

PLANNING & ZONING COMMISSION

City Hall Council Chambers

651 Prairie Pointe Drive, Yorkville, IL

Wednesday, November 8, 2023 7:00pm

Meeting Called to Order

Vice-Chairman Richard Vinyard called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call

Greg Millen-yes, Richard Vinyard-yes, Danny Williams-yes, Rusty Hyett-yes, Reagan Goins-yes

City Staff

Krysti Barksdale-Noble, Community Development Director

Lynn Dubajic Kellogg, Economic Development Director

Other Guests

Christine Vitosh, Court Reporting Services

Jacob Victor, Northpointe Development

Lane Manning, DreamLane Real Estate

David Schultz, HR Green

Ron Luken, Chestnut Circle

Mr. Shawn Klingberg, Chestnut Circle

Tom Gilmour, Chestnut Circle

Judy Gilmour, Chestnut Circle

Alexandria Sandoval, YHS Intern

Joanne Kennedy?

Previous Meeting Minutes October 11, 2023

The minutes were approved on a motion by Mr. Williams and second by Ms. Goins.

Roll call vote: Vinyard-yes, Williams-yes, Hyett-yes, Goins-yes, Millen-yes. Carried 5-0.

Citizen's Comments None

Public Hearings

Mr. Vinyard explained the procedure for taking testimony and swore in those who would speak either for or against the Petition. A motion was made by Mr. Williams and

seconded by Ms. Goins to open the Public Hearing at approximately 7:03pm. Roll call:

Vinyard-yes, Williams-yes, Hyett-yes, Goins-yes, Millen-yes. Carried 5-0.

Mr. Vinyard read the petition for the Public Hearing as follows:

1. **PZC 2022-23** Jacob Victor, on behalf of Northpointe Development Corporation, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification of an approximately 3.43-acre parcel located at the southeast corner of Veteran's Parkway (U.S. Route 34) and Sycamore Road in Yorkville, Illinois. The petitioner is seeking to rezone the property from the B-3 General Business District to the R-4 General Multi-Family Residence District. Additionally, the petitioner is requesting variance approval to increase the maximum allowable density in the R-4 General Multi-Family Residence District from eight (8) dwelling units per acre to fourteen (14) dwelling units per acre. The purpose of the rezoning and variance requests is to establish and operate a three (3) story, forty-eight (48) dwelling-unit senior Apartment complex (Fox Hill Senior Living).

(See Court Reporter's transcript)

(Petitioner requested their responses to the rezoning and variance request to be included in official record)

There was no further testimony and at approximately 7:35pm, Mr. Williams moved and Ms. Goins seconded to close the Public Hearing. Roll call: Hyett-yes, Goins-yes, Millen-yes, Vinyard-yes. Williams-yes. Carried 5-0.

Unfinished Business None

New Business

1. **PZC 2022-23** Jacob Victor/Northpointe (see full description above)

Ms. Noble provided additional information about this petition. She described the property as being 3.4 acres and the development will be a 3-story with 48 units. The maximum density for R-4 is 8 units per acre and the petitioner is asking for 14. She said all the other senior developments in the city exceed the 8 units per acre. In addition, she said the maximum height for R-4 is 80 feet and this development would be 40-45 feet. She described the surrounding land uses and provided the details for lot coverage, parking, circulation, guest parking and trip generation studies. The primary access for the development is off Sycamore Road. Staff was OK with the change of land use from neighborhood retail and this change will be incorporated in the future Comprehensive Plan revisions. Commissioner Hyett asked about the outside storage and Mr. Victor replied that it is lockers on the first floor. Mr. Vinyard asked if a light study is required and the petitioner will provide.

A study regarding aging in place was done recently and it addressed housing issues of the aging. Participants commented they wanted more senior housing.

Action Item:

Rezoning Request

A motion was made by Mr. Williams and seconded by Ms. Goins to approve petition PZC 2022-23 Northpointe Development rezoning request. The motion was read by Mr.

Williams as follows: In consideration of testimony presented during a Public Hearing on November 8, 2023 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council of a request for a map amendment to rezone the parcel located at the southeast corner of US 34 and Sycamore Road (PIN #02-30-203-006) from B-3 General Business District to R-4 General Multi-Family Residence District.

Roll call: Hyett-yes, Goins-yes, Millen-yes, Vinyard-yes, Williams-yes. Carried 5-0.

Action Item:

Variance Request

A motion was made by Mr. Williams, seconded by Ms. Goins to approve PZC 2022-23 Variance Request. Mr. Williams read the motion as follows: In consideration of testimony presented during a Public Hearing on November 8, 2023 and approval of the findings of fact, the Planning and Zoning Commission recommends approval to permit an increase in maximum dwelling unit density within the R-4 District from eight (8) units per acre to fourteen (14) units per acre for the property located at the southeast corner of US 34 and Sycamore Road (PIN #02-30-203-006).

Roll call: Hyett-yes, Goins-yes, Millen-yes, Vinyard-yes, Williams-yes. Carried 5-0.

2. **PZC 2023-15** Luz M. Padilla, on behalf of Abby Properties, LLC, petitioner, is seeking Final Plat approval for an approximately 9.4-acre site consisting of 44 single-family attached dwelling units and an open space lot within Phase 4 of the Kendall Marketplace Townhome Development. The property is generally located south of Blackberry Shore Lane and north of Gillespie Lane in Yorkville, Illinois (Townes of Kendall Marketplace).

