Agenda
Village of Glen Ellyn
Regular Workshop Meeting
Monday, June 18, 2018
7:00 PM
Glen Ellyn Civic Center, Room 301

Village Board Workshop Procedures Statement

Visitors are most welcome to attend all meetings of the Village Board and can find copies of the Agenda on their chairs or online at www.glenellyn.org prior to the meeting. Any individual with a disability requiring a reasonable accommodation in order to participate in a meeting should contact the Village of Glen Ellyn ADA Coordinator, 630-469-5000, at least five (5) business days in advance of the next scheduled meeting. All matters on the Agenda may be discussed, amended, and acted upon.

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Audience Participation

1. Open:

Members of the public are welcome to speak to any item not specifically listed on tonight's agenda for up to (3) three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk. It is requested that, if possible, one spokesman for a group be appointed to present the views of the entire group. Speakers who are recognized are requested to step to a microphone and state their name, their topic and the group, if any, they are representing prior to addressing the Village Board. Individuals wishing to address the Board shall exercise proper decorum and respect for the proceedings and the business of the Village Board, and shall refrain from abusive demeanor and language. The practice of ceding time to other speakers shall be prohibited, except in the discretion of the presiding officer of the meeting. Public officials are not obligated to respond to questions.

E. REVA (Avere) Development Proposal (Village Manager Franz and Finance Director Coyle) (Discussion Only) (45 Minutes)

1. Village Manager Franz will brief Board on proposed terms of the REVA (Avere) development proposal.

F. Group Home Regulations (Planning & Development Director Hulseberg) (Discussion Only) (30 Minutes)

1. Planning & Development Director Hulseburg will present proposed changes to group home regulations.

G. False Alarms (Police Chief Norton) (Discussion Only) (15 Minutes)

1. Police Chief Norton will present an update on false alarm billing and permit registration.

H. Parking Garage and Capital Projects Funding (Village Manager Franz and Finance Director Coyle) (Discussion Only) (30 Minutes)

1. Village Manager Franz and Finance Director Coyle will provide an update regarding Parking Garage and Capital Projects funding.

I. Civic Center Plan Renovation (Assistant Village Manager Holmer) (Discussion Only) (15 Minutes)

1. Assistant Manager Holmer will facilitate a discussion to update the Board on the Civic Center Renovation.

J. Other Items

K. Adjournment

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 06/18/18 07:00 PM
Department: Glen Ellyn Village Board
Department Head: Lindsey Kaminsky
Category: Discussion Item
Prepared By: Lindsey Kaminsky

SCHEDULED

AGENDA ITEM (ID # 3375) DOC ID: 3375

Village Manager Franz will brief Board on proposed terms of the REVA (Avere) development proposal.

Background

REVA Development Partners is interested in developing a proposed four story, 48-unit multi-family apartment complex on property commonly known as 427-443 Duane Street and 425-435 Melrose Avenue to be known as Avere on Duane, an $18-20M investment in downtown Glen Ellyn. REVA has extensive experience in residential development and has completed or is under construction in Vernon Hills, Wheeling, Deer Park, and Orland Park on similar projects. (See **Exhibit 1**-Proposed Project Renderings)

The subject site is located on the south side of Duane Street and is bounded on the east by Prospect Avenue and on the west by Melrose Avenue. The petitioner is proposing to assemble the six individual properties to redevelop the site for a luxury multi-family development featuring a four-story, 48-unit rental building with underground parking and additional surface parking. The proposed building would consist of eight 1-bedroom units and forty 2-bedroom units ranging from 870 square feet to 1,656 square feet. Matt Nix, Principal of REVA Development Partners will present the plan and their request for assistance through the CBD TIF District.

Incentive Request and Analysis

REVA completed a pro-forma for the Avere on Duane project earlier this year, see **Exhibit II.** Staff and our consultant Kane McKenna and Associates, KMA, have reviewed their pro-forma and worked through some complicated issues to settle on some business terms that would allow the project to proceed, but limit the Village risk at the same time. REVA has indicated that a gap exists in part because this is a smaller redevelopment project consisting of only 48 units. In addition, this project has been more challenging due to the costs of assembling the property, capital costs associated with the infrastructure improvements, including parking and storm water issues, and an increasingly higher tax assessment process that has led to higher than anticipated projected taxes. Without TIF incentives, the developer cannot proceed with the project because they are not able to meet a return on project costs of 6% to 7 % in order to secure equity investors for the project. KMA believes this is a legitimate return based on market data. For these reasons, REVA has requested tax incentives to bridge the financial gap for their project and protect themselves against higher than anticipated taxes.

Bob Rychlicki, KMA, has reviewed and analyzed REVA's pro-forma and incentive request. Attached is KMA's report that he will summarize and present to the Village Board on Monday night. **(Exhibit III**) The incentives would be performance-based and be paid directly by the Central Business District (CBD) TIF Fund, eliminating any risk to other Village funds. Initially, the Developer requested funds upfront and for the life of the TIF, 15 years, but staff negotiated a 10-year performance based incentive, split 90/10 Developer/Village.

Incentive Request

In short, the Developer believes they can bridge the economic gap and secure the necessary debt and equity to finance the development with this incentive agreement. In addition, the Village would be guaranteed collecting 100% of the available increment generated by the new development for a minimum of 5 years at the end of the TIF, in addition to at least 10% during the term of the agreement. Furthermore, the Village could receive additional TIF increment if less than 20% of the school funds are not needed to reimburse net new students moving into the development. The basic business terms of a future Redevelopment Agreement would include:

1. A 90/10% (developer/village) performance-based agreement generated by available TIF increment for $1.9M (with a discount rate of 6.5%) or through 2031, whichever happens first. The Developer must justify TIF eligible costs to receive the increment.
2. Schools are entitled up to 40% of the increment based on the number of net new students living in the development. The Developer is not anticipating more than 20%, but does have additional exposure. This agreement would cap the floor of the student payments at 20% to limit returns to developer if less students reside in the development during the term of the agreement. Therefore, the Village could get approximately 30% of the increment.
3. After 2031, the Village would collect 100% of available increment.
4. In addition, the Village has agreed to assist in controlling some of costs of the project as follows:
    - ? A contribution of up to $200,000 in capital costs (by Village of Glen Ellyn) to reimburse costs associated with street and storm water improvements on Duane/Melrose
    - ? Reduction of $100,000 in Developer Donations
    - ? Consider utilizing Village-owned land (GWA) for soil hauling purposes at a cost savings to the project. (Developer pays third party hauling, engineering and testing costs, but no Village dumping fees).

A redevelopment agreement would have to be created and specific language negotiated to provide for the mechanics of a potential agreement. As part of the process, we will be working with a TIF attorney to craft language that would accomplish the goals of any tentative agreement. Some provisions to include are:

1. A single Developer TIF Note carrying a 6.5% interest rate (or based on a mutually agreed index and spread currently yielding a similar rate) which shall be repaid solely with available TIF increment (Developer's 90% share). Note will not be tax exempt and has no recourse. (Village Board would have to approve an Ordinance.)
2. Developer would be able to appeal the taxes, but would not be eligible for incentives and refunds in any one year.
3. Establish an escrow to pay for development costs including financial review and legal costs associated with the project and TIF Note.

Analysis: Preliminary Results of KMA's Revenue Projections

Property Tax Projections. KMA's property tax revenue projections were based on the following assumptions with respect to property tax generation:

- Four property tax scenarios including the residential apartment units are assumed: one with an average initial market value of $277,500 per unit (expected/lower range assumptions) and a second scenario utilizing the Developer's higher forecast of market valuation of $375,000 per unit (the higher range valuation). The scenarios also included school allocations at either 20% or 40%.
- Estimated base EAV of the Project PINs: $598,312
  (Based on the DuPage County Clerk's office)

The projection period covers the 2019 to 2035 period (24th year payment in 2036) which is the remaining term of the TIF. The maximum TIF statutory allocation of 40% for residential increment is assumed for each scenario. In another set of projections, a lower 20% allocation is assumed, based on the market use of the units by primarily "empty" renters.

Based upon the foregoing projections, KMA estimated the following revenues (refer to Exhibit B for additional detail):

Scenarios	**Total Taxes Before School Payments**	**School Allocations**	**Gross Taxes to Village**	**Gross Taxes to Developer**
Scenario 1 Expected Tax Payments assuming 20% School Payment	$5,455,328	$1,091,066	$1,886,579	$2,477,684*
Scenario 2				
Higher Side Tax Payments* assuming 20% School Payment	$6,868,201	$1,373,640	$2,372,770	$3,121,791*
Scenario 3				
Expected Tax Payments assuming 40% School Payment	$5,455,328	$2,182,131	$1,414,934	$1,858,263*
Scenario 4				
Higher Side Tax Payments* assuming 40% School Payment	$6,868,701	$2,747,281	$1,779,578	$2,341,343*

*Note includes 6.5% accrued interest rate.

If the Village was required to provide up-front financing, the risk of repayment is borne by the Village. In the event that market valuations are lowered (due to protests or vacancies) or tax rates are lower, the projected amount of incremental property taxes could be reduced.

As stated above, the counter proposal to the Developer is structured as a "pay as you go" arrangement in order to: a) mitigate Village up-front risk and b) serve as an offset to the Developer's return in the event that property tax valuations are at higher levels.

In addition, we understand that it is possible that approximately $300,000 of infrastructure costs and/or fees could be part of the Village assistance in addition to a portion of TIF incremental revenues. For purposes of illustration, we have assumed a 90/10 split after school allocations. In the event that there are fewer students and the 40% allocation is not used, the ability to accelerate the repayment is possible and a sensitivity analysis is provided assuming that ½ of the school allocation or 20% is actually utilized (Scenarios 1 and 2).

Return Analysis

The return analysis prepared by KMA and based on Developer assumptions (including Developer assumptions relating to real estate taxes based on the higher range valuation) is summarized below. The chart attached below includes the Developer's estimated project returns.

	Without TIF	With TIF Developer Request
Initial Stabilized Year Project NOI (after operating expense)	$ 1,191,602	$ 1,191,602
Project Costs	$19,168,129	$19,168,129
Less TIF Assistance	$0	$ 1,800,000*
Net Project Costs	$19,168,129	$17,368,129
Leveraged Return	9.62%	12.98%
Unleveraged Return	6.75%	8.24%
Return on Costs	5.87%	6.48%

**Could be increased to $2,260,000 in the event taxes are at the higher tax forecast, but overall impact on returns expected to be neutral in early years as an increase in assistance is applied to offset higher taxes.*

The returns are lowered due to an increase in the Developer's pro forma taxes, as well as other costs related to land assembly and preparation. The projected taxes at $6,775 per unit are significantly higher than initial estimates. However, the Developer's investors and lenders are concerned over current trends in valuation (the higher tax amount).

The returns indicate that the use of TIF funding is appropriate for this project given the target return thresholds in the market. Typically, market return on cost benchmarks are 7% or near 7%.

Summary: Policy Review Issues

1) The Developer would control a key site in the TIF.
2) The Developer has assembled multiple parcels which may not be feasible in the future making it more difficult for future development of this area.
3) The Village would benefit in terms of new investment within the Downtown and serve as potential catalyst for new redevelopment.
4) The Village has countered with a hybrid structure - some lower amount upfront and structures a "pay as you go" component with an interest rate or accrual component.
5) The counter offer limits the term of payout to the Developer and allows all TIF revenues to return to the Village after 2031.

