MINUTES OF A REGULAR MEETING OF THE

VILLAGE OF NEW LENOX PLAN COMMISSION

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, February 7, 2012 7:00 p.m.

#12-02-A

CALL TO ORDER

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:02 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, Gary Berner, Joan Byerley, Annette Boyd and Tony Orsini.

The following were absent: None.

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 JANUARY 3, 2012

Chairman Muehlnickel entertained a motion to approve the minutes of the January 3, 2012, Plan Commission meeting. Commissioner Boyd made a motion, seconded by Commissioner Kuchler. Voice vote was taken. Commissioners Berner and Byerley abstained. Motion carried.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF JANUARY 17, 2012

Chairman Muehlnickel entertained a motion to approve the minutes of the January 17, 2012, Plan Commission meeting. Commissioner Moss made a motion, seconded by Commissioner Kuchler. Voice vote was taken. Commissioner Orsini abstained. Motion carried.

Chairman Muehlnickel explained the rules for the upcoming public hearing. Chairman Muehlnickel then invited public speakers for the public hearing to be sworn in. The speakers stood, raised their right hands and were sworn in by Planning and Development Administrator Robin Ellis.

REQUEST FOR SPECIAL USE FOR A PRELIMINARY P.U.D. PLAT FOR SENIOR HOUSING (Public Hearing - Continued)
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 entertained a motion to continue the public hearing at 7:07 a.m. Commissioner made a motion Kuchler, seconded by Commissioner Orsini. Voice vote was taken. Motion carried.

Senior Planner Jeff Smith used the overhead screen to display different vantage points of the property.

This plan was reviewed in January 2012 and originally consisted of 74 units. At that time, Staff stated that the Comprehensive Plan recommends providing for senior housing in the Village at locations near a commercial shopping center such as Calistoga Plaza. A number of site issues must be met including parking, landscaping, lighting, and building design.

The public hearing was continued due to uncertainty of the number of parking spaces necessary. At that time, there was no preliminary building design and there were concerns regarding the number of stories and the aesthetics of the building. There were also concerns with regards to the single-family subdivisions to the east and south.

The previous plan included underground parking and a parking ratio of 1.4 spaces per unit.

Jeff presented the new plan that included all surface parking with no underground parking. Anticipating that the Village Board will require two parking spaces per unit, the developer added more parking spaces on the property. The number of senior housing units was reduced to 66 units, and 132 parking spaces are depicted on the new plan.

The plan is being submitted as a Planned Unit Development (P.U.D.) and it may seek relief from some Village codes. In return, the Village expects a high quality, creative development that efficiently utilizes this property.

Upon reviewing the revised plan, it is the opinion of Staff that this plan does not creatively and efficiently utilize the property.

The Comprehensive Plan and the Planned Unit Development regulations provide a number of recommendations for amenities. Although not required, underground parking is considered an amenity, but due to the high cost, it was eliminated from the plan.

An additional issue is recreational open space because seniors need to be outside and have the opportunity to utilize trails and a gazebo.

The current plan has minimal open space areas, in comparison to the original plan which provided ample open space and recreational opportunities for the occupants.

The current plan does not provide enough space for first-floor patios, which were originally on the initial plan.

Balconies were discussed, but there were concerns with privacy. Staff recommended that there be no balconies for the eastern units, but this plan does not have balconies on the western units either.

The amenities mentioned are considered to be necessary for the quality of life of the future residents, and Staff feels that the latest plan does not provide the quality of life that is required for the residents of Lenox Place.

Other site concerns include the private access drive from the north side of the property. There are four curb cuts which Staff feels is excessive for this project. The gas station to the north has two full access curb cuts. There is an existing curb cut along Calistoga Drive. This plan proposes that the western curb cut be an exit only. Based on the new layout, Staff has concerns that residents and visitors will try to utilize this curb cut, which is designated and posted as "exit only," which could cause traffic conflicts into the site.

This could possibly be redesigned to be the main access to the property. The one-way directional traffic lane should be eliminated.

This plan provides more parking spaces at a ratio of 2 spaces per unit. The amount of asphalt and impervious surface reduces the amount of open space on the property. Staff has concerns regarding particular parking spaces on the site, such as the three parallel parking spaces along the south building wall which could pose traffic safety concerns for this area of the site.