Ms. Noble said the petitioner is seeking Final Plat for the last phase of this townhome development—Phase 4. It is comprised of 44 units and 1 unit for open space. The previous phases, 1 through 3, hold 120 townhome units in various stages of construction. In Phase 4, patios will be allowed, however, fences will not and language will be added to individual plats to reflect this. Gillespie Road will be opened after Phase 4 is finished.

Action Item:

Final Plat

A motion was made and seconded by Mr. Williams and Ms. Goins, respectively, to approve PZC 2023-15 Abby Properties Kendall Marketplace Lot 52 Phase 4. The motion was read as follows by Mr. Williams: In consideration of the proposed Final Plat of Subdivision for the Kendall Marketplace Development Lot 52, Phase 4, the Planning and Zoning Commission recommends approval of the plat to the City Council as presented by the Petitioner in a plan prepared by HR Green, dated last revised October 5, 2023.

Roll call: Goins-yes, Millen-yes, Vinyard-yes, Williams-yes, Hyett-yes. Carried 5-0.

Additional Business

1. 2024 Planning and Zoning Commission Meeting Schedule

All Commissioners were OK with the meeting schedule as presented.

2. City Council Action Updates

Ms. Noble said PZC 2023-08 Ali Bukhres, special use for QuikTrip was approved.

PZC 2023-12 Alexander Berman, Kendall Holdings, final plat of resubdivision was approved.

Adjournment

There was no further business and the meeting was adjourned at 7:52pm on a motion by Mr. Williams and second by Mr. Hyett. with a unanimous voice vote.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARING

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, November 8, 2023
7:00 p.m.

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PRESENT:

Mr. Richard Vinyard, Acting Chairman,
Mr. Danny Williams,
Mr. Greg Millen,
Mr. Rusty Hyett,
Ms. Reagan Goins.

ALSO PRESENT:

Ms. Krysti Barksdale-Noble, Community
Development Director;
Ms. Marlys Young, Minute Taker.

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I N D E X

WITNESS:	PAGE
JACOB VICTOR	6
LANE MANNING	9
TOM GILMOUR	20
SHAWN KLINGBERG	26
JUDY GILMOUR	31

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1 (WHEREUPON, the following
2 proceedings were had in public
3 hearing:)

4 CHAIRMAN VINYARD: There is one public
5 hearing scheduled for tonight's Planning and
6 Zoning Commission meeting. The purpose of this
7 hearing is to invite testimony from the members
8 of the public regarding the proposed request that
9 is being considered before this commission
10 tonight.

11 Public testimony from persons
12 present who wish to speak may be for or against
13 the request or to ask questions of the petitioner
14 regarding the request being heard. Those persons
15 wishing to testify are asked to speak clearly,
16 one at a time, state your name and who you
17 represent, if anyone. You are also asked to sign
18 in at the podium over here.

19 If you plan to speak during
20 tonight's public hearing as a petitioner or as a
21 member of the public, please stand, raise your
22 right hand and repeat after me.

23 (Witnesses sworn.)

24 CHAIRMAN VINYARD: Thank you. You guys

1 can be seated. Okay. So the order for receiving
2 testimony during the public hearing tonight is
3 going to be as follows: The petitioner is going
4 to do their presentation, those two; the next are
5 those who wish to speak in favor of the request;
6 followed by those who wish to speak in opposition
7 of the request.

8 So may I have a motion to open the
9 public hearing on Petition number PZC 2022-23,
10 Northpointe Development Corporation, for rezoning
11 and variance?

12 MR. WILLIAMS: So moved.

13 CHAIRMAN VINYARD: All right.

14 MR. MILLEN: Second.

15 CHAIRMAN VINYARD: Beautiful. Roll call
16 on the motion, please.

17 MS. YOUNG: Yes. Vinyard.

18 CHAIRMAN VINYARD: Yes.

19 MS. YOUNG: Williams.

20 MR. WILLIAMS: Yes.

21 MS. YOUNG: Hyett.

22 MR. HYETT: Yes.

23 MS. YOUNG: Goins.

24 MS. GOINS: Yes.

1 MS. YOUNG: And Millen.

2 MR. MILLEN: Yes.

3 CHAIRMAN VINYARD: So the public hearing
4 for tonight's discussion is as follows: PZC
5 2022-23, Jacob Victor, on behalf of Northpointe
6 Development Corporation, petitioner, has filed an
7 application with the United City of Yorkville,
8 Kendall County, Illinois, requesting rezoning
9 classification of an approximately 3.43-acre
10 parcel located at the southeast corner of
11 Veteran's Parkway, U.S. Route 34, and Sycamore
12 Road in Yorkville, Illinois.

13 The petitioner is seeking to rezone
14 the property from the B-3, General Business
15 District, to the R-4, General Multi-Family
16 Residence District.

17 Additionally, the petitioner is
18 requesting a variance approval to increase the
19 maximum allowable density in the R-4 General
20 Multi-Family Residence District from eight
21 dwelling units per acre to 14 dwelling units per
22 acre.

23 The purpose of the rezoning and
24 variance requests are to establish and operate a

1 three-story, 48-dwelling unit senior apartment
2 complex, Fox Hill Senior Living.