Benefits

Given the work done to assemble the property and the fact that this would be the first major project in downtown in 10 years, this project could be a catalyst for the Central Business District, staff believes the benefits outweigh the negatives. More specifically, benefits include:

- Meets Downtown Plan Goals:
  - New residents downtown
  - New residents supporting businesses and spending in downtown
  - Increase density in downtown
- Creates more diverse housing stock
  - Allows more "age-in-place" housing options
  - First new multi-family residential project in the downtown in 10 years
- Overall $20M investment in CBD
  - Underutilized parcels would be redeveloped
  - Benefits all taxing bodies, once TIF expires
- Financial Goals
  - Addresses capital needs, most notably storm water issues in that area
  - Adds to the overall tax base, once TIF expires
  - Limited risk to the Village, since the proposed incentives are performance based
- Development Goals
  - Quality of design, residential character blends with the area
  - Costly underground parking included
  - Developer donations to taxing bodies
- Development Team
  - Proven development; same successful project constructed elsewhere
  - Qualified, experienced developer with a proven track record
- Meets Strategic Plan Objectives-See below

Negatives

Staff is concerned about the significant incentive being requested for this project. We believe that the request is unique to this project in that the location, size, and timing of other tax appeals has created some extraordinary costs and risk for this developer. In addition, this development is the first major development since the Great Recession, so there are times when projects get "First In" benefits as well. In addition, staff has worked to have business terms which minimize Village risk. The developer would not be able to make an investment in this property without these TIF incentives. Lastly, given this location and the challenges with assembling property, developing these six parcels would be extremely difficult in the future.

Budget Impact (Include Funding Source)
Any incentives agreed to by the Village Board would have no impact on the General Fund and be paid exclusively through a performance based incentive agreement (redevelopment Agreement) paid from the CBD TIF generated by this project alone. Therefore, Village financial risk and exposure are minimal.

Strategic Plan Initiative (If Applicable)

Strategic Issue II: ECONOMIC DEVELOPMENT. Engage in progressive and proactive economic development to attract and retain key businesses to foster a vibrant business community by strategically increasing the Village's footprint, adding housing variety and increasing downtown commercial growth and residential density.

Action Steps:

1. Focus on key development sites in the CBD and move forward with Giesche and McChesney sites and other underutilized parcels by December 31, 2018 & Execute the Economic Development plan including TIF promotion, Awards program, business retention, as well as market village events, business education opportunities and available sites and monitor annually by December 31, 2018

2. Execute the Economic Development plan including TIF promotion, Awards program, business retention, as well as market village events, business education opportunities and available sites and monitor annually by December 31, 2018.

Action Requested

Staff is looking for some direction from the Village Board to proceed with crafting a Redevelopment Agreement based on the general business terms negotiated over the last few months. If agreed to by the Village Board, staff and developer will work on parallel tracks to proceed through the planning review process for the development and drafting a redevelopment agreement.

Attachments

Exhibit I - Avere on Duane Project Renderings
Exhibit II - REVA Development Partners Pro-forma for the Project
Exhibit III - KMA Review of Avere on Duane Project

ATTACHMENTS:

- Exhibit 1 - Avere on Duane Project Rendings (PDF)
- Exhibit 2 - REVA Development Partners Pro-forma for the Project (PDF)

- Exhibit III - KMA Review of Avere on Duane Project (PDF)


STOP

Development Budget- Sources & Uses

BUDGET SUMMARY		Total	Unit	NRSF	% Cost
Land Value		2,700,000	56,250	41.55	14.3%
Tap & Impact Fees		448,524	9,344	6.90	2.4%
Site Development		1,322,347	27,549	20.35	7.0%
Hard Costs		11,667,418	243,071	179.55	61.8%
Soft Costs		2,729,839	56,872	42.01	14.5%
Total Uses		**18,868,129**	**393,086**	**290.37**	**100.0%**
LAND ACQUISITION COSTS		Total	Unit	NRSF	% Cost
Land Price (contract price)		2,700,000	56,250	41.55	14.3%
Up-Front TIF Proceeds		0	0	0.00	0.0%
Sub Total		2,700,000	56,250	41.55	14.3%
TAP & IMPACT FEES		Total	Unit	NRSF	% Cost
Water Tap & Meter Fee		304,176	6,337	4.68	1.6%
Blended Impact Fee (School, Park, etc)		244,348	5,091	3.76	1.3%
Park Fee Credit		(100,000)	-2,083	-1.54	-0.5%
Sub Total		448,524	9,344	6.90	2.4%
SITE DEVELOPMENT COSTS		Total	Unit	NRSF	% Cost
Land Development		1,385,322	28,861	21.32	7.3%
Landscaping		137,025	2,855	2.11	0.7%
Infrastructure Credit		(200,000)	(4,167)	(3.08)	-1.1%
Sub Total		1,322,347	27,549	20.35	7.0%
HARD COSTS		Total	Unit	NRSF	% Cost
Base Cost for Podium Buildings		9,866,563	205,553	151.84	52.3%
General Conditions	7.0%	783,224	16,317	12.05	4.2%
Total Base Hard Costs		**10,649,787**	**221,871**	**163.89**	**56.4%**
Hard Cost Contingency	3.5%	419,025	8,730	6.45	2.2%
General Contractor Fee		598,607	12,471	9.21	3.2%
Sub Total		11,667,418	243,071	179.55	61.8%
SOFT COSTS		Total	Unit	NRSF	% Cost
Building Permits	1.7%	200,000	4,167	3.08	1.1%
Financing Fees- Loan Fee & Other		88,571	1,845	1.36	0.5%
Architectural & Design Fees		217,000	4,521	3.34	1.2%
Engineering Fees		55,000	1,146	0.85	0.3%
TIF-related Costs		75,000	1,563	1.15	0.4%
Taxes During Construction		100,000	2,083	1.54	0.5%
Tax & Audit		15,000	313	0.23	0.1%
Legal		125,000	2,604	1.92	0.7%
Zoning-Related		27,500	573	0.42	0.1%
Inspection & Draw Costs		66,000	1,375	1.02	0.3%
Furniture, Fixtures, and Equipment		35,000	729	0.54	0.2%
Marketing		25,000	521	0.38	0.1%
Insurance		100,683	2,098	1.55	0.5%
Closing Costs		15,000	313	0.23	0.1%
Developer Contingency		300,000	6,250	4.62	1.6%
Soft Cost Contingency		100,000	2,083	1.54	0.5%
Development Overhead	3.5%	660,400	13,758	10.16	3.5%
Operating Deficit Reserve		107,699	2,244	1.66	0.6%
Construction Interest Reserve		416,986	8,687	6.42	2.2%
Sub Total		2,729,839	56,872	42.01	14.5%
SOURCES:		Total	Unit	NRSF	% Cost
Total Sources		**18,868,129**	**$393,086**	**$290.37**	**100.0%**
JV Equity Cash Equity		5,283,076	$110,064	$81.30	28.0%
REVA Equity		1,320,769	$27,516	$20.33	7.0%
Construction Loan		12,264,284	$255,506	$188.74	

Operating Proforma

	Buildings	Avg SF	Units	NRSF	Rent/NRSF	Rent/Unit	Monthly $	Annual $	Rent/NRSF	Rent/Unit	Monthly $	Annual $
				CURRENT UNDERWRITING- 2018					STABILIZED- 09/30/2020			
Podium	1	1,354	48	64,980	2.25	3,045	146,160	1,753,920	2.41	3,262	156,597	1,879,158
Total	**1**	**1,354**	**48**	**64,980**	**2.25**	**3,045**	**146,160**	**1,753,920**	**2.41**	**3,262**	**156,597**	**1,879,158**

UNIT MIX												
Unit Plan	Type	Area	#Units	Total Area	Rent/NRSF	Rent/Unit	Monthly	Annual	Rent/NRSF	Rent/Unit	Monthly	Annual
1BR	P-B	870	4	3,480	2.31	2,010	8,040	96,480	2.48	2,154	8,614	103,369
1BR+Den	P-B+	980	4	3,920	2.30	2,250	9,000	108,000	2.46	2,411	9,643	115,712
2BR	P-C	1,370	18	24,660	2.25	3,080	55,440	665,280	2.41	3,300	59,399	712,784
2BR+Den	P-C+	1,492	6	8,952	2.23	3,320	19,920	239,040	2.38	3,557	21,342	256,109
2BR	P-D	1,340	8	10,720	2.25	3,020	24,160	289,920	2.41	3,236	25,885	310,622
2BR+Den	P-E	1,656	8	13,248	2.23	3,700	29,600	355,200	2.39	3,964	31,714	380,563
Totals / Averages		**1,354**	**48**	**64,980**	**2.25**	**3,045**	**146,160**	**1,753,920**	**2.41**	**3,262**	**156,597**	**1,879,158**

Other Income										
Garage Income- Inline	$	150	0	spaces	95% occ.	0	0	spaces	0	0
Garage Income- Podium	$	150	48	spaces	95% occ.	6,840	82,080	spaces	7,328	87,941
Storage Income	$	10	0	lockers	80% occ.	0	0	lockers	0	0
Utility Reimbursement	$	41		per unit		1,944	23,328	per unit	2,083	24,994
Misc Income	$	61		per unit		2,938	35,254	per unit	3,148	37,771
Total Other Income						**11,722**	**140,662**		**12,559**	**150,706**
Gross Income						**157,882**	**1,894,582**		**169,155**	**2,029,864**

OPERATING EXPENSE		Exp/NRSF	Exp/Unit	Monthly	Annual	Exp/NRSF	Exp/Unit	Monthly	Annual
Payroll & Related		$1.24	$1,673	$6,690	$80,280	1.29	1,752	7,006	84,076
Marketing & Advertising		0.55	750	3,000	36,000	0.58	785	3,142	37,702
Repair & Maintenance		0.26	350	1,400	16,800	0.27	367	1,466	17,594
Contract Services		0.41	550	2,200	26,400	0.43	576	2,304	27,648
Administrative		0.23	313	1,250	15,000	0.24	327	1,309	15,709
Asset Management	1.50%	0.44	592	2,368	28,419	0.46	620	2,480	29,763
Utilities (water/sewer/trash reimbursed by tenant)		0.40	540	2,160	25,920	0.42	566	2,262	27,146
Utilities (Common Area & Vacants)		0.18	250	1,000	12,000	0.19	262	1,047	12,567
Property/Liability Insurance		0.26	350	1,400	16,800	0.27	367	1,466	17,594
Real Estate Taxes		5.00	6,775	27,100	325,200	5.30	7,177	28,707	344,487
Property Management Fee	5.00%	1.38	1,875	7,499	89,993	1.45	1,964	7,854	94,248
Total Op Expense		**$10.35**	**$14,017**	**$56,068**	**$672,811**	**$10.90**	**$14,761**	**$59,045**	**$708,537**
					36%				

STABILIZED OPERATING PRO FORMA		Monthly	Annual	Monthly	Annual
Gross Income		157,882	1,894,582	169,155	2,029,864
Less Vacancy & Credit Loss	5.00%	(7,894)	(94,729)	(8,458)	(101,493)
Effective Gross Annual Income		149,988	1,799,853	160,698	1,928,371
Less Operating Expenses		(56,068)	(672,811)	(59,045)	(708,537)
Net Operating Income (NOI)		**93,920**	**1,127,042**	101,653	**1,219,834**
RETURN ON PROJECT COST			**5.97%**		