The majority of the building would have one-bedroom units. The other senior housing project that was approved down the street, The Lodge at Bristol Meadows, was a 64-unit senior apartment building with an equal amount of one- and two-bedroom units. The Village Board stated in the past that two parking spaces per unit are preferred. Since this property is only 3 acres in size, the amount of parking utilizes a great portion of the site. The other proposed senior apartment complex proposed down the street was almost 8 acres in size, which provided more room to accommodate parking and open space.

This plan does not have much green space and does not provide enough enhanced landscaping, which is required by the P.U.D. Regulations.

Since the underground parking garage was eliminated, there are more surface parking stalls necessary, and because of that, there is more on-site lighting required. Village Board requirements for this project include that the lighting must be full cut-off and cannot spill over the property line. More lighting will be needed for this site.

Upon reviewing the current plan, Staff recommends that a re-design be submitted to the Village for review. The new plan could possibly entail minimizing the building size and the number of units, which will require less parking and would provide for more open space.

A new item that was submitted was a new building rendering, which is a positive alteration. The attractive building is three stories tall, constructed of brick, and Staff's opinion is that it would be compatible with the commercial areas surrounding it as well as the nearby single-family areas.

Staff has an abundance of concerns with the latest plan and cannot recommend that the Plan Commission adopt the Findings of Fact, nor recommend approval of the preliminary P.U.D. plat.

If the developer is willing to work with Staff to remediate these issues, Staff would recommend that this public hearing be continued so that the petitioner can resubmit plans for Staff and Plan Commission review.

William Bolker stated that since the last meeting, he received a courtesy call from Mayor Baldermann, who expressed that some of the Village Board members wanted two parking spaces per unit. The state of Illinois requires one parking space per unit. Since the plan was revised to accommodate for additional parking, the green space was minimized. The petitioner and the Mayor agreed to eliminate the east building wing and to cut the number of units down to 50. There will be 12, two-bedroom units and the balance will be one-bedroom units. The history of the industry concludes that 60% of the residents are single, widowed females. This plan provides two parking stalls per unit for a total of 100 parking spaces, versus 135 parking spaces. There is a tentative plan for the eastern portion to construct a patio and possibly a 9-hole putting green to provide for senior recreation. For the concerns of the neighbors to the east, the developer was asked not to provide balconies.

Previously, Mr. Bolker stated that the Township senior housing waiting list had a total of 70 people, but the fact is that there is more than 70. Mr. Bolker submitted a letter from New Lenox Township Supervisor Bill McCollum to be incorporated into the record of the meeting. Chairman Muehlnickel read the letter.

The letter stated that that Mr. Bolker appeared before the New Lenox Township Board in October 2011 to explain the senior housing details. Trinity Services, Inc. will serve as the non-profit partner on this project. The Township has provided senior housing in New Lenox since 2003 and has been operating at 100% occupancy each month. The Township Board acknowledges the need for additional affordable senior housing. On January 12, 2012, the Township Board of Trustees held a meeting and voted unanimously to fully support this project and urges the Village Plan Commission and the Village Board of Trustees to support the Lenox

Place senior housing project through the project and the subdivision control permitting processes. The letter was signed by William McCollum, Supervisor of the New Lenox Township.

Chairman Muehlnickel commented that he is anxious to review the new revised plan.

Mr. Bolker explained that only two to four tenants will pay market rate for the units. There will be a certain percentage of tenants at 60%, 50%, and 30% of area median income. A person on social security will receive the bottom scale. Proof of low-income renters will need to be submitted to the state, which regulates this type of development.

The adjacent shopping center has been suffering from the economy, and this development should help that status.

Trinity Services will be 30% owner of the building, without contributing funds to the project and will receive 30% of the income when the facility is paid off.

The age restriction of 62 or older will be recorded on the deeds, covenants, and annexation agreement for a minimum of 50 years.

Commissioner Berner wanted to know how many residents and non-residents are on the Township senior housing waiting list and if the list was shared with Mr. Bolker.

Mr. Bolker responded that he is not allowed to use the Township list and will have a separate list. He was advised that he could submit a Freedom of Information request to obtain the list and would like to have the entire list consisting of only New Lenox residents.

