.m. Commissioner Kuchler made a motion, seconded by Commissioner Boyd. Voice vote was taken. Motion carried.

Chairman Muehlnickel requested that any public speakers be sworn in, in order to speak during the public hearing. The public speakers stood, raised their right hands, and Planning and Development Administrator Robin Ellis swore in the speakers.

William Bolker of Lincoln-Way Development Corporation thanked the Plan Commission for the opportunity to propose a senior housing development in New Lenox and expressed his admiration for the community.

Mr. Bolker feels that there is a tremendous demand for low-cost senior housing in New Lenox, and it is not feasible to get loans from banks to support these types of projects. He met with New Lenox Township and stated that the Township supports this project. There is a waiting list in excess of 70 people for the senior apartment building operated by the Township.

Mr. Bolker's family developed the Calistoga project, and he noted that the housing market is currently in a depression.

This proposed senior housing project will support senior citizens that are 62 years of age and older. It is very hard to get the financing for this project, and one of the stipulations is that the developer has a not-for-profit partner.

Mr. Bolker asked Trinity Services to help with the project, who will own approximately 30% of the building. The developer plans on managing the project, once funding is obtained.

Mr. Bolker has 53 years of construction experience and has family members that have worked in the same type of business in the past. He has dealt with providing housing for empty nesters, for a number of years.

The site proposed for this development is located just south of the Speedway gas station, north of the day care center, and directly across the street from Berkot's Foods. This location will provide commercial amenities to senior citizens within walking distance. There are also existing trails along Calistoga Drive and Laraway Road that connect to the train station, which is an asset when applying for funding.

The developer spent over \$1,000,000 for the widening of Laraway Road, providing the signalization and construction of Calistoga Drive.

The number of senior residential units to be constructed is approximately 60 to 74 units. Approximately 20% of the units will be 2-bedroom and the remainder of the units will be 1-bedroom. The units will be sprinklered and also air-conditioned. Each apartment will have a stove, refrigerator, microwave, dishwasher, and washer and dryer. There will be a double

elevator in the building. Two-thirds of the exterior of the building will be brick, and the third floor will have cement siding.

The amount of parking required by the Village Board has not been resolved yet.

People at the age of 62 and older that live in senior housing projects consist of 60% female tenants, living by themselves.

There is a recorded cross easement for parking between the shopping center and this property. There is an excess of 40 parking spaces for the shopping center that could be available for functions at the senior housing building such as birthday parties, anniversaries, etc.

A crosswalk will be located across Calistoga Drive and marked for handicapped ramps.

The request is to allow for a senior housing project as a Special Use for a preliminary P.U.D. plat on a property zoned C-3.

It was questioned why a senior residential development should be allowed in C-3 zoning district, which would eliminate potential sales tax. Mr. Bolker stated that this development will help the neighboring retailers.

Senior Planner Jeff Smith explained that the property is approximately 3 acres and is located on Lot #5 and part of Lot #7 in Calistoga Plaza. There is a private access drive to the north of the site.

The detention area is located within a ComEd easement, and part of that easement is located on the subject property. There is an existing curb cut from the private access drive, which would provide access for rear parking spaces, as well as an emergency access drive around the building.

There is an existing cross access with the child daycare facility, which will provide for emergency access for the senior housing development.

The property is zoned C-3 General Business District and is part of a commercial subdivision. Commercial uses were anticipated on this property, but the Zoning Ordinance allows for a residential development in the C-3 District, such as a senior apartment building, as a Special Use for a Planned Unit Development (P.U.D.).

The project will be restricted to tenants of the age of 62 years and older, which will be included in the ordinance approving the P.U.D. plat. The final P.U.D. plat will include details for the management of the site and building, which includes enforcement of the age restriction.

The Comprehensive Plan recommends senior housing opportunities in the Village and recommends locations near existing shopping centers or commercial corridors, which deems this a potential location for this development.

The Village Board can stipulate a number of conditions for this development.

As a requirement for the tax credits, as well as the Village's approval process, the petitioner is required to submit a detailed market study for the project.

A previous market analysis was reviewed from a similar project that was proposed to the south of this site. There was another senior housing project proposed near the Schoolhouse and Laraway Roads intersection that received preliminary approval from the Village, and that developer submitted a market analysis for that project also.

Based on the aging demographics of the Village, such as the 2010 Census indicating that there were 2,000 persons over the age of 65 years of age living in New Lenox, as well as the lack of independent living senior housing options, this could be a feasible location for a senior residential development.