AVERE on Duane

REVISED TIF PROJECTIONS-

				tax rate	adjustment	% of remaining			TIF rate
				7.7110%	50%	10%	90%		6.5%
Collection Year	**Total EAV**	**Total Taxes**	**Base EAV**	**TIF Increment**	**School Payment (up to 40%)**	**Increment Pledged to Village**	**Increment Pledged to Project**	**Cumulative To Project**	**NPV**
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	72,196	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	4,467,476	344,487	598,312	26,060	5,212	2,085	18,763	18,763	16,543
2022	4,556,825	351,377	598,312	298,351	59,670	23,868	214,813	233,576	194,375
2023	4,647,962	358,404	598,312	305,241	61,048	24,419	219,773	453,349	365,210
2024	4,740,921	365,572	598,312	312,268	62,454	24,981	224,833	678,183	529,312
2025	4,835,739	372,884	598,312	319,437	63,887	25,555	229,994	908,177	686,935
2026	4,932,454	380,342	598,312	326,748	65,350	26,140	235,259	1,143,436	838,325
2027	5,031,103	387,948	598,312	334,206	66,841	26,736	240,628	1,384,064	983,720
2028	5,131,725	395,707	598,312	341,813	68,363	27,345	246,105	1,630,169	1,123,349
2029	5,234,360	403,621	598,312	349,571	69,914	27,966	251,691	1,881,860	1,257,431
2030	5,339,047	411,694	598,312	357,486	71,497	28,599	257,390	2,139,250	1,386,181
2031	5,445,828	419,928	598,312	365,558	73,112	29,245	263,202	2,402,452	1,509,802
2032	5,554,744	428,326	598,312	373,792	74,758	29,903	269,130	2,671,582	1,628,493
2033	5,665,839	436,893	598,312	382,190	76,438	30,575	275,177	2,946,759	1,742,444
2034	5,779,156	445,631	598,312	390,757	78,151	31,261	281,345	3,228,104	1,851,838
2035	5,894,739	454,543	598,312	399,495	79,899	31,960	287,636	3,515,740	1,956,853
2036	6,012,634	463,634	598,312	408,407	81,681	32,673	294,053	3,809,794	2,057,658
				$ 5,291,380	$ 1,058,276	$ 423,310	$ 3,809,794		
		NPV @	**6.5%**	**$2,857,859**	**$571,572**	**$228,629**	**$2,057,658**		

AVERE on Duane

REVISED TIF PROJECTIONS-

				tax rate	adjustment	% of remaining			TIF rate
				7.7110%	50%	10%	90%		6.5%
Collection Year	**Total EAV**	**Total Taxes**	**Base EAV**	**TIF Increment**	**School Payment (up to 40%)**	**Increment Pledged to Village**	**Increment Pledged to Project**	**Cumulative To Project**	**NPV**
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	72,196	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	4,467,476	344,487	598,312	26,060	5,212	2,085	18,763	18,763	16,543
2022	4,556,825	351,377	598,312	298,351	59,670	23,868	214,813	233,576	194,375
2023	4,647,962	358,404	598,312	305,241	61,048	24,419	219,773	453,349	365,210
2024	4,740,921	365,572	598,312	312,268	62,454	24,981	224,833	678,183	529,312
2025	4,835,739	372,884	598,312	319,437	63,887	25,555	229,994	908,177	686,935
2026	4,932,454	380,342	598,312	326,748	65,350	26,140	235,259	1,143,436	838,325
2027	5,031,103	387,948	598,312	334,206	66,841	26,736	240,628	1,384,064	983,720
2028	5,131,725	395,707	598,312	341,813	68,363	27,345	246,105	1,630,169	1,123,349
2029	5,234,360	403,621	598,312	349,571	69,914	27,966	251,691	1,881,860	1,257,431
2030	5,339,047	411,694	598,312	357,486	71,497	28,599	257,390	2,139,250	1,386,181
2031	5,445,828	419,928	598,312	365,558	73,112	50,114	242,332	2,381,582	1,500,000
2032	5,554,744	428,326	598,312	373,792	74,758	299,034	-	2,381,582	1,500,000
2033	5,665,839	436,893	598,312	382,190	76,438	305,752	-	2,381,582	1,500,000
2034	5,779,156	445,631	598,312	390,757	78,151	312,606	-	2,381,582	1,500,000
2035	5,894,739	454,543	598,312	399,495	79,899	319,596	-	2,381,582	1,500,000
2036	6,012,634	463,634	598,312	408,407	81,681	326,726	-	2,381,582	1,500,000
				$ 5,291,380	$ 1,058,276	$ 1,851,522	$ 2,381,582		
		NPV @	**6.5%**	**$2,857,859**	**$571,572**	**$786,287**	**$1,500,000**		

and Associates, Inc.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606

T 312.444.1702
F 312.444.9052

MEMO

TO: Mark Franz
Christina Coyle
Meredith Hannah

FROM: Kane, McKenna and Associates, Inc.

DATE: June 15, 2018

RE: Review of Proposed Reva Development Partners Apartments

1) Background on Redevelopment Project

The Village of Glen Ellyn (the "Village") has retained Kane, McKenna Associates, Inc. ("KMA") to review the TIF proposal presented by Reva Development Partners or entities to be formed by it (the "Developer"), regarding the redevelopment of property located at 427-443 Duane Street and 425-435 Melrose Avenue (the "Project" or "AVERE on Duane").

The Project consists of eight (8) tax parcels. The Project will include a four story 48 unit apartment complex consisting of 8 one bedroom, and 40 two bedroom apartment units. There will be 48 indoor parking spaces underground along with 34 outdoor parking spaces.

It is proposed that the project would be developed by Reva Development Partners and owned by the same entity or entities formed by it.

2) Data Sources: Limitations of KMA Analysis

KMA has been tasked with reviewing the Developer's projections evidencing the need for TIF assistance (THE "Gap Analysis") and reviewing the Developer's pro formas. To determine the revenue projection, KMA reviewed data from the developer as to proposed land uses, square footage, market assessment of income from said uses, and other variables.

In review of the Gap Analysis, KMA reviewed developer data especially as it pertains to the Project budget and pro formas. KMA also used internal files and published construction benchmarks as a basis of comparison to check the reasonableness of Developer budget assumptions.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

As a caveat, **KMA is not a certified appraiser nor is KMA providing any assessment of the residential market for DuPage County.** To the extent the Village desires to check valuations or sales forecasts in more detail, appropriate professionals can be retained. **KMA's assignment relates to the overall review of the Developer proposal and its reasonableness in relation to the request for public assistance.** In addition, no review is made relating to parking, zoning or planning issues, which would separately be reviewed by Village staff.

3) Project Description: Case for Public Assistance

The Project consists of 48 apartment units together with underground and surface parking. Project costs are as follows:

Project Cost Category	Amount
Land	$ 2,700,000
Hard Costs	$11,667,419
Site Development Costs	$ 1,522,347
Soft Costs and Fees	$ 3,278,363
TOTAL	$19,168,129

Source: Developer Project Budget before application of credits – see below.

Construction costs were compiled by the Developer and were also reviewed by KMA. The estimates are included in Exhibit A. It is beneficial to show Exhibit A cost data, since the data also provides an estimate of its expectations with respect to TIF-eligible costs (a subset of the overall Project costs). Overall costs were at the higher side of industry averages, due in part to underground parking and higher end finish of the units ($180/s.f.) but details will ultimately be required as to back up for the purchase costs, more refined construction costs (which seem to be on the higher end, especially parking) and site improvements. Soft costs as a percentage of the total costs were within industry ranges.

The projected rental rates – an average of $2.25/s.f. (trending up to stabilization) are based on comparables identified by the Developer, but no formal independent market study was undertaken.

The Developer initially requested $1,600,000 in up front TIF assistance for payment of TIF eligible costs. Eligible costs under the TIF Act include the following:

- Land acquisition including associated costs – $2,700,000.
- Potential site work and public improvement costs at approximately $1,522,347.
- Portions of soft costs.
- 30% of private interest costs.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

As part of ongoing negotiations with the Developer, the Village indicated that the upfront contribution involved undue risk due to potential volatility in occupancy, tax rates, or valuation of the property. As a result of the discussions, the focus shifted to a "pay as you go" structure with a note of $1,500,000 (including an interest component of 6.5%) and a reduced amount of upfront benefits (see below).

In addition to the discussions regarding the structure of Village assistance, the Developer was concerned about potential property assessments that could be significantly higher than forecast by the Developer (at $6,775 per unit annually). These valuations could result in higher taxes, and operating expenses, while impairing the Developer's ability to successfully finance and implement the Project. As a result, the revised request of $1,500,000 was increased to $1,960,000 – which could be repaid only if taxes increased beyond the expected amount of $6,775 per unit – the higher end calculation assumed $9,500 per unit or a 40% increase).

As a result, the Developer's overall request was modified in order to allow for a "hedge" to higher taxes (greater than forecast) but also still shift the risk to the Developer utilizing a "pay as you go" format – subject to actual performance. As part of negotiations a counter proposal was presented:

- **Maximum note size of $1,960,000 – the amount is only achieved if higher end taxes are paid – otherwise the expected note/incentive is $1,500,000**
- A 90/10 sharing agreement of project generated available TIF increment for a period of ten stabilized years (up to 2031).
- The 90/10 split of the available TIF increment (90% to Developer) would sunset after the 10th year after stabilization (up to 2031) after which time the Village would collect 100% of available increment.
- A single Developer TIF Note carrying a 6.5% interest rate which shall be repaid solely with available TIF increment (Developer's 90% share). The note would be sized larger than the request of $1,500,000 to $1,960,000 in order to account for increased assessments and taxes.
- First priority to school payments, up to 40% of residential increment. It is important to note that the Developer analysis assumes a lower allocation for school age children based upon type of unit and tenants (empty nester) – their analysis assumes an allocation of 20% - **but in the event there are additional children, the Developer bears the risk of reduced net increment to the note repayment.** The counter proposal also limits annual distributions to the Developer by using a 20% "safe harbor" allocation - if there are no children the Village retains the 20% amount and the Developer does not benefit (refer to Scenarios 1 and 2 in Section 4 below).

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

The Village would also provide:

- A contribution of up to $200,000 in capital costs (by Village of Glen Ellyn) to reimburse costs associated with street and storm water improvements on Duane/Melrose.
- Reduction of $100,000 in Developer Donations.
- Consider utilizing Village owned land for soil hauling purposes at a cost savings to the project. (Developer pays third party hauling, engineering and testing costs but no Village dumping fees).

Based on this proposed structure, the Developer could close the economic gap and secure the necessary debt and equity to finance the development. Furthermore, the Village would collect 100% of the available increment generated by the new development for a minimum of 5 years, in addition to at least 10% of all available TIF increment annually until 2031. The payments to the Developer cannot extend past 2031. The Developer takes the risk for repayment based on actual assessments and school allocations. The note repayment is limited to the minimum 20% allocation (which could increase to 40% - depending on actual student counts). The Village retains the 20% of increment in the event there are no students for the annual allocation.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

4) Preliminary Results of KMA's Revenue Projections

Property Tax Projections. KMA's property tax revenue projections were based on the following assumptions with respect to property tax generation:

- Four property tax scenarios including the residential apartment units are assumed: one with an average initial market value of $277,500 per unit (expected/lower range assumptions) and a second scenario utilizing the Developer's higher forecast of market valuation of $375,000 per unit (the higher range valuation). The scenarios also included school allocations at either 20% or 40%.
- Estimated base EAV of the Project PINs: $598,312 (Based on the DuPage County Clerk's office)

The projection period covers the 2019 to 2035 period (24th year payment in 2036) which is the remaining term of the TIF. The maximum TIF statutory allocation of 40% for residential increment is assumed for each scenario. In another set of projections, a lower 20% allocation is assumed, based on the market use of the units by primarily "empty" renters.
Based upon the foregoing projections, KMA estimated the following revenues (refer to Exhibit B for additional detail):

Scenarios	Total Taxes Before School Payments	School Allocations	Gross Taxes to Village	Gross Taxes to Developer
Scenario 1 Expected Tax Payments assuming 20% School Payment	$5,455,328	$1,091,066	$1,886,579	$2,477,684*
Scenario 2				
Higher Side Tax Payments* assuming 20% School Payment	$6,868,201	$1,373,640	$2,372,770	$3,121,791*
Scenario 3				
Expected Tax Payments assuming 40% School Payment	$5,455,328	$2,182,131	$1,414,934	$1,858,263*
Scenario 4				
Higher Side Tax Payments* assuming 40% School Payment	$6,868,701	$2,747,281	$1,779,578	$2,341,343*

*Note includes 6.5% accrued interest rate.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

If the Village was required to provide up-front financing, the risk of repayment is borne by the Village. In the event that market valuations are lowered (due to protests or vacancies) or tax rates are lower, the projected amount of incremental property taxes could be reduced.