Commissioner Berner wanted to know the capacity of visitors that can stay in the building.

Mr. Bolker informed that there will be a complete set of rules that will stipulate visitor regulations.

The state funding is based on the fact that the units can only be rented by tenants of the age of 62 years and older. Covenants and regulations will be listed in the deed.

Commissioner Berner mentioned that there is an issue with “snowbirds” coming from warmer states to stay in New Lenox during the winter months. He also asked if any consideration was given to sheltered parking at the surface level.

Mr. Bolker confirmed that shelter parking is not financially feasible.

Commissioner Orsini asked if the state has any input on placing New Lenox residents into the facility.

Mr. Bolker discussed this matter with his consultants and the response was that two lists are allowed; a priority list and a list from individuals outside of New Lenox Township.

Greg Hill of 2433 Reeves Road, Joliet, is a local contractor that owns Indicom Company, also located in Joliet, and employs electricians and office staff. Due to the economy, the number of electricians he employees is down approximately 40%. Mr. Hill has done work on a few senior housing projects in the northern Illinois area and also did work on the Calistoga project. His company was a joint venture on the new Silver Cross Hospital, and several other projects in the New Lenox area. Mr. Hill feels that there is a need for senior housing in the area and also a need for construction jobs. Mr. Hill supports this project.

Paul Sylves of 212 Tallgrass is a plumbing contractor in the New Lenox area and has completed work on some large commercial projects in the area. Mr. Sylves is in favor of the project and would like to see an increase in construction work. He also feels that this project will prevent retirees from moving out of state.

Mark Leja of 2126 Edgeview Drive wanted to know if the outdoor parking will pose a safety hazard for the seniors, due to a more congested traffic and parking area on the property. He feels that additional lighting will be necessary and will affect the single-family residents to the east.

Mr. Leja wanted to know if the building would possibly be scaled down to a 2-story building, and also if there will be a maintenance company that will maintain the site. Mr. Leja requested a copy of the covenants and any criminal records of tenants living at the facility.

Allan Rejia of 1997 Edgeview Drive is concerned with the lack of green area for the project and would like to see additional landscaping. He is also concerned with the number of ambulances that may frequent the facility, security, amount of trash, and the ever-changing project plans. Mr. Rejia announced that he is opposed to this plan.

Gary Durish of 2375 Palmer Ranch Drive is a local real estate broker and admires the developer's former projects in the area and is therefore, in favor of the project.

Kathy O'Shea of 561 Blackberry Lane requested that she be notified of any additional Village meetings regarding this project.

Planning and Development Administrator Robin Ellis informed that the only letter that the Village sent out was hung on the resident's doors before the last Village Board meeting. No other notifications were sent out with the revised plan. Notification to residents of Water Chase and Ms. O'Shea will be sent out to provide information for the new Village meeting dates.

Ms. O'Shea wanted to know if the building will be decreased to a two-story building. She also had concerns with who will be renting the units and who will be managing the facility. Ms. O'Shea requested clarification on the age limitation for tenants.

Robin Ellis noted that if a married couple rents a unit, both spouses must be the age of 62.

Thomas Kane of 2147 Edgeview Drive built a home in Water Chase Estates and expressed that if he knew this type of project would be built, he would not have proceeded with building his home. Mr. Kane feels that this project would be more suitable in a different location.

Sally Wirt of 1997 Edgeview Drive stated that she needs additional time to review the plans. Ms. Wirt expressed that she built a home in Water Chase because of the neighborhood. A multi-unit facility is not what she believes should be located near her subdivision, nor is it consistent with what she believes is the future land use for the Village.

Ms. Wirt copied maps and information from the Zoning Code from the New Lenox website that pertained to the area where she lives. Ms. Wirt gave her interpretation of the information she presented from the Village's website. She has concerns with the proposed parking, traffic patterns, emergency vehicle access, insufficient aesthetics, outdoor amenities, and the location of the proposed project.

John Pfeffer of 2123 Viewside Drive asked if a criminal background and credit check will be required for each tenant. He has lived in the Water Chase subdivision since 2009 and has seen many newly constructed homes since then and feels that this development will affect future growth of the subdivision.