3 MR. VICTOR: Correct.

4 CHAIRMAN VINYARD: Is the petitioner for
5 PZC 2022-23, Northpointe Development Corporation,
6 ready to present?

7 MR. VICTOR: I am, and I have here one
8 of our development partners, Lane Manning, with
9 DreamLane Real Estate.

10 CHAIRMAN VINYARD: Okay, very good.
11 Please begin.

12 MR. VICTOR: Would you like us to stand
13 at the podium or --

14 CHAIRMAN VINYARD: Sure.

15 MS. NOBLE: Yes. You are going to have
16 to look at the presentation back here because we
17 don't have it on there. We can't double it up
18 yet.

19 JACOB VICTOR,
20 having been first duly sworn, testified from the
21 podium as follows:

22 MR. VICTOR: Good evening, everybody.
23 Thank you to the neighbors for coming out and
24 thank you all, to all the Plan Commissioners, for

1 having us this evening.

2 Jake Victor, Vice President of
3 Development for Northpointe Development, and I
4 have here with me --

5 MR. MANNING: Lane Manning, principal,
6 DreamLane Real Estate.

7 MR. VICTOR: We are here before you to
8 discuss the property that was mentioned, where we
9 are proposing the development of Fox Hill Senior
10 Living, a 48-unit affordable housing, senior
11 affordable housing development here in
12 Yorkville.

13 Northpointe Development has been in
14 business for close to 20 years now. We have
15 about 3,000 units in our portfolio that we have
16 developed and a very strong reputation with the
17 communities which we have worked with.

18 Something that I kind of want to
19 highlight, take a step back on, before we get
20 into the full depth of the presentation, is our
21 approach as a community or as a developer is
22 really to identify a site, meet with the
23 community, meet with, you know, staff that work
24 for the community, and kind of talk about our

1 site in mind at a high level before we go too far
2 down the process, kind of talk about the general
3 concept about -- of what we are proposing, so
4 that's exactly what we did here.

5 We had a neighborhood meeting as
6 well as, you know, Plan Council, Economic
7 Development Committee, trying to gather as much
8 feedback as we possibly could for our proposal
9 and incorporating that into the development.

10 MS. NOBLE: You can just tell me when.

11 MR. VICTOR: Sure. Yeah, absolutely.

12 These are just some example projects that we have
13 done. I always encourage plan commissioners and
14 city council members to reach out to the
15 communities in which we have worked with in the
16 past to kind of get a second opinion of us as a
17 developer, especially when we are new to a
18 community.

19 The feedback that I have received is
20 everyone is generally happy with us and very
21 satisfied with the product that we built, and I
22 think you'll see some of that in our presentation
23 here.

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LANE MANNING,

having been first duly sworn, testified from the podium as follows:

MR. MANNING: My name is Lane Manning. DreamLane Real Estate is my firm. I've been partnering with Northpointe since 2019, so we are now on our 11th project, nine in Illinois -- or Wisconsin, two in Illinois. I am also a state certified developer in the state of Illinois.

I am really excited to work on this project because I have a huge passion for senior housing. It's a big thing for me, long story we can share some other time, but I have a passion for that and I am really excited about this site.

The site we are talking about in question here on Veteran's Parkway and Sycamore is really exciting. I love the way that the topography works out. Right now it's a corn field, so that image isn't up-to-date, but love where it sits, in conjunction with the government building, medical laboratory, the strip mall next door and the housing right back to that.

I think it's a perfect location for senior housing as we move forward, and as

1 development across the street takes place. I
2 know we looked at that a lot when we were
3 imagining this site. There is a lot of
4 development going on and we are excited about
5 what could happen there, what this petition might
6 bring, track that development across the street.

7 MR. VICTOR: So to take a step back
8 really quick, if we could go back to the last
9 slide here, like Lane kind of pointed out, you
10 know, our company, we've done a lot of senior
11 affordable housing in our past, and I think what
12 we've done really well is positioning that in the
13 right spots in communities.

14 There is something really unique
15 about this site, more so than a lot of other, you
16 know, senior affordable housing developments that
17 we've done. It is currently zoned commercial,
18 but you have a little strip mall next door and it
19 has a number of vacant commercial spots in it,
20 but more than that, you have the park adjacent to
21 the property where we are proposing to do, you
22 know, a connection with a sidewalk on our
23 property, you have medical facilities next door,
24 so walking distance for the seniors here in the

1 community to get to, you know, a hospital, to get
2 to medical doctor's appointments, et cetera, so
3 we were really excited about just the opportunity
4 to find a site in the community that, one, was
5 able to compete for tax credits from the state,
6 which is incredibly competitive, and, two, that
7 positioned seniors to live and also access
8 amenities right next to their home.

9 And that's just a general, a larger
10 picture look at this site as well.

11 So what are we talking here? We're
12 talking about 48 units. This is the general
13 site plan that you can see. 25 percent of the
14 units will be two-bedroom units and the rest will
15 be one bedrooms, all for seniors 55 years and
16 older.

17 We were able, and based off of the
18 feedback that we have received so far from the
19 community, to have two access points on the site
20 as well as, you know, a decent amount of
21 landscaping and gazebo space and community
22 gardens, et cetera, for our residents, really
23 trying to design this in a way based off of our
24 previous senior development that will be

1 attractive for the senior population and also
2 accessible for them.

3 So this is just a look at the site
4 plan, which I'm sure you all have seen at this
5 point.

6 This is a rendering of what we are
7 proposing there. Really beautiful architecture.
8 You'll see some renderings of the interior of the
9 units in a few minutes here, but like I said,
10 gazebo spaces, sidewalks connecting to the
11 neighboring park, you know, drop-off area for
12 seniors, et cetera.