As stated above, the counter proposal to the Developer is structured as a "pay as you go" arrangement in order to: a) mitigate Village up-front risk and b) serve as an offset to the Developer's return in the event that property tax valuations are at higher levels.

In addition, we understand that it is possible that approximately $300,000 of infrastructure costs and/or fees could be part of the Village assistance in addition to a portion of TIF incremental revenues. For purposes of illustration, we have assumed a 90/10 split after school allocations. In the event that there are fewer students and the 40% allocation is not used, the ability to accelerate the repayment is possible and a sensitivity analysis is provided assuming that ½ of the school allocation or 20% is actually utilized (Scenarios 1 and 2).

5) Return Analysis

The return analysis prepared by KMA and based on Developer assumptions (including Developer assumptions relating to real estate taxes based on the higher range valuation) is summarized below. The chart attached below includes the Developer's estimated project returns.

	Without TIF	With TIF Developer Request
Initial Stabilized Year Project NOI (after operating expense)	$ 1,191,602	$ 1,191,602
Project Costs	$19,168,129	$19,168,129
Less TIF Assistance	$0	$ 1,800,000*
Net Project Costs	$19,168,129	$17,368,129
Leveraged Return	9.62%	12.98%
Unleveraged Return	6.75%	8.24%
Return on Costs	5.87%	6.48%

*Could be increased to $2,260,000 in the event taxes are at the higher tax forecast, but overall impact on returns expected to be neutral in early years as an increase in assistance is applied to offset higher taxes.

The returns are lowered due to an increase in the Developer's pro forma taxes, as well as other costs related to land assembly and preparation. The projected taxes at $6,775 per unit are significantly higher than initial estimates. However, the Developer's investors and lenders are concerned over current trends in valuation (the higher tax amount).

The returns indicate that the use of TIF funding is appropriate for this project given the target return thresholds in the market. Typically, market return on cost benchmarks are 7% or near 7%.

150 North Wacker Drive
Suite 1600
Chicago, Illinois 60606
T 312.444.1702
F 312.444.9052

6) **Summary: Policy Review Issues**

1) The Developer would control a key site in the TIF.
2) The Developer has assembled multiple parcels which may not be feasible in the future making it more difficult for future development of this area.
3) The Village would benefit in terms of new investment within the Downtown and serve as potential catalyst for new redevelopment.
4) The Village has countered with a hybrid structure – some lower amount upfront and structures a "pay as you go" component with an interest rate or accrual component.
5) The counter offer limits the term of payout to the Developer and allows all TIF revenues to return to the Village after 2031.

OTHER CONSIDERATIONS

1) Will the Village mandate an "open book" or "true up" review in order to monitor project costs, revenues, coverage ratios and returns (with adjustments to the TIF assistance if costs are lower or if revenues or returns are higher than projected)?
2) Prior to any Village funding commitments, the Developer should evidence its funding structure (loan and equity amounts consistent with the initial submissions) and any market analysis (as well as property control) in advance, or as a condition precedent to Village funding. This can be made part of the redevelopment agreement.
3) Does the Village have any other needs for services or public improvements associated with the project implementation?
4) Although the Developer note includes an interest component – if the Village were to finance the upfront incentive – there would also be an interest cost (admittedly lower than 6.5%). But the shift to the Developer reduces Village repayment risk and the interest rate is in line with Developer's cost of funds (initially projected at 7.6%).

EXHIBIT A

PROJECT RETURN ANALYSIS

PROJECT SUMMARY
Uses of Funds

USES:

		Total	% of Total	Unit Cost
Land Costs				
Land Acquisition Cost	2,700,000			
Other Land Acq. Costs	-			
Total Land Acquisition		2,700,000	14.09%	56,250
Site Development Costs				
Land Development	1,385,322			
Landscaping	137,025			
Total Site Development Costs		1,522,347	7.94%	31,716
Hard Construction Costs				
Base Cost for Podium Buildings	9,866,563			205,553
General Conditions	783,224			16,317
General Contractor Fee	598,607			12,471
Hard Cost Contingency	419,025			8,730
Total Hard Construction Costs of Buildings		11,667,419	60.87%	243,071
Soft Costs				
Tap & Impact Fees	548,524			11,428
Building Permits	200,000			4,167
Architectural & Design	217,000			4,521
Engineering	55,000			1,146
TIF Costs	75,000			1,563
RE Taxes	100,000			2,083
Tax & Audit	15,000			313
Legal	125,000			2,604
Zoning	27,500			573
Inspection & Draw Costs	66,000			1,375
FFE	35,000			729
Marketing	25,000			521
Insurance	100,683			2,098
Closing Costs	15,000			313
Developer Contingency	300,000			6,250
Soft Cost Contingency	100,000			2,083
Development Overhead (3.5%)	660,400			13,758
Operating Deficit Reserve	107,699			2,244
Financing Fees	88,571			1,845
Construction Interest Reserve	416,986			8,687
Total Soft Costs		3,278,363	17.10%	68,299
Total Costs		19,168,129	100.00%	399,336

PROJECT SUMMARY
Sources of Funds

SOURCES:

Without Financial Assistance		
Equity*	19,168,129	100%
Debt	-	0%
TOTAL SOURCES (W/O ASSISTANCE)	**19,168,129**	100%
With Financial Assistance		
Equity	17,368,129	91%
Debt	-	0%
Public Financial Assistance	1,800,000	9%
TOTAL SOURCES (WITH ASSISTANCE)	**19,168,129**	100%

*IRR analysis assumes 0% debt
and equity of 100%

FOR DISCUSSION PURPOSES ONLY

Village of Glen Ellyn, Illinois **Assumptions Without Public Financial Assistance (Unleveraged Return)**
Preliminary IRR Review with Assumptions

Financing Assumptions:		
Total Investment	19,168,129	Construction costs and allocation of land and soft costs
Refinance Loan (2018)	0	
Loan Term	25	years
Loan Rate (Long Term)	5.00%	
Equity	19,168,129	
Project Description:		
Parking Spaces	48	
Residential	64,980	
Residential Revenue Assumptions (Stabilized 2016):		
Avg. Net Residential Rent/Sq.Ft./Year.	$27.00	$2.25 Rent/Sq.Ft./Month
Parking/space/Year	$1,784.96	$148.75 Net Rent/Month
Misc. Income/Unit/Year	$1,274.23	$106.19 Reimbursement/Misc Inc./Month
Vacancy Rate	5.0%	
Apartment Expense Assumptions:		
Estimated Annual Expenses (% Rev.)	36.0%	
Growth Assumptions:		
Annual Residential Lease Escalation	2.00%	
Initial Year Occupancy Level	50.0%	

Year	Residential Revenues	Less: Vacancy	Parking & Misc. Revenues	Total Revenues	Less: Expenses	Total Net Revenues	Net Revenues Available For Debt Service	Debt Service	NOI	IRR Calculation NOI	Add Residual	Schedule: Const. Draw	Principal	Interest	Principal Balance
Const. 2018	0	0	0	0	0	0	0	0	0	(9,584,065)	(9,584,065)	0	0	0	0
Const. 2019	0	0	0	0	0	0	0	0	0	(9,584,065)	(9,584,065)	0	0	0	0
2020	1,754,460	(90,781)	146,841	1,810,520	(684,468)	1,126,051	1,126,051	0	1,126,051	1,126,051	1,126,051	0	0	0	0
2021	1,789,549	(89,477)	149,778	1,849,850	(698,158)	1,151,692	1,151,692	0	1,151,692	1,151,692	1,151,692	0	0	0	0
2022	1,825,340	(91,267)	152,773	1,886,847	(712,121)	1,174,726	1,174,726	0	1,174,726	1,174,726	1,174,726	0	0	0	0
2023	1,861,847	(93,092)	155,829	1,924,583	(726,363)	1,198,220	1,198,220	0	1,198,220	1,198,220	1,198,220	0	0	0	0
2024	1,899,084	(94,954)	158,945	1,963,075	(740,891)	1,222,185	1,222,185	0	1,222,185	1,222,185	1,222,185	0	0	0	0
2025	1,937,066	(96,853)	162,124	2,002,337	(755,708)	1,246,628	1,246,628	0	1,246,628	1,246,628	1,246,628	0	0	0	0
2026	1,975,807	(98,790)	165,367	2,042,383	(770,823)	1,271,561	1,271,561	0	1,271,561	1,271,561	1,271,561	0	0	0	0
2027	2,015,323	(100,766)	168,674	2,083,231	(786,239)	1,296,992	1,296,992	0	1,296,992	1,296,992	22,481,196	0	0	0	0

IRR analysis:

Assumptions					
Cap Rate (Res.)	6.00%	Value (Res.) 10 yrs.	21,616,534	IRR Calculation	6.75%
		Total Value	21,616,534	Return On Cost	5.87%
Costs of Sale	2.00%	Less:			
Mortgage		Costs	432,331		
Balance	0	Mortgage	0		
		Residual	21,184,204		

FOR DISCUSSION PURPOSES ONLY

Village of Glen Ellyn, Illinois **Assumptions With Public Financial Assistance (Unleveraged Return)**
Preliminary IRR Review with Assumptions

Total Investment	19,168,129	Construction costs and allocation of land and soft costs
Public Financial Assistance	1,800,000	Developer request
Refinance Loan (2018)	0	
Loan Term	25	years
Loan Rate (Long Term)	5.00%	
Equity	17,368,129	
Project Description:		
Parking Spaces	48	
Residential	64,980	Sq. Ft.
Residential Revenue Assumptions (Stabilized 2016):		
Avg. Net Residential Rent/Sq.Ft./Year	$27.00	
Parking/space/Year	$1,784.96	148.746528
Vacancy Rate	5.0%	
Apartment Expense Assumptions:		
Estimated Annual Expenses (% Rev.)	36.0%	
Growth Assumptions:		
Annual Residential Lease Escalation	2.00%	