Nick Hogeveen of 2177 Edgeview Drive was the first Water Chase Subdivision resident and is concerned that the senior housing may increase the crime rate in the surrounding area, and that the grounds will not be maintained. He is also concerned about the welfare of the children at the nearby daycare center, being located near the apartment complex. Mr. Hogeveen feels that this is a good project, but it is proposed for the wrong location.

William Bolker stated that the impact of this building is much less than a commercial building. The building plan includes indoor refuse with a door.

As a private contractor, Mr. Bolker does not believe criminal and credit checks can be performed. The Village of New Lenox may be able to arrange for the Police Department to get involved. No other residents in New Lenox have been required to be checked for criminal or credit purposes. It is a tendency that senior citizens are passive.

Mr. Bolker developed the Calistoga Plaza shopping center and has done a sufficient job of maintaining that development and plans to do the same for the senior housing development. Trinity Services may take over the maintenance in the future, if necessary.

He added that with most of the commercial development in New Lenox, there has been opposition from the residents, and he feels that this is an aesthetically pleasing residential facility that would have less adverse impact than a commercial building.

Chairman Muehlnickel entertained a motion to continue the public hearing until February, 21, 2012. Motion was made by Commissioner Boyd, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

Robin Ellis announced that in addition the continuation of this public hearing, the next agenda will include a variance and possibly Tom Kelly's annual special event.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 8:28 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Berner. Voice vote was taken. Motion carried unanimously.

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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, February 7, 2012 7:00 p.m.

#12-02-A ZBA

CALL TO ORDER

A regular meeting of the Village of New Lenox Zoning Board of Appeals was called to order at 8:29 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, Gary Berner, Joan Byerley, Annette Boyd and Tony Orsini.

The following were absent: None.

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 JANUARY 17, 2012

Chairman Muehlnickel entertained a motion to approve the minutes of the January 17, 2012, Zoning Board of Appeals meeting. Commissioner Boyd made a motion, seconded by Commissioner Byerley. Voice vote was taken. Commissioner Orsini abstained. Motion carried.

REQUEST FOR VARIANCES (Public Hearing)
120 Ash Street
Donna and James Krofta - Petitioners

Chairman Muehlnickel entertained a motion to open the public hearing at 8:30 p.m. Commissioner Moss made a motion, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried.

Donna Krofta, the petitioner, was available to request variances for the property located at 120 Ash Street.

The house at 124 Ash received a variance to move the garage forward, and the garage at 120 Ash Street began to slide towards that garage.

Mrs. Krofta has severe health issues that prevent walking any distances in inclement weather, and therefore, is seeking variances in order to connect the garage to the house. An enclosed breezeway will need to be constructed between the house and the garage. This alteration will assist Mrs. Krofta to safely access the garage.

Senior Planner Jeff Smith presented information from the Staff Report.

There are two variances being requested. The first variance is to legally establish the front yard setback. The bump out is 26 feet from the property line and is required to be 30 feet. By legally establishing the front yard setback, it allows for this addition. The Zoning Board of Appeals is allowed to approve this variance.

Staff recommends approval of the front yard setback variance as it meets the three criteria in the Zoning Code.

The second variance request is to reduce the side yard setback from 10 feet to 1.9 feet from the east property line. Staff recommends approval of this request as it meets the three criteria in the Zoning Code.

Commissioner Berner asked what the property line setback is for the resident to the east. Mrs. Krofta stated that the neighbor to the east has their garage 1foot off of their property line.

Chairman Muehlnickel entertained a motion to approve the variance to legally establish the front yard setback from the minimum required 30 feet to the existing 26 feet for property located at 120 Ash Street. Commissioner Byerley made a motion, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried unanimously.

Chairman Muehlnickel entertained a motion to approve the requested side yard setback variance from 10 feet to 1.9 feet from the east property line in order to allow for the construction of a new attached garage at property located at 120 Ash Street, subject to the design, materials and color scheme for the proposed new room addition and attached garage matching the existing residence. Motion was made by Commissioner Boyd, seconded by Commissioner Orsini. Voice vote was taken. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 8:36 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Moss. Voice vote was taken. Motion carried.

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Lorrie M. Sowko – Secretary