13 So do you want to talk a little bit
14 about the community space that we typically
15 offer?

16 MR. MANNING: Sure. Sure. So this is a
17 slide, a couple slides, of some of our finishes.
18 Generally a lot of laminates, pool tables,
19 activities, TV screens, with a full kitchen, so
20 you can have a gathering space.

21 That bottom one is one of our newer
22 developments in Wisconsin, came out really,
23 really well. TVs. We were there the other day
24 and a lot of activity comes there, people playing

1 cards, pool table. We've got some pretty serious
2 games they have in that community room, I'm here
3 to tell you.

4 The one on the right is kind of --
5 some of the paint colors that we typically use,
6 typically neutral paint colors. I wouldn't say
7 trendy so much, but things that would kind of fit
8 into the trends, but have longevity, lasting
9 impressions.

10 The floor, slide on the right, is
11 our -- the laminate that we've been using.

12 MR. VICTOR: Quartz.

13 MR. MANNING: Quartz, and quartz
14 countertop we've been using in a lot of our
15 properties. You can see the appliances and some
16 of the light fixtures that we've been able to
17 install in some of our senior properties.

18 Paint the cabinets. We try to put
19 color on cabinets, a trendy color on cabinets,
20 try to give it a little bit of personality, have
21 a little bit of longevity along the way.

22 MR. VICTOR: So these are some actual
23 renderings of a previous project that we
24 completed. Something that I like to emphasize,

1 especially when we are doing senior housing, is
2 not only do we typically include, you know, large
3 units, nice finishes in the actual units, but
4 when it comes to the common space, you know, my
5 whole concept is health and wellness of our
6 residents, pulling them outside of their unit,
7 providing them space to collaborate with one
8 another, looking at the potential of partnering
9 with local non-profits to provide, you know,
10 community rooms and such, community rooms,
11 fitness rooms, large gathering spaces, not just
12 outside where -- that you all saw on the site
13 plan, but also inside the building. Really just
14 emphasizing being together and outside of folks'
15 units.

16 MR. MANNING: Another -- I'll add to
17 that. We have a development in one of our towns,
18 it has a -- the town itself has an electric cycle
19 initiative, so they have I think it's 15 stations
20 around the community where they have electric
21 rental cycles.

22 One of the things we were able to do
23 in that community was we got with that --
24 partnered with that, it's called E-Cycle. We put

1 four stations on the senior development, and we
2 just got numbers today. I was actually impressed
3 with how much the usage was. It was right there
4 in the middle with the other 14 stations in the
5 community, so they are on the bike paths, they're
6 -- and that's an amenity, it's free, so we
7 negotiated with the tenants of that development
8 to use that bike for free.

9 It's hour time tracks, but we
10 have -- their use was right in the middle of the
11 other 14 sites, which is very, very promising.
12 So we think creative, we try to keep our seniors
13 active.

14 MR. VICTOR: So like I mentioned
15 earlier, 48 units, 36 one-bedrooms, 12
16 two-bedroom units, you know, large units, at
17 least 725 square feet for a one bedroom, thousand
18 square feet for a two bedroom.

19 We are adequately parking the site.
20 I think it's, you know, probably over parked, but
21 we wanted to do that just because of all the
22 activity in the community. We don't want folks
23 parking on streets, we don't want folks, you
24 know, causing congestion, so we are over parking

1 the site just to ensure that the site has
2 adequate parking and is not -- you know, traffic
3 is not interfering with neighbors as much.

4 The building will be certified under
5 Enterprise Green Communities. That just means,
6 you know, a much higher threshold for
7 sustainability, green areas like I showed you on
8 the site plan, walking paths, balconies for all
9 the units.

10 We are going to prioritize those who
11 already live or work in the city of Yorkville,
12 you know, specifically seniors. I think that's
13 something that I like to do in a lot of
14 communities just to make sure that when we are
15 building a project like this, it's really for the
16 community itself, it's not for -- you know, it's
17 obviously open to folks in other communities as
18 well, but prioritizing your seniors first. We
19 use local laborers, contractors.

20 Exterior storage, so, you know,
21 seniors moving out of their single family homes
22 into our building have adequate space to store
23 all their stuff and don't have to keep that all
24 in their unit actually.

1 Non-smoking, in-unit washers,
2 dryers, stainless steel appliances. You kind of
3 saw the finished package that we typically
4 incorporate into our projects.

5 And then, most importantly, we have
6 on-site professional third-party management
7 that's on-site, has an office there, is dealing
8 with, you know, tenants on a regular basis,
9 helping tenants connect with, you know, services
10 in the area, your senior center, you know,
11 coordinating with them.

12 We really push our on-site property
13 management to go a little bit above and beyond
14 just, you know, managing daily operations of the
15 property, but also, you know, collaborating with
16 tenants to provide those services and connections
17 in the community.

18 I think that's a really important
19 piece of what we do really well, is just on-site
20 property management and pushing them to kind of
21 excel a little further than typical.

22 So these are incoming rent limits.
23 These are the maximum incomes that folks can
24 be -- seniors can be earning in units. We have

1 about 12 30-percent AMI units; 13 50-percent; six
2 60-percent; and 17 80-percent units, so really
3 providing a wide diversity of housing types and
4 housing for seniors across the income spectrum
5 here.

6 Those maximum rents that you see
7 there, those are maximums. Obviously we're going
8 to, you know, price the apartment units to be in
9 line with what the market actually is here, but
10 those are the statutory maximums that we are
11 allowed to charge.