The site was zoned C-3 upon approval of annexation and rezoning, with the anticipation of constructing commercial buildings. There was no provision for residential development for this particular property. An amendment to the Annexation Agreement for the overall Calistoga project will be submitted for public hearing in a few weeks. At that point, the Village Board will discuss whether or not a residential development, such as a 74-unit senior apartment project, can be developed on this property.

In order to justify a senior housing development a number of amenities will need to be provided, such as a recreation center, gazebo, walking trails, high-quality architecture, balconies, etc. as well as a number of services for the residents.

This property is part of a commercial subdivision. There is an improved collector roadway, Calistoga Drive, turn lanes at major intersections in the shopping center, a traffic signal at Laraway Road, and utilities such as a water main around the property and fire hydrants along the west, north and east sides of the property. These improvements help make this site feasible for development.

There is a common area to the east within a ComEd easement that provides detention for the commercial subdivision and existing and future single-family homes to the south.

If this project is to move forward, one of the major concerns of Staff is to make sure it is compatible with the surrounding area. Immediately surrounding this site are commercial uses in Calistoga. To the south is the Calistoga residential subdivision and to the east is also residential development in the Water Chase Estates subdivision.

Some of the issues of concern include traffic, but the traffic would be much less if this site is developed with a senior apartment project as opposed to a commercial use such as a retail multi-tenant shopping center, drive-thru restaurant or bank, or many other types of commercial uses that could generate more traffic than a senior housing development.

There are existing curb cuts on the site. There is a curb cut on Calistoga Drive, one being proposed off the north access drive which would serve as a one-way traffic circulation into the front portion of the site for pick-up and drop-off of residents, as well as some parking along the front of the building.

There will be a new curb cut from the north access drive that would provide the access to the underground parking. An existing curb cut at the far eastern end of the private access drive will provide access for additional rear parking stalls, as well as a gated emergency access drive that the Fire District is requiring in order to access the back portion of the building. The emergency access drive will be restricted to emergency vehicles only. There is a trail along the east portion of Calistoga Drive that connects to Laraway Road. There is a sidewalk on the west side of the roadway. The petitioner will need to provide a pedestrian connection from the senior apartment building to the trail. If the Village Board allows for any off-site shared parking with Berkot's Foods, a designated crosswalk will be required. Staff is recommending that if a crosswalk is to be provided, that it be shifted south to align with the main access to the Berkot's shopping center. Safe pedestrian access must be provided to and from the site.

As currently proposed, underground parking would provide one parking space per unit for a total of 74 underground parking spaces. At the front and the rear of the site there are 32 surface parking spaces. Overall, there would be a total of 106 parking spaces on this site or 1.43 spaces per unit.

Staff reviewed other senior apartment projects and there have been a number of reviews done for the type of parking necessary for age-restricted senior apartment projects. Not every resident typically owns a vehicle, but there could be cases with a 2-bedroom unit where both residents own a vehicle. Studies have shown that typically 1 to 1.5 parking spaces are necessary for projects of this type. Staff is recommending additional on-site parking to achieve an average of 1.5 parking spaces per unit. To achieve 2 spaces per unit, the developer would need to entertain shared parking, and is proposing to utilize the Berkot's shopping center parking lot. Staff would prefer all on-site parking, but for special occasions, a shared parking agreement could meet additional parking needs.

The design and architecture of the building would need to be compatible with the surrounding commercial buildings and will require high quality materials with a unique design.

This would be a 3-story building, and complies with the C-3 Zoning District maximum height allowance of 45 feet. The proposed building will be 46 feet tall to the peak. The Zoning Ordinance utilizes the midpoint of a pitched roof to determine building height, which in this case will be 37.5 feet. The single-family subdivisions to the east and south allow up to a 40-foot maximum height, or 3-stories, for the homes.

The architect will soon be required to submit proposed building renderings. Also, a formal and detailed landscape plan will be submitted at the time of a future final P.U.D. plat submittal, which must meet all landscape and screening requirements mandated by the Village Board.

The conceptual landscape plan shows a 6-foot tall fence along the east perimeter, since there will be parking stalls facing east. Enhanced landscaping will be required to be installed along the east perimeter, as well as throughout the entire site.