Year	Residential Revenues	Less: Vacancy	Misc. Revenues	Total Revenues	Less: Expenses	Total Net Revenues	Net Revenues Available For Debt Service	Debt Service	NOI	IRR Calculation NOI	Add Residual	Schedule: Const. Draw	Principal	Interest	Principal Balance
Const. 2018	0	0	0	0	0	0	0	0	0	(8,684,065)	(8,684,065)	0	0	0	0
Const. 2019	0	0	0	0	0	0	0	0	0	(8,684,065)	(8,684,065)	0	0	0	0
2020	1,754,460	(90,781)	146,841	1,810,520	(684,468)	1,126,051	1,126,051	0	1,126,051	1,126,051	1,126,051	0	0	0	0
2021	1,789,549	(89,477)	149,778	1,849,850	(698,158)	1,151,692	1,151,692	0	1,151,692	1,151,692	1,151,692	0	0	0	0
2022	1,825,340	(91,267)	152,773	1,886,847	(712,121)	1,174,726	1,174,726	0	1,174,726	1,174,726	1,174,726	0	0	0	0
2023	1,861,847	(93,092)	155,829	1,924,583	(726,363)	1,198,220	1,198,220	0	1,198,220	1,198,220	1,198,220	0	0	0	0
2024	1,899,084	(94,954)	158,945	1,963,075	(740,891)	1,222,185	1,222,185	0	1,222,185	1,222,185	1,222,185	0	0	0	0
2025	1,937,066	(96,853)	162,124	2,002,337	(755,708)	1,246,628	1,246,628	0	1,246,628	1,246,628	1,246,628	0	0	0	0
2026	1,975,807	(98,790)	165,367	2,042,383	(770,823)	1,271,561	1,271,561	0	1,271,561	1,271,561	1,271,561	0	0	0	0
2027	2,015,323	(100,766)	168,674	2,083,231	(786,239)	1,296,992	1,296,992	0	1,296,992	1,296,992	22,481,196	0	0	0	0

IRR analysis:

Assumptions					
Cap Rate (Res.)	6.00%	Value (Res.) 10 yrs.	21,616,534	IRR Calculation	8.24%
		Total Value	21,616,534	Return on Cost	6.48%
Costs of Sale	2.00%	Less:			
Mortgage		Costs	432,331		
Balance	0	Mortgage	0		
		Residual	21,184,204		

A-4

FOR DISCUSSION PURPOSES ONLY

Village of Glen Ellyn, Illinois **Assumptions Without Public Financial Assistance (Leveraged Return)**
Preliminary IRR Review with Assumptions

Financing Assumptions:

Total Investment	19,168,129	Construction costs and allocation of land and soft costs
Refinance Loan (2018)	12,264,284	
Loan Term	25	years
Loan Rate (Long Term)	5.00%	
Equity	6,903,845	

Project Description:

Parking Spaces	48
Residential	64,980

Residential Revenue Assumptions (Stabilized 2016):

Avg. Net Residential Rent/Sq.Ft./Year	$27.00	$2.25	Rent/Sq.Ft./Month
Parking/space/Year	$1,784.96	$148.75	Net Rent/Month
Misc. Income/Unit/Year	$1,274.23	$106.19	Reimbursement/Misc Inc./Month
Vacancy Rate	5.0%		

Apartment Expense Assumptions:

Estimated Annual Expenses (% Rev.)	36.0%

Growth Assumptions:

Annual Residential Lease Escalation	2.00%
Initial Year Occupancy Level	50.0%

Year	Residential Revenues	Less: Vacancy	Parking & Misc. Revenues	Total Revenues	Less: Expenses	Total Net Revenues	Net Revenues Available For Debt Service	Debt Service	NOI	IRR Calculation NOI	Add Residual	Schedule: Const. Draw	Principal	Interest	Principal Balance
Const. 2018	0	0	0	0	0	0	0	0	0	(3,451,923)	(3,451,923)	0	0	0	0
Const. 2019	0	0	0	0	0	0	0	0	0	(3,451,923)	(3,451,923)	0	0	0	12,264,284
2020	1,754,460	(90,781)	146,841	1,810,520	(684,468)	1,126,051	1,126,051	870,181	255,870	255,870	255,870	0	256,967	613,214	12,007,317
2021	1,789,549	(89,477)	149,778	1,849,850	(698,158)	1,151,692	1,151,692	870,181	281,511	281,511	281,511	0	269,815	600,366	11,737,502
2022	1,825,340	(91,267)	152,773	1,886,847	(712,121)	1,174,726	1,174,726	870,181	304,545	304,545	304,545	0	283,306	586,875	11,454,196
2023	1,861,847	(93,092)	155,829	1,924,583	(726,363)	1,198,220	1,198,220	870,181	328,039	328,039	328,039	0	297,471	572,710	11,156,725
2024	1,899,084	(94,954)	158,945	1,963,075	(740,891)	1,222,185	1,222,185	870,181	352,003	352,003	352,003	0	312,345	557,836	10,844,380
2025	1,937,066	(96,853)	162,124	2,002,337	(755,708)	1,246,628	1,246,628	870,181	376,447	376,447	376,447	0	327,962	542,219	10,516,418
2026	1,975,807	(98,790)	165,367	2,042,383	(770,823)	1,271,561	1,271,561	870,181	401,380	401,380	401,380	0	344,360	525,821	10,172,057
2027	2,015,323	(100,766)	168,674	2,083,231	(786,239)	1,296,992	1,296,992	870,181	426,811	426,811	11,800,535	0	361,578	508,603	9,810,479

IRR analysis:

Assumptions						
Cap Rate (Res.)		6.00%	Value (Res.) 10 yrs.	21,616,534	IRR Calculation	9.62%
			Total Value	21,616,534	Return On Cost	5.87%
Costs of Sale		2.00%	Less:			
Mortgage			Costs	432,331		
Balance	9,810,479		Mortgage	9,810,479		
			Residual	11,373,724		

A-5

FOR DISCUSSION PURPOSES ONLY

Village of Glen Ellyn, Illinois **Assumptions With Public Financial Assistance (Leveraged Return)**
Preliminary IRR Review with Assumptions

Total Investment	19,168,129	Construction costs and allocation of land and soft costs
Public Financial Assistance	1,800,000	Developer request
Refinance Loan (2018)	11,289,284	
Loan Term	25	years
Loan Rate (Long Term)	5.00%	
Equity	6,078,845	
Project Description:		
Parking Spaces	48	
Residential	64,980	Sq. Ft.
Residential Revenue Assumptions (Stabilized 2016):		
Avg. Net Residential Rent/Sq.Ft./Year	$27.00	
Parking/space/Year	$1,784.96	148.746528
Vacancy Rate	5.0%	
Apartment Expense Assumptions:		
Estimated Annual Expenses (% Rev.)	36.0%	
Growth Assumptions:		
Annual Residential Lease Escalation	2.00%	

Year	Residential Revenues	Less: Vacancy	Misc. Revenues	Total Revenues	Less: Expenses	Total Net Revenues	Net Revenues Available For Debt Service	Debt Service	NOI	IRR Calculation NOI	Add Residual	Schedule: Const. Draw	Principal	Interest	Principal Balance
Const. 2018	0	0	0	0	0	0	0	0	0	(3,039,423)	(3,039,423)	0	0	0	0
Const. 2019	0	0	0	0	0	0	0	0	0	(3,039,423)	(3,039,423)	0	0	0	11,289,284
2020	1,754,460	(90,781)	146,841	1,810,520	(684,468)	1,126,051	1,126,051	801,002	325,049	325,049	325,049	0	236,538	564,464	11,052,746
2021	1,789,549	(89,477)	149,778	1,849,850	(698,158)	1,151,692	1,151,692	801,002	350,689	350,689	350,689	0	248,365	552,637	10,804,380
2022	1,825,340	(91,267)	152,773	1,886,847	(712,121)	1,174,726	1,174,726	801,002	373,723	373,723	373,723	0	260,783	540,219	10,543,597
2023	1,861,847	(93,092)	155,829	1,924,583	(726,363)	1,198,220	1,198,220	801,002	397,218	397,218	397,218	0	273,823	527,180	10,269,774
2024	1,899,084	(94,954)	158,945	1,963,075	(740,891)	1,222,185	1,222,185	801,002	421,182	421,182	421,182	0	287,514	513,489	9,982,261
2025	1,937,066	(96,853)	162,124	2,002,337	(755,708)	1,246,628	1,246,628	801,002	445,626	445,626	445,626	0	301,889	499,113	9,680,371
2026	1,975,807	(98,790)	165,367	2,042,383	(770,823)	1,271,561	1,271,561	801,002	470,558	470,558	470,558	0	316,984	484,019	9,363,388
2027	2,015,323	(100,766)	168,674	2,083,231	(786,239)	1,296,992	1,396,992	801,002	495,990	495,990	12,649,639	0	332,833	468,169	9,030,554

IRR analysis:

Assumptions						
Cap Rate (Res.)		6.00%	Value (Res.) 10 yrs.	21,616,534	IRR Calculation	12.98%
			Total Value	21,616,534	Return on Cost	6.48%
Costs of Sale		2.00%	Less:			
Mortgage			Costs	432,331		
Balance	9,030,554		Mortgage	9,030,554		
			Residual	12,153,649		

A-6

EXHIBIT B

KMA TAX PROJECTIONS

Scenario 1 - Expected (Lower Tax Payments) 20% School Set Aside

AVERE on Duane				Tax Rate	Adjustment	Proposed Sharing			Interest Rate
REVISED TIF PROJECTIONS-				7.3250%	50%	10%	90%		6.5%
Collection Year	**Total EAV**	**Total Taxes**	**Base EAV**	**TIF Increment**	**School Pmt. Up to 40%**	**Increment Pledged to Village**	**Increment Pledged to Project**	**Cumulative To Project**	**NPV**
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	68,582	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	4,806,002	352,040	598,312	24,755	4,951	1,980	17,824	17,824	15,715
2022	4,902,122	359,080	598,312	308,213	61,643	24,657	221,914	239,737	199,425
2023	5,000,165	366,262	598,312	315,254	63,051	25,220	226,983	466,720	375,865
2024	5,100,168	373,587	598,312	322,436	64,487	25,795	232,154	698,874	545,309
2025	5,202,171	381,059	598,312	329,761	65,952	26,381	237,428	936,302	708,027
2026	5,306,215	388,680	598,312	337,233	67,447	26,979	242,808	1,179,109	864,275
2027	5,412,339	396,454	598,312	344,854	68,971	27,588	248,295	1,427,404	1,014,302
2028	5,520,586	404,383	598,312	352,627	70,525	28,210	253,892	1,681,296	1,158,348
2029	5,630,997	412,471	598,312	360,557	72,111	28,845	259,601	1,940,897	1,296,644
2030	5,743,617	420,720	598,312	368,644	73,729	29,492	265,424	2,206,321	1,429,413
2031	5,858,490	429,134	598,312	376,894	75,379	30,151	271,363	2,477,684	1,556,867
2032	5,975,659	437,717	598,312	385,308	77,062	308,246	-	2,477,684	1,556,867
2033	6,095,173	446,471	598,312	393,891	78,778	315,113		2,477,684	1,556,867
2034	6,217,076	455,401	598,312	402,645	80,529	322,116		2,477,684	1,556,867
2035	6,341,418	464,509	598,312	411,574	82,315	329,260		2,477,684	1,556,867
2036	6,468,246	473,799	598,312	420,682	84,136	336,546		2,477,684	1,556,867
				$ 5,455,328	$ 1,091,066	$ 1,886,579	$ 2,477,684		
		Present Value	6.50%	$2,946,392	$589,278	$800,246	$1,556,867		