12 That's a look inside of one of our
13 units. This is a rendering from the same project
14 I showed you earlier. Once again, you know, nice
15 large units, quartz countertops, nice finishes,
16 stainless steel appliances, really providing
17 somewhere where your seniors can feel proud to
18 call home.

19 And this is just our general time
20 frame that we have followed so far. Plan
21 Commission, Economic Development Committee, we
22 did a neighborhood meeting earlier this year, now
23 Plan Commission and City Council, and if approved
24 at both this meeting and the City Council

1 meeting, we will be starting construction in
2 April of 2024.

3 This is the last slide. Something
4 that I do want to note is we --

5 MS. NOBLE: Two more.

6 MR. VICTOR: Yeah.

7 MS. NOBLE: Okay.

8 MR. VICTOR: Those were in case any
9 questions were asked. We did receive an award of
10 housing tax credits from the Illinois Housing
11 Development Authority. Just so you are all
12 aware, incredibly competitive process. Typically
13 I believe in those last rounds over subscribed in
14 those communities about three to one, so really a
15 significant resource that you now have in your
16 community that the state wants to deploy here to
17 build more senior affordable housing.

18 In meeting with Krysti and other
19 staff I've heard loud and clear that, you know,
20 the community has organized and, you know, come
21 together to try to, you know, promote the
22 development of senior housing.

23 You all have a couple senior
24 projects in the community already, pretty much

1 all of them are 100 percent occupied with waiting
2 lists. There is, you know, a pretty significant
3 demand here, which you all know better than me,
4 so that's kind of what we got. Open for
5 questions.

6 CHAIRMAN VINYARD: Is there -- You guys
7 can be seated for now.

8 MR. VICTOR: Sure. Thank you.

9 MR. MANNING: Thank you.

10 CHAIRMAN VINYARD: You are welcome. Is
11 there anyone present who wishes to speak in favor
12 of the request?

13 (No response.)

14 CHAIRMAN VINYARD: All right. Is there
15 anyone present who wishes to speak in opposition
16 of the request?

17 MR. KLINGBERG: I don't have an
18 oppositional favor, I just have a couple
19 questions, so --

20 CHAIRMAN VINYARD: Okay. Mr. Gilmour,
21 would you like to speak?

22 TOM GILMOUR,
23 having been first duly sworn, testified from the
24 podium as follows:

1 MR. GILMOUR: My name is Tom Gilmour and
2 I do have a few questions. In the material that
3 I have here it said age restrictive, 65 years
4 old, not 55. Which one is it going to be? That
5 would be one question.

6 And is there any limitation on how
7 many people are living in the units? I assume if
8 they are 65 years old they're not raising a
9 family. How many people are actually going to be
10 residing in these units, including the two
11 bedroom?

12 Another question -- I am assuming
13 you've covered this -- is the fire department,
14 it's been okayed with three story so they can
15 access it, a sprinkler system? That's part of
16 our code I believe.

17 And are there going to be any meals
18 provided or anything other than just a community
19 room for the residents?

20 I'll give him a second to answer the
21 question.

22 MS. NOBLE: Jake, do you --

23 MR. VICTOR: Sure. I was just taking
24 notes. I wasn't sure if you wanted me to answer

1 directly.

2 MS. NOBLE: Sure. You can answer the
3 direct question.

4 MR. VICTOR: Sure. So the first
5 question was 55 plus or 65 plus. You do have the
6 existing affordable senior development in the
7 community, Anthony Place, and that is 55 plus, so
8 we will be meeting -- matching that and doing 55
9 plus.

10 MR. GILMOUR: You were asking for a
11 pretty generous concession on the zoning density.
12 I don't think it's asking too much to spell that
13 out a little more.

14 MR. VICTOR: Sure. My apologies.

15 MR. GILMOUR: 65, make the deal.

16 MR. VICTOR: Sure. The second question
17 was how many people per unit. Our management
18 company puts a very strict limit on two people
19 per bedroom, but with a senior development, we
20 don't come anywhere near that.

21 I don't have the statistics, I
22 probably should have included those in the
23 presentation, but it is significantly less in our
24 senior portfolio, so that's the absolutely

1 maximum, but --

2 MR. GILMOUR: Senior residents and
3 assuming it's a couple, for example, just a
4 couple, it's not the whole family --

5 MR. VICTOR: Correct. Correct.

6 MR. GILMOUR: -- and everybody else.

7 MR. VICTOR: Correct.

8 MR. GILMOUR: And some hard explanation
9 and understanding exactly what this is going to
10 be about.

11 MR. VICTOR: Absolutely. Our management
12 company puts house rules in place that limits it
13 at two individuals per bedroom.

14 MR. GILMOUR: That can say a lot,
15 doesn't it, that you could scratch your head.
16 You've got a two-bedroom unit, you've got two
17 bedrooms, that's four people.

18 MR. VICTOR: Sure.

19 MR. GILMOUR: If they are retiring at
20 65 years old, it sounds like there is another
21 family there, so let's clear that up.

22 MR. VICTOR: Absolutely. I can provide
23 you with the statistics and the Plan Commission
24 with those based off of our portfolio, but like I

1 said, I don't have those handy, but I can tell
2 you with certainty that it's less than two people
3 per bedroom.

4 MR. GILMOUR: My recommendation would be
5 is that's a condition of approval of this thing.
6 They are getting a big concession on the density
7 in the first place. That's the rules. They can
8 follow them. That would be my advice.