Since there are single-family homes to the east, the Village can restrict the height of the lights along the eastern portion of the site, which will need to be full cut-off fixtures. Shut-off requirements can be applied for certain lights, especially since all residents will be parking underground. Guests may be parking late at night, and there can be requirements that the perimeter lights be shut off no later than 9 or 10 p.m. This will be stipulated by the Village Board as they move forward with the project.

A construction schedule was submitted, assuming the developer gets through the Village's approval process for the preliminary plans and receives state funding. The petitioner will then need to return to the Village to request final P.U.D. plat approval from the Plan Commission and Village Board, which will need to include final building elevation details, final engineering details, final lighting and final landscaping. The tentative construction schedule has the project starting in October of 2012 and being completed by December of 2013.

Commissioner Tony Orsini asked how many feet were between the proposed development and the Water Chase Estates subdivision.

Jeff Smith responded that the ComEd detention area provides for a 125-foot wide buffer between the subject property and the nearest lot in Water Chase Estates. Also, as the ComEd easement extends an additional 80 feet onto the subject property, the proposed senior apartment building will be situated approximately 215 feet from the nearest lot in Water Chase Estates.

Chairman Muehlnickel asked Jeff Smith to reiterate the screening details proposed for the area between the proposed senior housing development and the Water Chase Estates subdivision.

Jeff Smith informed that only a preliminary conceptual landscape plan was submitted. A 6-foot tall fence will be required in addition to enhanced landscaping. The fence and landscaping will ensure that vehicle headlights will not shine towards the adjacent subdivision.

Norma Cason of 2049 Water Chase Drive lives within approximately 200 feet of the proposed building. Ms. Cason wanted to know how the Village will restrict the tenants of the senior housing facility to New Lenox residents or New Lenox Township residents, since it is government funded. She wanted to know if the units can be occupied by anyone who meets the age restriction. Ms. Cason also had concerns with elderly tenants living above the underground parking and elderly people living near a gas station. Ms. Cason does not want to see this building from her home. She also questioned the utilization of the landscaping.

Lucy Vittori of 2092 Viewside Drive agreed with all of Norma Cason's comments. Ms. Vittori asked Senior Planner Jeff Smith if he had any affiliation with the builder.

Jeff Smith responded that he had no affiliation with the builder.

Lucy Vittori commented that her property value has decreased, and she has concerns with a 3-story building being constructed near her home. She also wanted to know if there will be regulations for the tenants and how it will be monitored so that children and other family members do not move into the senior housing building. Ms. Vittori had concerns that the seniors will be forced to go to Berkot's to park, which may pose a danger, and also wanted to know if there will be an impact on residential taxes in order to provide for additional police and fire protection. Ms. Vittori toured New Lenox and feels that the existing senior housing in New Lenox is adequate. Ms. Vittori is also concerned that there will be a higher rate of crime since this is a federally funded project, and she worries about the safety of the children surrounding this facility.

Mark Leja of 2126 Edgeview Drive echoed the comments of the previous public speakers and feels that the property values in the Water Chase Estates subdivision will be affected by the view of this proposed senior housing facility. Mr. Leja stated privacy concerns if there are upper-unit balconies on the east portion of the building. Mr. Leja questioned if there will be provisions for criminal background checks for the tenants of the building and wanted to know if this building must be a certain distance away from the existing child daycare center. He also feels that there are other areas in New Lenox where senior housing can be built which would result in less people being impacted.

Sally Wirt of 1997 Edgeview Drive commended the previous public speakers for their comments. Ms. Wirt feels that the construction of the senior housing building would adversely affect the value of the homes in the Water Chase Estates subdivision.

Michael Sanfratello of 670 Edgewater Court purchased his home approximately 6 months ago, and stated that if he had been aware of the possibility of the senior housing project, he would have considered buying a home elsewhere. He echoed the previous comments from the public speakers.

Richard Conklin of 2030 Edgeview Drive asked if the development would be state funded. Also, if there were funding changes, Mr. Conklin questioned the outcome, especially regarding the maintenance of the property and building. He also asked about the possibility of the developer not following the recommended landscaping and lighting requirements.

Kathy O'Shea of 561 Blackberry Lane agrees with the public speakers from the Water Chase Estates subdivision, especially regarding the affect this development may have on the values of the surrounding residential properties.

Chairman Muehlnickel asked what role a management company will take with the senior housing facility.