Scenario 2 - Higher Side Tax Payments - 20% School Set Aside

AVERE on Duane

REVISED TIF PROJECTIONS-

	Tax Rate	Adjustment	Proposed Sharing		Interest Rate
	7.3250%	50%	10%	90%	6.5%

Collection Year	Total EAV	Total Taxes	Base EAV	TIF Increment	School Pmt. Up to 40%	Increment Pledged to Village	Increment Pledged to Project	Cumulative To Project	NPV
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	68,582	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	5,921,361	433,740	598,312	24,755	4,951	1,980	17,824	17,824	15,715
2022	6,039,788	442,414	598,312	389,913	77,983	31,193	280,738	298,561	248,123
2023	6,160,584	451,263	598,312	398,588	79,718	31,887	286,983	585,545	471,202
2024	6,283,796	460,288	598,312	407,436	81,487	32,595	293,354	878,899	685,315
2025	6,409,472	469,494	598,312	416,462	83,292	33,317	299,852	1,178,751	890,814
2026	6,537,661	478,884	598,312	425,667	85,133	34,053	306,481	1,485,232	1,088,037
2027	6,668,414	488,461	598,312	435,057	87,011	34,805	313,241	1,798,473	1,277,307
2028	6,801,783	498,231	598,312	444,635	88,927	35,571	320,137	2,118,611	1,458,938
2029	6,937,818	508,195	598,312	454,404	90,881	36,352	327,171	2,445,782	1,633,230
2030	7,076,575	518,359	598,312	464,369	92,874	37,150	334,346	2,780,127	1,800,474
2031	7,218,106	528,726	598,312	474,533	94,907	37,963	341,664	3,121,791	1,960,947
2032	7,362,468	539,301	598,312	484,900	96,980	387,920		3,121,791	1,960,947
2033	7,509,718	550,087	598,312	495,474	99,095	396,380		3,121,791	1,960,947
2034	7,659,912	561,089	598,312	506,260	101,252	405,008		3,121,791	1,960,947
2035	7,813,110	572,310	598,312	517,262	103,452	413,810		3,121,791	1,960,947
2036	7,969,372	583,757	598,312	528,484	105,697	422,787		3,121,791	1,960,947
				$ 6,868,201	$ 1,373,640	$ 2,372,770	$ 3,121,791		
		Present Value	6.50%	$3,709,432	$741,886	$1,006,598	$1,960,947		

Scenario 3 - Expected (Lower Tax Payments) 40% School Set Aside

AVERE on Duane				Tax Rate	Adjustment	Proposed Sharing			Interest Rate
REVISED TIF PROJECTIONS-				7.3250%	0%	10%	90%		6.5%
Collection Year	**Total EAV**	**Total Taxes**	**Base EAV**	**TIF Increment**	**School Pmt. Up to 40%**	**Increment Pledged to Village**	**Increment Pledged to Project**	**Cumulative To Project**	**NPV**
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	68,582	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	4,806,002	352,040	598,312	24,755	9,902	1,485	13,368	13,368	11,786
2022	4,902,122	359,080	598,312	308,213	123,285	18,493	166,435	179,803	149,569
2023	5,000,165	366,262	598,312	315,254	126,102	18,915	170,237	350,040	281,898
2024	5,100,168	373,587	598,312	322,436	128,974	19,346	174,115	524,156	408,982
2025	5,202,171	381,059	598,312	329,761	131,904	19,786	178,071	702,226	531,020
2026	5,306,215	388,680	598,312	337,233	134,893	20,234	182,106	884,332	648,206
2027	5,412,339	396,454	598,312	344,854	137,942	20,691	186,221	1,070,553	760,727
2028	5,520,586	404,383	598,312	352,627	141,051	21,158	190,419	1,260,972	868,761
2029	5,630,997	412,471	598,312	360,557	144,223	21,633	194,701	1,455,673	972,483
2030	5,743,617	420,720	598,312	368,644	147,458	22,119	199,068	1,654,740	1,072,060
2031	5,858,490	429,134	598,312	376,894	150,757	22,614	203,523	1,858,263	1,167,651
2032	5,975,659	437,717	598,312	385,308	154,123	231,185		1,858,263	1,167,651
2033	6,095,173	446,471	598,312	393,891	157,556	236,334		1,858,263	1,167,651
2034	6,217,076	455,401	598,312	402,645	161,058	241,587		1,858,263	1,167,651
2035	6,341,418	464,509	598,312	411,574	164,630	246,945		1,858,263	1,167,651
2036	6,468,246	473,799	598,312	420,682	168,273	252,409		1,858,263	1,167,651
				$ 5,455,328	$ 2,182,131	$ 1,414,934	$ 1,858,263		
		Present Value	6.50%	**$2,946,392**	**$1,178,557**	**$600,184**	**$1,167,651**		

Scenario 4 - Higher Side Tax Payments - 40% School Set Aside

AVERE on Duane

REVISED TIF PROJECTIONS-

	Tax Rate	Adjustment	Proposed Sharing		Interest Rate
	7.3250%	0%	10%	90%	6.5%

Collection Year	Total EAV	Total Taxes	Base EAV	TIF Increment	School Pmt. Up to 40%	Increment Pledged to Village	Increment Pledged to Project	Cumulative To Project	NPV
2018	-		598,312	-	-	-	-	-	-
2019	-		598,312	-	-	-	-	-	-
2020	936,268	68,582	598,312	-	-	-	-	-	-
2021 (Yr 1 Stab)	5,921,361	433,740	598,312	24,755	9,902	1,485	13,368	13,368	11,786
2022	6,039,788	442,414	598,312	389,913	155,965	23,395	210,553	223,921	186,092
2023	6,160,584	451,263	598,312	398,588	159,435	23,915	215,238	439,159	353,401
2024	6,283,796	460,288	598,312	407,436	162,975	24,446	220,016	659,174	513,987
2025	6,409,472	469,494	598,312	416,462	166,585	24,988	224,889	884,064	668,111
2026	6,537,661	478,884	598,312	425,667	170,267	25,540	229,860	1,113,924	816,027
2027	6,668,414	488,461	598,312	435,057	174,023	26,103	234,931	1,348,855	957,980
2028	6,801,783	498,231	598,312	444,635	177,854	26,678	240,103	1,588,958	1,094,203
2029	6,937,818	508,195	598,312	454,404	181,762	27,264	245,378	1,834,336	1,224,923
2030	7,076,575	518,359	598,312	464,369	185,748	27,862	250,759	2,085,095	1,350,355
2031	7,218,106	528,726	598,312	474,533	189,813	28,472	256,248	2,341,343	1,470,711
2032	7,362,468	539,301	598,312	484,900	193,960	290,940		2,341,343	1,470,711
2033	7,509,718	550,087	598,312	495,474	198,190	297,285		2,341,343	1,470,711
2034	7,659,912	561,089	598,312	506,260	202,504	303,756		2,341,343	1,470,711
2035	7,813,110	572,310	598,312	517,262	206,905	310,357		2,341,343	1,470,711
2036	7,969,372	583,757	598,312	528,484	211,394	317,090		2,341,343	1,470,711
				$ 6,868,201	$ 2,747,281	$ 1,779,578	$ 2,341,343		
		Present Value	6.50%	$3,709,432	$1,483,773	$754,948	$1,470,711		

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 06/18/18 07:00 PM
Department: Planning & Development
Department Head: Staci Hulseberg
Category: Discussion Item
Prepared By: Kelly Purvis

SCHEDULED

AGENDA ITEM (ID # 3370) DOC ID: 3370

Planning & Development Director Hulseburg will present proposed changes to group home regulations.

In October, 2016, staff began research to establish whether or not the Village's Zoning Code, as it stands today, is in compliance with fair housing laws. What was discovered along the way, is that this is a very complex legal question that has some grey area. Staff concluded that the Village's regulations are *not necessarily* in violation of the Fair Housing Act (FHA), but could expose the Village to legal challenges if not amended. Staff proposed Zoning Code text amendments which were reviewed at the December 14, 2017, January 11, 2018, February 22, 2018 and March 8, 2018 Plan Commission meetings. A summary of staff's recommendations, Plan Commission concerns, and ultimately the Plan Commission's recommendation on this topic follow.

Current Village Code Regulations Related to Group Homes.

Definition: Family - One or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization, and including foster children placed by appropriate order of the court. A family may include no more than two adult persons unrelated by blood, marriage, adoption or foster child arrangement. A family may also include no more than four unrelated persons 55 years of age and older.

Definition: Group Home - A residential building housing not more than eight (8) service dependent or developmentally disabled people living with professional staff who function as surrogate parents. The group home houses individuals who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit in which residents share responsibilities, meals and recreation.

Group homes are currently not permitted by right in any zoning district within the Village. Group homes may be located in the R3 and R4 multi-family residential districts, and in C2, C5A and C5B commercial districts with the issuance of a Special Use permit (see attached chart of existing regulations).

Staff's Findings and Recommendation to the Plan Commission.

Staff found that in general, the Zoning Code regulates the use of single family homes the same whether an individual is disabled as defined by the FHA or not. In other words, all classes of non-related people are treated the same. The only exception to this is that unrelated persons aged 55 and older can reside in groups of up to four people in a single family district. It has been found in some cases that limiting the number of unrelated persons per household can have a discriminatory effect because handicapped people, more than others, require group home living. Under the FHA, persons with disabilities are entitled to request reasonable accommodations and would have to be given the opportunity to seek an exception to our policy or Code. Meaning, if someone wanted to establish a group home in a zoning district that does not allow a group home by right, the Village would need to provide a process to pursue for that request.

As mentioned above, the Village Code currently allows group homes to be located in the R3 and R4 multi-family residential districts and in the C2, C5A and C5B Commercial Districts with a Special Use Permit. The process to establish a group home in any of these districts would require an application for a Special Use Permit which would be considered at a public hearing before the Plan Commission with a recommendation to the Village Board. In any other zoning district, a petitioner would need to seek a Zoning Code text amendment to allow a group home as either a special use or permitted use in that district, which would also require a public hearing before the Plan Commission with a recommendation to the Village Board. The application for a Special Use Permit is $750 and a Zoning Text Amendment costs $500 and both would require a $1,000 escrow to cover the Village's out of pocket expenses to process the applications. The time required for either process would be approximately the same.

Based upon the abovementioned information and a survey of other communities' group home regulations, staff's original recommendation to the Plan Commission was to allow group homes by right, in the R3 and R4 multi-family residential districts and to allow them as a special use in the R2 single family residential district. Staff researched 12 communities (one of which did not have regulations for group homes). Of the remaining 11 communities, 3 did not allow group homes as a permitted use in at least one zoning district (Oakbrook, Hinsdale and Lisle). Of the 11 communities, 7 allow group homes <u>as a permitted use in all residential districts</u>. For more information about how other communities regulate group homes, please see the attached staff memo dated December 14, 2016.

Staff felt that it was appropriate for group homes to be a permitted use somewhere in the Village, without having to go through a process. Staff selected the multi-family districts with the thought that group homes would be less impactful in higher density areas. The R2 single family residential district was selected to require a special use because it is the predominate residential zoning district in the Village, and would allow the Village to review the appropriateness of the use on a case by case basis through the special use process in the majority of the Village. The R2 zoning district is also the densest of the single family districts (requires the least amount of area and lot width per lot).

<u>Plan Commission Public Hearings</u>.

December 14, 2017

The Plan Commission first discussed the proposed text amendment for group homes at a December 14, 2017 public hearing. Staff's proposed amendment to the Zoning Code was to allow group homes in the R3 and R4 zoning districts as a permitted use and in the R2 zoning district as a special use. At the public hearing, staff provided information about the intention of the FHA and how other communities are regulating group homes. The Plan Commission expressed concerns about what kinds of people would be permitted to inhabit a group home (alcohol and drug addicted, formerly incarcerated, transient, etc.), how many schools are in the R3 and R4 districts where group homes would be permitted, and how parking would be regulated if multiple adults were to reside in a single family home.