9 MR. VICTOR: And I believe the last
10 question was meals provided.

11 MR. MANNING: Fire department.

12 MR. VICTOR: Yes, the fire department
13 will have to approve as part of the permitting
14 process, and three stories is allowed under the
15 zoning district I believe.

16 MS. NOBLE: The Fire District was part
17 of the Plan Council, which is a staff-level
18 technical review, and they had expressed no
19 concerns over the height. The maximum height in
20 the district is 80 feet, or three stories.

21 MR. GILMOUR: Well, just the occupancy,
22 a real clear understanding of exactly what this
23 is supposed to be. A retirement thing, that's
24 what you are selling it as, not like oh, I

1 brought my nieces and nephews with me or whoever
2 else. We would like to know exactly a little
3 more about the population of it.

4 Are you going to provide any
5 services like food or anything other than the
6 general recreation area for the people?

7 MR. VICTOR: That was your last question
8 I believe, and we do -- we have provided and
9 partnered with programs like Meals on Wheels
10 before.

11 It's not something that we are
12 currently planning on doing, but, you know,
13 connections to organizations like that are --
14 more than happy to incorporate that into the
15 project.

16 CHAIRMAN VINYARD: Anything else, sir?

17 MR. GILMOUR: I think that's about it.

18 CHAIRMAN VINYARD: Thank you.

19 MR. VICTOR: Thank you.

20 CHAIRMAN VINYARD: You would like to
21 come to the podium and speak? Thank you.

22 MR. KLINGBERG: Sure.

23 CHAIRMAN VINYARD: Can you state your
24 name for us as well?

1 MR. KLINGBERG: Shawn Klingberg.

2 SHAWN KLINGBERG,
3 having been first duly sworn, testified from the
4 podium as follows:

5 MR. KLINGBERG: I'm going to be looking
6 at this monstrosity going up in my back yard, so
7 that's my view. So you're starting it in April
8 of '24. When are we planning on finishing this?

9 MR. VICTOR: Take about 12 months, so
10 April of '25.

11 MR. KLINGBERG: April of '25?

12 MR. VICTOR: Correct.

13 MR. KLINGBERG: Okay. And then what are
14 we going to do so I don't have to watch all this
15 stuff going up in my back yard? Because I sit in
16 my back yard every night, have a cigar and a few
17 beers. I work construction for a living, I don't
18 want to look at work when I come home, so, I
19 mean, are we going to have some sort of fencing
20 up with some sort of blockade so I don't -- you
21 know what I mean?

22 MR. VICTOR: Sure.

23 MR. KLINGBERG: Just to keep all the --

24 MR. VICTOR: We will be required to do

1 general construction fencing by the city.

2 MR. KLINGBERG: And then what hours are
3 you guys planning to work on this? Because, you
4 know, Saturday morning --

5 MR. VICTOR: Yep.

6 MR. KLINGBERG: -- I don't want to hear
7 nothing at 7:00 o'clock in the morning.

8 MR. VICTOR: It's pretty hard to get my
9 subs to work on Saturdays.

10 MR. KLINGBERG: Well, pretty much time
11 and a half. I mean, I work every Saturday,
12 Sunday is double time, so --

13 MS. NOBLE: We do not allow construction
14 over the weekend.

15 MR. KLINGBERG: Okay. So it's Monday
16 through Friday construction schedule.

17 MS. NOBLE: Monday through Friday.

18 MR. KLINGBERG: That's what I want to
19 know. And then why are we going three stories?
20 Because the other retirement center is two
21 stories, so why -- you know, since they are
22 keeping the age limit the same, why aren't we
23 keeping the height restriction the same?

24 MR. VICTOR: Yeah, the biggest driver to

1 that is that project was done three or four
2 years -- I believe four years ago.

3 MS. NOBLE: It was actually done in
4 2015, 2016.

5 CHAIRMAN VINYARD: 2015.

6 MR. VICTOR: Construction costs have
7 just skyrocketed since then. We are trying to
8 provide the same -- nicer level of finishes for
9 our tenants, but three stories is really the only
10 way to make the affordable housing project work.

11 MR. KLINGBERG: Well, I'd like to keep
12 everything -- because everything else around
13 there is either a ranch or two story. I think we
14 should keep everything at the same level. There
15 is no reason to put a taller building into a
16 community that's all two level building site
17 zoned, so that's why -- I mean, to be honest with
18 you, at the end of the day, your construction
19 costs, it's not my pig, it's not my farm.

20 My view of my community and the view
21 of my neighbors' community, everybody is at two
22 stories. Figure out the costs and a way to do
23 it.

24 MR. VICTOR: Sure.

1 MR. MANNING: What was your name?

2 MR. KLINGBERG: Shawn Klingberg.

3 MR. MANNING: How tall is the hospital
4 next door? Is that three stories? Wasn't that
5 there --

6 MR. KLINGBERG: I was not living there
7 when that hospital was built.

8 MR. MANNING: When you are in your back
9 yard --

10 MR. KLINGBERG: I cannot see the
11 hospital.

12 MR. MANNING: You can't see that?

13 MR. KLINGBERG: No, because they have
14 the hospital hidden with all the tree lines and
15 everything, so if you look at all the tree
16 lines -- I live at 1361 Chestnut Circle. You are
17 more than welcome to come over to my back yard,
18 we can sit back there, we can have a cigar and
19 beer and you can see what my concerns are and you
20 can see what my neighbors' concerns are.