William Bolker informed that the state tax credits are financed through private corporations. The petitioner must meet rigid criteria in order to get the funding. Federal money does not fund these projects. There is a possibility that funding will not be available for this project. There are many rules that need to be followed to obtain the funding. Some of these rules include hiring a management company that will abide by the rules. Also, the Annexation Agreement will include wording that the minimum age requirement is 62 years of age or older, which will be a covenant against the land; a management company member will be present in the building at least 5 days per week; applications will be screened; and the State of Illinois and the Village can monitor the facility at random.

Real estate taxes will apply to this development.

William Bolker continued by stating that land values across the country have dropped, not just for a particular subdivision or area.

Parking for this facility will be provided to meet Village Board requirements.

Balconies will not be incorporated with this facility.

The state sets the rent rates for the seniors at the senior housing facility. The financial situations of the senior residents are monitored continuously.

Approximately 80% of the units will be 1-bedroom units. All of the bathrooms will be handicapped accessible and have 5-foot showers. The units will be completely ADA approved.

The design of the building will be aesthetically pleasing with high quality architecture.

William Bolker made mention that other C-3 District commercial uses would be much more disruptive than this senior housing project.

Mr. Bolker mentioned that if the Village wanted to put a stipulation in the amended Annexation Agreement that would allow the Village to perform background checks on prospective senior tenants, he would have no opposition.

The law does not allow the developer to limit the tenants to New Lenox residents, but Mr. Bolker was recently advised by a consultant that there is an allowance for a preferential waiting list of tenants. Mr. Bolker's goal is to put New Lenox residents and New Lenox Township residents at the top of the waiting list since he has personal friends that would like to utilize this senior housing.

Mr. Bolker added that when he proposed Grand Prairie, there was much opposition, but feels that that subdivision has met its intent since it is comprised with almost 100% seniors and empty nesters.

Planning and Development Administrator Robin Ellis stated that there are standards for pedestrian crossings and there will be a painted crosswalk to alert drivers to yield to pedestrians. Public Works is requiring that additional signage is placed in the medians for additional awareness of pedestrians crossing the road.

William Bolker added that there is currently a trail along the south side of Laraway Road and in order to access the trail, the crossing is at the traffic light. To access the train station, Laraway Road must also be crossed. There is risk to cross any street.

Chairman Muehlnickel stated that there are still too many uncertainties and questions regarding the project, such as parking, building height and building design.

Chairman Muehlnickel entertained a motion to continue the public hearing to February 7, 2012. Commissioner Orsini made a motion, seconded by Commissioner Kuchler. Roll call vote was taken. Motion carried unanimously.

Lucy Vittori wanted to know where she could get statistics on the necessity of low-cost senior housing for New Lenox.

William Bolker reiterated that two studies have been performed by two other developers in 2011 that were proposing the same type of development. He stated that the Village could provide the information to Ms. Vittori. New Lenox Township has a waiting list of 70 seniors in need of senior housing.

Ms. Vittori wanted Mr. Bolker to clarify what the profit percentage is on this development.

Mr. Bolker stated that he will not have that information for approximately 6 to 8 months from now. There is only a concept plan, and without a final plan and approval from the state, there are no set financial figures at this point and no way to estimate the profit from this development. The project may cost approximately \$10,000,000.00.

OLD BUSINESS

None.

NEW BUSINESS

Robin Ellis announced that there will be a regular Plan Commission meeting on January 17, 2012, and adoption of the Annual Zoning Map will be on the agenda. There is also a possible County Special Use for that agenda.

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ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 8:25 p.m. Motion was made by Commissioner Kuchler, seconded by Commissioner Moss. Voice vote was taken. Motion carried unanimously.

Lorrie M. Sowko – Secretary

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX ZONING BOARD OF APPEALS

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, January 3, 2012 7:00 p.m.

#12-01-A ZBA

CALL TO ORDER

A regular meeting of the Village of New Lenox Zoning Board of Appeals was called to order at 8:26 p.m., by Chairman Mark Muehlnickel, with a quorum present.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Rob Moss, John Kuchler, Annette Boyd and Tony Orsini.

The following were absent: Commissioners Joan Byerley and Gary Berner.

Also present were: Planning and Development Administrator Robin Ellis and Senior Planner Jeff Smith.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR ZONING BOARD OF APPEALS MEETING OF DECEMBER 20, 2011

Chairman Muehlnickel entertained a motion to approve the minutes of the December 20, 2011, Zoning Board of Appeals meeting. Commissioner Kuchler made a motion, seconded by Commissioner Boyd. Voice vote was taken. Motion carried.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 8:27 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Orsini. Voice vote was taken. Motion carried.