Several residents living near an illegal group home were present to speak about their experiences living next to a group home in the R2 zoning district. They shared that the group home in their neighborhood is not being maintained by the property owner; police and ambulances are called to the property on a regular basis and there are 6-7 residents plus 1-2 staff within an approximately 1,900 square foot single family home. The residents stated that there are 4 cars being parked at the property and sometimes a commercial vehicle that parks overnight. They expressed that the group home has been very disruptive to the neighborhood and many of them felt unsafe.

One member of the public spoke in favor of amending the Code to provide more options for group homes. He shared the story of some Village residents, who have an Autistic son and would like to have the ability to create a group home in the Village so that their child can continue to reside in the Village. He suggested that R3 and R4 multi-family districts may not be the best location for group homes since there are very few single family homes in these districts, which tend to be the kind of housing preferred for group home living. He suggested that R2 would be the most ideal location for group homes, and that perhaps the creation of an expedited special use process could be considered so that the Village would have the opportunity to review proposals for group homes, but would also not impede their ability to obtain funding and an appropriate location.

Considering the statements shared by the public, the Plan Commission was not comfortable with the proposed language staff presented and asked that staff provide some additional information about how other communities regulate group homes.

January 11, 2018

Staff provided a memo to the Plan Commission prior to the January 11, 2018 continued public hearing, which provided some background regarding how other communities define group homes and where they are permitted by right or with a special use in other communities (memo attached). The Plan Commissioners requested that the group home amendments be tabled until the following meeting when more of the Commissioners would be present. They also asked that the Village Attorney provide a legal opinion regarding the Code's compliance with the FHA.

February 22, 2018

Based upon feedback provided at previous meetings, staff's recommendation was revised to allow group homes with up to 4 residents, by right in the R3, R4 and R5 residential zoning districts and with a Special Use Permit in the R2 and R2B zoning districts. Group homes with more than 4 residents in the R3, R4, and R5 zoning districts would require a Special Use Permit and would not be permitted in the R2 and R2B zoning districts.

Village Attorney, Greg Mathews, was present at the February 22, 2018 continued public hearing to provide a legal opinion. Attorney Mathews advised that a process should be established by which it can be determined if a group home is an appropriate use in a proposed district. He suggested that in all residential districts group homes should be allowed with a Special Use Permit. Commissioners had questions regarding accessibility requirements for group homes and asked staff to provide information about this and about the state's requirements for group homes.

The residents that spoke at the December 14, 2017 Plan Commission meeting regarding the illegal group home, were present at this meeting as well. A couple of them shared their experiences with the Plan Commission again. Several agreed that a process should be established so that group homes can be better regulated in the Village.

March 8, 2018

Prior to the meeting, the Plan Commission received a memo from Building and Zoning Official, Steve Witt, regarding accessibility requirements for group homes (memo attached). To summarize Mr. Witt's memo, group homes operating out of existing single-family dwelling units are not subject to accessibility requirements unless there is new construction or alterations being performed, in which case, the Illinois Accessibility Code and Americans with Disabilities Act would be applicable.

Staff presented additional information at this meeting related to concerns that were previously raised by Plan Commissioners. Specifically, state licensing requirements and Village parking requirements as they would relate to group homes. In summary, the State licenses group homes through the Department of Human Resources and requires that group homes provide documentation showing compliance with locally adopted building, fire and life safety codes. Each home must meet minimum standards such as the number of bathrooms provided, floor area per bedroom and proper evacuation routes. All caregivers must be licensed with the Department of Human Services and any employee not licensed must be supervised by a licensed professional.

In terms of how the Village would regulate the parking, per code, 1 parking space would be required for every 800 square feet of gross floor area in the group home in the R3 and R4 districts. In any other district, the parking could be determined as part of the special use process and/or made a condition of approval.

Staff's final recommendation to the Plan Commission was as follows:

Definition: Family - One or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization, and including foster children placed by appropriate order of the court. A family may include no more than two (2) adult persons unrelated by blood, marriage, adoption or foster child arrangement. A family may also include no more than four (4) unrelated persons fifty five (55) years of age and older. **<u>Group Homes and Sheltered Care Facilities shall not be subject to the definition of family.</u>**

Definition: Group Home - A residential building housing not more than ~~eight~~ **four** ~~service dependent or developmentally disabled~~ people **<u>who have a physical or mental impairment that substantially limits one or more major life activities</u>**, living with professional staff who function as surrogate parents. The group home houses individuals who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit ~~in which residents share responsibilities, meals and recreation~~. **<u>A group home does not include a nursing home, hospital, adult day care center, child daycare center or a dwelling unit or living quarters which serves to house persons as an alternative to incarceration for a criminal offense. Where a sponsoring agency of the group home is required to be licensed or certified by the state, that sponsoring agency must maintain at all times a current and valid Illinois State license or certification by the State to operate. In cases where a Special Use is required, the total number of occupants of a group home may be further limited by the conditions of the special use where lawful.</u>**

Staff also recommended that group homes with up to 4 residents be permitted, by right in the R3, R4, and R5 districts and with a Special Use permit in all single family districts (RE, R0, R1, R2, and R2B). Any more than 4 residents in a group home would require a special use in the R3, R4 and R5 districts and would not be permitted in the single family residential districts (see attached chart).

<u>Plan Commission Recommendation</u>.

Some of the Commissioners were very uncomfortable with the idea of group homes being permitted by right and expressed a desire to see the use considered on a case by case basis via a Special Use Permit. All of the Commissioners agreed that the number of residents in a group home should not exceed 4 to limit the impact of the group home on adjacent properties. The Plan Commission unanimously recommended that group homes be prohibited in all single family zoning districts and that they be allowed in the R3, R4, R5, C2 and C4 districts with a Special Use Permit and that the definition of family and group home be amended as proposed by staff. Plan Commission staff reports and meeting minutes are attached for your information.

<u>Summary</u>.

The Village's Code, although not technically in violation of the FHA, could potentially expose the Village to legal challenges if not amended. Village staff recommended that group homes be permitted, by right in at least the multi-family residential districts. Village Attorney Mathews suggested that group homes be permitted with a special use permit in any residential district, thereby creating a process to determine the appropriateness of the use for the district on a case by case basis. The Plan Commission reviewed recommendations and research provided by Village staff and ultimately recommended a more restrictive definition for group homes (reducing the number of occupants from 8 to 4) and allowing them as a special use in the R3, R4, and R5 residential districts and C2 and C4 commercial districts.

Action.

The Village Board is being asked to consider the recommendations on the proposed group home Zoning Code text amendments provided by staff, the Village Attorney and the Plan Commission and to advise staff if any text amendment to group home regulations should be prepared for Village Board review.

Attachments.

- Chart, Existing Group Home Regulations
- Memo from staff dated 12/14/16
- Memo from staff dated 01/11/18 with attached community survey
- Memo from Building and Zoning Official Witt dated 02/28/18
- Chart of staff's final recommendation
- Chart of Plan Commission's recommendation
- Plan Commission Minutes dated December 14, 2017
- Plan Commission Minutes dated January 11, 2018
- Plan Commission Minutes dated February 22, 2018
- Plan Commission Minutes dated March 8, 2018

CC: Greg Mathews, Village Attorney
John Sterrett, Planner

ATTACHMENTS:

- Chart - Existing Regulations for Group Homes (PDF)
- Memo from staff dated 12.14.16 (PDF)
- Memo from staff dated 01.11.18 with attached community Survey (PDF)
- Chart - Community Survey (PDF)
- Memo from BZO dated 02.28.18 (PDF)
- Chart - Staff's Final Recommendation to the PC - 03.08.18 (PDF)
- Chart - Plan Commission Recommendation - 03.08.18 (PDF)
- Plan Commission Minutes dated 12.14.17 (PDF)
- Plan Commission Minutes dated 01.11.18 (PDF)
- Plan Commission Minutes dated 02.22.18 (PDF)
- Plan Commission Minutes dated 03.08.18 (PDF)

Existing Regulations for Group Homes

	Permitted	Special Use	Not Permitted
RE			X
R0			X
R1			X
R2			X
R2B			X
R3		X	
R4		X	
R5			X
C2		X	
C3			X
C4		X	
C5A		X	
C5B		X	

MEMORANDUM

TO: Staci Hulseberg, Director of Planning & Development

FROM: Kelly Purvis, Associate Planner

DATE: December 14, 2016

RE: Fair Housing – Group Home Community Research & Comparison

Background

Recently, a Trustee inquired about the zoning for group homes in the Village as it relates to the Fair Housing Act. We define GROUP HOME in our Zoning Code as "A residential building housing not more than eight (8) service dependent or developmentally disabled people living with professional staff who function as surrogate parents. The group home houses individuals who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit in which residents share responsibilities, meals and recreation". In our Zoning Code group homes, nursing homes, congregate housing for the elderly and sheltered care facilities are all special uses in R3 and R4 Zoning Districts only.

Last October I conducted research to determine whether or not our Code is in violation of the Fair Housing Act. I have attached a memo summarizing my findings. Further discussion of this topic has illustrated a need for more information. At your request I have examined Municipal Zoning Codes from 12 communities for comparison: Elmhurst, Oakbrook, Geneva, Naperville, Hinsdale, Warrenville, Wheaton, Downers Grove, Lombard, Woodridge, Lisle and Carol Stream. These communities were selected either for their similarity to, or proximity to Glen Ellyn.

Analysis

For easy reference of the following analysis please see the attached chart, "Community Zoning for Group Homes, 2016". I was unable to obtain any information from the City of Warrenville; there is not a definition for group homes, nor any regulation pertaining to group homes in their code. Of the remaining 11 communities only 3 do not allow group homes as a permitted use in at least one zoning district (Oakbrook, Hinsdale & Lisle). Geneva, Naperville, Wheaton, Downers Grove, Lombard, Woodridge and Carol Stream (7 of the 11 communities) allow group homes as a permitted use in all residential districts. Most of the communities do not allow group homes in commercial districts with the exception of Wheaton which lists it as a permitted use and Oakbrook which identifies it as a special use. The number of occupants that may reside in a group home is defined for all communities except 4. However, in 3 of the 4 cases these communities did not have a narrow definition of group homes (Oakbrook, Hinsdale & Lisle lump group homes with other larger assisted living categories). Most of the communities that do define the number of residents that may occupy a group home, set the limit of 8 occupants per home. Carol Stream, Wheaton and Lombard allow small group homes as a permitted use in all zoning districts but require a special use permit for group homes that exceed their occupancy limit. Naperville has the least restrictive regulations for group homes; Hinsdale has the most restrictive regulations. The Village of Glen Ellyn is most similar to Hinsdale, only allowing group homes to locate in a multi-family residential district and only with approval of a special use.

Recommendation

Accounting for previous findings and considering new data gathered from surrounding communities, my recommendation would be to amend the Village Zoning Code in the following ways:

FAMILY: One or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization, and including foster children placed by appropriate order of the court. A family may include no more than two (2) adult persons unrelated by blood, marriage, adoption or foster child arrangement. A family may also include no more than four (4) unrelated persons fifty five (55) years of age and older **except in the case of a group home**, **as defined herein**.

GROUP HOME: A residential building housing not more than eight (8) service dependent or developmentally disabled people living with professional staff who function as surrogate parents. The group home houses individuals who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit in which residents share responsibilities, meals and recreation. **(I would suggest keeping the limit of (8) residents).**

In all residential districts, group homes should be listed as a permitted use provided that they meet the following criteria:

1) **They have obtained a required state license or certification or the operator has received licensing or certification required by the state to operate community residences;**
2) **The group home does not exceed the occupancy limit of (8) service dependent or developmentally disabled people.**
3) **The home shall conform to the type and outward appearance of the residences in the area in which it is located.**

In all residential districts, group homes requesting more than (8) occupants should be required to apply for a special use permit.