21 MR. MANNING: So what we've done in a
22 couple of developments, this is kind of back to
23 what we were are saying how we work with our
24 communities. We had an individual who had a

1 garage next to our development who wanted to put
2 solar up and there was a tree there.

3 On our properties we keep the trees
4 when somebody asks us to keep the tree, but he
5 wanted to obviously make the solar work, so we
6 got together a group, community approved it, to
7 move that landscaping points to move that, and we
8 removed the tree so we can make it solar. We
9 would offer you the same thing. If there was an
10 obstruction or get some fencing, we would help
11 you figure out whatever --

12 MR. KLINGBERG: No, that's fine. I
13 mean, that's the whole reason why we all moved
14 into a completed unit -- a completed community,
15 is because we don't want to hear construction.
16 If we wanted to hear construction, we would go
17 live in a construction zone. I mean, 90 percent
18 of my community is all retirees, I mean -- I
19 think I'm the 70 and older community, so --

20 MR. MANNING: You need our housing.

21 MR. KLINGBERG: Well, I don't. I mean,
22 I'm still 49. You are putting me in a senior in
23 six years, I'm not a big fan of that.

24 MR. MANNING: Your neighbors are.

1 MR. KLINGBERG: I just want to make sure
2 everybody is not having to deal with the growing
3 pains of a construction site in their back yard.

4 MR. MANNING: Absolutely.

5 MR. KLINGBERG: Because I do work
6 construction and I know.

7 MR. VICTOR: Appreciate it.

8 CHAIRMAN VINYARD: Thank you. Anybody
9 else? Ms. Gilmour?

10 JUDY GILMOUR,
11 having been first duly sworn, testified from the
12 podium as follows:

13 MS. GILMOUR: My name is Judy Gilmour.
14 We were kind of blindsided about this. We didn't
15 get a letter, and I was kind of surprised to find
16 out that you had a community meeting, and I don't
17 know which community you met with, but it
18 wasn't -- I don't believe it was anybody in our
19 Chestnut Circle area that I know of, so who did
20 you meet with?

21 MR. VICTOR: We sent out mailers based
22 off of what the city's --

23 MS. NOBLE: 500.

24 MR. VICTOR: I think I actually -- I did

1 double that.

2 MS. GILMOUR: I know you sent those
3 letters, but you said you had a community
4 meeting?

5 MR. VICTOR: Yes. We sent those letters
6 to folks that live within a thousand feet of the
7 property.

8 MR. KLINGBERG: I got one.

9 MS. GILMOUR: I knew you sent the
10 letter, but you said you had a meeting with the
11 community.

12 MS. NOBLE: January.

13 MR. VICTOR: Yes. It would have been
14 sent at the end of December, beginning of January
15 before the neighborhood meeting.

16 MS. GILMOUR: So you did have a
17 neighborhood meeting?

18 MR. VICTOR: Yes. We had the
19 neighborhood meeting, mailers were sent to folks
20 that live within a thousand feet of the property.

21 MS. GILMOUR: Well, I must be just
22 like -- just beyond that because I am right there
23 on Chestnut Circle, so --

24 MR. VICTOR: My apologies.

1 MS. GILMOUR: Now, you mentioned
2 exterior storage. Did you have a slide with that
3 picture?

4 MR. VICTOR: The exterior storage?

5 MS. GILMOUR: Yes.

6 MR. VICTOR: So when I say exterior,
7 it's exterior to the unit itself, so it's
8 contained within --

9 MS. GILMOUR: Okay. It's not a separate
10 area, okay.

11 MR. VICTOR: Right.

12 MS. GILMOUR: And now, you are the
13 developer?

14 MR. VICTOR: That's correct.

15 MS. GILMOUR: And are you planning to
16 sell this to somebody else?

17 MR. VICTOR: We are not allowed to sell
18 the building.

19 MS. GILMOUR: Okay. So you will be
20 involved with it the whole time then.

21 MR. VICTOR: Correct. Correct.

22 MS. GILMOUR: Okay. Thank you.

23 MR. VICTOR: Thank you for your
24 questions.

1 CHAIRMAN VINYARD: Would anyone else
2 like to speak in opposition to the request?

3 (No response.)

4 CHAIRMAN VINYARD: All right. Are there
5 any questions from the commissioners for the
6 petitioners?

7 (No response.)

8 CHAIRMAN VINYARD: I've got one. There
9 is no like assisted living, this is strictly
10 people who can care for themselves, you don't
11 have any units that -- so just basically a senior
12 living center without any sort of other help,
13 correct?

14 MR. VICTOR: That's correct.

15 CHAIRMAN VINYARD: Okay.

16 MR. WILLIAMS: And I did just think of
17 one, and this might help clarify Mr. Gilmour's
18 question as well. You said it was two --

19 MR. KLINGBERG: Can you speak up a
20 little?

21 MR. WILLIAMS: Oh, yes, I'm sorry. And
22 this mic probably is off.

23 MS. NOBLE: That one, Dan, with the
24 green.

1 MR. WILLIAMS: Green light?

2 MS. NOBLE: Yes.

3 MR. WILLIAMS: Thank you. That's
4 better. What I was going to ask is in regards to
5 the two person per bedroom policy, is there an
6 age limit to that as well?

7 Because I think Mr. Gilmour's
8 concern was that families could be moving in with
9 children or something like that.

10 MR. VICTOR: Yes.

11 MR. WILLIAMS: Is it 55 across the
12 board?

13 MR. VICTOR: Yes, 55 across the board.

14 MR. WILLIAMS: Thank you.

15 CHAIRMAN VINYARD: Thanks.

16 MR. GILMOUR: Where did 65 disappear to?
17 Right in the information I have here, it was 65
18 years old.

19 MS. NOBLE: Where do you have 65?

20 MR. WILLIAMS: I had seen 55.

21 CHAIRMAN VINYARD: Yes.

22 MR. GILMOUR: I got it from your office
23 last week.

24 CHAIRMAN VINYARD: Could you -- what

1 page is that, Mr. Gilmour?

2 MS. NOBLE: Yes, can you show me?

3 CHAIRMAN VINYARD: There is so much to
4 it, it just kind of -- it helps us streamline and
5 find it.

6 MR. GILMOUR: That's a pretty big one.

7 CHAIRMAN VINYARD: Agreed.

8 MR. GILMOUR: You've got to read this
9 stuff, Krysti, before you start presenting it.

10 MS. NOBLE: I do read it, Tom. I do.
11 That's their response, not staff's response. It
12 was in response, in one of your variances.

13 MR. VICTOR: Sure.

14 CHAIRMAN VINYARD: It was not the
15 staff's response?

16 MS. NOBLE: It was not staff's response.
17 Staff's understanding has always been it's 55
18 plus --

19 CHAIRMAN VINYARD: Okay.

20 MS. NOBLE: -- as we've been told, and
21 that is what the public hearing stated --

22 CHAIRMAN VINYARD: Okay.

23 MS. NOBLE: -- for 55 plus. Staff --

24 MR. MANNING: Mistake on our part.

1 MR. MILLEN: I'd like to actually --

2 MR. GILMOUR: So it's 55?

3 MR. VICTOR: 55.

4 MR. MILLEN: I'd like to actually say
5 something about 55. My sister probably is in a
6 situation who could maybe afford conventional
7 housing, she does have some disabilities, but she
8 is very capable of living on her own. She is
9 just short of 60, and she had to get on a wait
10 list for a property similar to this in Oswego.

11 Honestly, I picked her up for her
12 birthday. She can't say enough about this type
13 of living, from the bingo events to, you know,
14 the gatherings, so I don't know if 55 is a big
15 stretch. She probably is the youngest at 60, so
16 I don't know if that's a real big hardship, and
17 just seeing it firsthand, the joy that it brings
18 her to have that companionship, and it's a relief
19 for me, too, I do visit with her, spend time with
20 her, keep in touch with her, but I think there is
21 other things when you see that facet and
22 understand that, how it affects that age group,
23 because at 75, 85, sometimes the parents are
24 deceased, and then you've got those kids that are

1 between 55 and 65 that aren't in a position to
2 afford housing, housing is expensive, so I don't
3 think that's a big deal. But just my two cents.

4 MR. MANNING: Thank you.

5 CHAIRMAN VINYARD: Okay. Anybody else?

6 (No response.)

7 CHAIRMAN VINYARD: No. Petitioner,
8 would you like the responses to the variance and
9 rezoning standards entered into the record?

10 MR. VICTOR: Yes.

11 CHAIRMAN VINYARD: Okay. Very good. So
12 this will be the conclusion of the public
13 hearing.

14 Since all public testimony regarding
15 this petition has been taken, may I have a motion
16 to close the taking of testimony in this public
17 hearing?

18 MR. WILLIAMS: So moved.

19 MS. GOINS: Second.

20 CHAIRMAN VINYARD: Roll call vote on the
21 motion, please.

22 MS. YOUNG: Hyett.

23 MR. HYETT: Yes.

24 MS. YOUNG: Goins.

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MS. GOINS: Yes.

MS. YOUNG: Millen.

MR. MILLEN: Yes.

MS. YOUNG: Vinyard.

CHAIRMAN VINYARD: Yes.

MS. YOUNG: And Williams.

MR. WILLIAMS: Yes.

CHAIRMAN VINYARD: All right. So the public hearing portion of tonight's meeting is concluded.

(Which were all the proceedings had in the public hearing portion of the meeting.)

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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF LASALLE)

4 I, CHRISTINE M. VITOSH, a Certified
5 Shorthand Reporter of the State of Illinois, do
6 hereby certify:

7 That previous to the commencement
8 of any testimony heard, the witnesses were duly
9 sworn to testify the whole truth concerning the
10 matters herein;

11 That the foregoing public hearing
12 transcript, Pages 1 through 41, was reported
13 stenographically by me by means of machine
14 shorthand, was simultaneously reduced to
15 typewriting via computer-aided transcription
16 under my personal direction, and constitutes a
17 true record of the testimony given and the
18 proceedings had;

19 That the said public hearing was taken
20 before me at the time and place specified;

21 That I am not a relative or employee or
22 attorney or counsel, nor a relative or employee
23 of such attorney or counsel for any of the
24 parties hereto, nor interested directly or
indirectly in the outcome of this action.

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I further certify that my certificate attached hereto applies to the original transcript and copies thereof, signed and certified under my hand only. I assume no responsibility for the accuracy of any reproduced copies not made under my control or direction.

IN WITNESS WHEREOF, I do hereunto set my hand at Leland, Illinois, this 13th day of November, 2023.

1s/ Christine Vitosh

CHRISTINE M. VITOSH,
C.S.R. Certificate No. 084-02883