Action Requested

Please advise as to whether any adjustments should be made to the above recommendation and if such a text amendment should be drafted for Plan Commission consideration.

Attachments

Chart - Community Zoning for Group Homes, 2016
Memo - Zoning for Group Homes, Dated October 17, 2016

CC: Mark Franz, Village Manager
Greg Mathews, Village Attorney
John Sterrett, Village Planner

X:\Plandev\PLANNING\Housing\Memo - Comunity Comparison 120216.doc

MEMORANDUM

TO: Plan Commission

FROM: Staci Hulseberg, Director of Planning & Development
Kelly Purvis, Associate Planner

DATE: January 11, 2018

RE: Additional Group Home Research and Definitions

Background.
At the December 14, 2017 Plan Commission meeting, staff presented a Zoning Code Text Amendment that would allow group homes to be located within multifamily residential (R3 and R4) districts in the Village as a permitted use. The proposed text amendment would also allow group homes in the R2 single family residential district with the approval of a Special Use Permit. Staff suggested this change because the Village does not currently allow group homes to be located anywhere within the Village limits without the group home receiving a Special Use Permit first. Although this is not a violation of the Fair Housing Act, it opens the Village up to challenges on this issue as it may have a discriminatory effect on classes protected under the Fair Housing Act.

The Plan Commission was not comfortable with the text amendments as proposed. Staff offered to provide some additional information regarding this issue, in particular, information about how other communities define group homes. Below, you will find definitions for group living situations as defined by surrounding communities. The corresponding attached chart shows where group homes may be located within each of these communities as a permitted use or with a special use. The definition that most closely fits Glen Ellyn's definition of a group home is highlighted in green for each community and is the definition used to show where group homes may be located in the corresponding chart. Some of the communities below clearly define each group living arrangement, while others lump group living for elderly, sick and mentally handicapped together in a more loose definition.

Since population was used as a quantifier for similarity among the surveyed communities at the last meeting, it has been provided for each of the surveyed communities as well; as a point of reference, Glen Ellyn was last surveyed to have a population of 27,394 (most similar in size to Geneva, Lisle and Woodridge). However, staff believes there are other important similarities we share beyond population size to all of the survey communities: some of the communities are adjacent to us, have a similar downtown, or are similar in socioeconomic characteristics.

Staff is providing this additional information to determine if the Plan Commission might be supportive of some changes to these provisions if the definition were more descriptive of the uses to be allowed. If the Plan Commission is still not in favor of the text amendments, we would request that the Commissioners clearly state their reasons so staff is able to appropriately explain the Plan Commission's opinion to the Village Board when this item comes up for discussion and consideration.

Based upon our review of the definitions that follow, we would recommend that the Plan Commission consider the creation of a new definition that might include some of the language that follows which was taken from the definitions below. In addition, it was suggested that the number of people be limited to four when the group home is a permitted use to reduce impact.

- "*A residential building which provides housing and services for persons with disabilities, including professional staff either living with the residents on a twenty four (24) hour basis, or present whenever residents are present at the dwelling…*" (Geneva)
- "*Where a sponsoring agency of the [group] home is required to be licensed or certified by the state, that sponsoring agency must maintain at all times a current and valid Illinois State license or certification by the State to operate residential care homes*." (Naperville)
- "*A [group] home does not include a nursing home, hospital, adult day care center, child daycare center or a dwelling unit or living quarters which serves to house persons as an alternative to incarceration for a criminal offense*." (Naperville)
- *"No [group home] shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility."* (Hinsdale)
- *"The total number of occupants of a group home may be further limited by the conditions of the special use permit where lawful. The occupants of a group home are not required to meet the definition of a "family" as set forth in the zoning ordinance."* (Wheaton)
- *"…in a long-term, household-like environment in which staff persons provide care, education, and participation in community activities for the residents with a primary goal of enabling the resident to live as independently as possible. Group homes do not include pre-release, work-release, probationary, or other programs that serve as an alternative to incarceration."* (Downers Grove)
- *"Where the community residence's operator is required to be licensed or certified by a State or Federal agency or department to operate a community residence, the operator shall: a) provide the Village proof of such licensure or certification upon the Village's request; and b) maintain at all times a current and valid license or certificate."* (Lisle)
- *"…unrelated persons with disabilities, plus paid professional support staff provided by a sponsoring agency, either living with residents on a 24-hour basis, or present whenever residents with disabilities are present at the dwelling."* (Carol Stream)

Group Home Definitions by Community

Elmhurst Population: 45,556

CONGREGATE HOUSING FOR SENIOR CITIZENS: means multiple-unit housing designed as a planned, coordinated development that caters to the special needs of three or more unrelated adults, at least eighty (80) percent of whom are fifty-five (55) years of age or older who are capable of independent living, yet need certain facilities and services available on site to compensate for declining mobility, perception and cognition, except the provision of ongoing on-site medical care."

GROUP HOME (COMMUNITY RESIDENCE): means a residential building housing service for dependent or developmentally disabled people living with professional staff who function as surrogate parents. The group home houses individuals who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit in which residents share responsibilities, meals and recreation.

SHELTERED CARE FACILITY: means a structure or part of a structure used for the temporary sheltering of abused individuals and/or the homeless. Qualified supervision and care shall be provided for those housed in the facility.

Oakbrook Population: 7,883

No definitions for Group Home, Sheltered Care, or Congregate Care within Zoning Code. Closest found is:

NURSING HOME: A building containing facilities for the care of and occupancy by aged, chronically ill, infirm or incurable persons, or a place of rest for those persons suffering bodily disorders, in which three (3) or more persons not members of the family residing on the premises are received, and provided with food, shelter and care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness.

SENIOR HOUSING: A multiple-family structure containing dwelling units controlled by a public body, nonprofit corporation for persons fifty five (55) years or older. Types of projects that fall under this definition include: independent living; assisted living; congregate care and residential care facilities.

Geneva Population: 21,806

CONGREGATE LIVING FACILITY: Housing which provides a living arrangement of self-contained units that integrate shelter, food service and other services for independent adults who do not require twenty four (24) hour oversight. Services may include meals, laundry, transportation, housekeeping and organized activities which create opportunities for socialization.

GROUP HOME: A residential building which provides housing and services for persons with disabilities, including professional staff either living with the residents on a twenty four (24) hour basis, or present whenever residents are present at the dwelling, and occupied on a relatively permanent basis in a family like environment. The group home may house individuals who are undergoing treatment or rehabilitation for such disabilities and constitutes a single housekeeping unit in which residents may share responsibilities, meals and recreation. A group home shall comply with the zoning regulations for the district in which the site is located.

SHELTERED CARE FACILITY: A structure or part of a structure used for the temporary sheltering of abused individuals and/or the homeless. Qualified supervision and care shall be provided for those housed in the facility.

Naperville Population: 147,122

CONVALESCENT HOME: A building or structure which is used, designed or intended for the care of the aged or infirm, or for those suffering bodily disorders and which does not contain the facilities nor render the services normally associated with a hospital.

SENIOR CITIZENS' GROUP HOME: A residential dwelling unit or units maintained as a single housekeeping unit and occupied by persons sixty-two (62) years of age or older, spouses of such persons who may be under sixty-two (62) years of age, and resident employees who may be under sixty-two (62) years of age; but not including convalescent homes, nursing homes, hospitals, or facilities which are defined and regulated by the Nursing Home Care Reform Act of 1979, as amended.

RESIDENTIAL CARE HOME: Any dwelling unit or living quarters wherein individuals are provided residential care. Where a sponsoring agency of the residential care home is required to be licensed or certified by the state, that sponsoring agency must maintain at all times a current and valid Illinois State license or certification by the State to operate residential care homes. A residential care home does not include a nursing home, hospital, adult day care center, child daycare center or a dwelling unit or living quarters which serves to house persons as an alternative to incarceration for a criminal offense.

Hinsdale Population: 17,631

Hinsdale does not provide any definitions in their zoning code. Nursing and personal care facilities are listed as a special use in their multifamily zoning districts.

NURSING AND PERSONAL CARE FACILITIES, subject to the following additional standards:

1. *Location:* No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district.

2. *Supervision:* Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the

operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility.

3. *Availability of facilities.* Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation.

4. *Required approvals.* No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit.

5. *Financial stability.* No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations.

Wheaton Population: 53,389

Facility means the building or premises, including the grounds and other satellite premises included in the license for the facility which are used for the purposes of the group care home.

GROUP CARE HOME:

(1) The term "group care home" means:

a. One residential dwelling maintained as a single housekeeping unit occupied by special needs individuals; or

b. No more than two residential dwellings occupied by special needs individuals on the same zoning lot each being operated as a separate housekeeping unit but both being under the control and management of a single not-for-profit organization.

In both instances no more than a total of 15 persons, including caregivers, shall occupy one residential dwelling or two residential dwellings in combination with each other.

(2) The total number of occupants of a group care home may be further limited by the conditions of the special use permit where lawful. The occupants of a group care homes are not required to meet the definition of a "family" as set forth in the zoning ordinance.

(3) Notwithstanding other provisions of the zoning ordinance, two dwellings on a single zoning lot shall not require 500 feet of separation. A group care home of two dwellings on a single zoning lot shall satisfy the bulk regulations, parking requirements, and other requirements and standards applicable to the zoning district and zoning lot as if the two dwellings were one. A group care home dwelling may have separate bath and kitchen facilities for live-in staff.

(4) For purposes of this definition, the term "special needs individuals" includes, but is not limited to, developmentally disabled persons, alcoholics, the mentally ill, or other persons participating in counseling, respite or rehabilitation programs. Group care homes shall provide a program structured to meet the social, rehabilitative, and respite needs of persons residing therein, in a residential community setting.

(5) Prior to admitting residents, the group care home shall file for and obtain a license from the appropriate federal, state, or county agencies. If no license is required by a federal, state, or county agency, the group care home shall file for and obtain a group care home license as provided for by this article. A valid existing federal, state, county or city license shall be a condition precedent to the issuance of a special use permit.

(6) Prior to admitting residents, the group care home shall obtain a letter approving the occupancy from the city planner, pursuant to certifying that all codes and standards have been satisfied. The group care home shall house such staff persons as is required to meet the standards of the licensing agencies. A foster care home shall not be classified as a group care home, unless it fails to meet the definition of "family" contained in the zoning ordinance.
Professional staff means the people in a program who deliver or provide individual, group, or family counseling, or rehabilitative services, to group care home residents.
Support staff means the clerical, administrative, and facility management personnel who do not deliver direct services to group care home residents.

Downers Grove Population: 48,867

GROUP HOME: A detached house shared by persons with disabilities who live together as a single housekeeping unit in a long-term, household-like environment in which staff persons provide care, education, and participation in community activities for the residents with a primary goal of enabling the resident to live as independently as possible. Group homes do not include pre-release, work-release, probationary, or other programs that serve as an alternative to incarceration.

SHELTERED CARE: A “long-term care facility,” as defined in 210 ILCS 45/1-113, that provides maintenance and personal care.

Lombard Population: 43,492

GROUP CARE FACILITY: is a residential facility which is the same as family care facility except that the operator is not licensed or certified by the appropriate state agency, or the facility is not supervised by paid professional support staff provided by a sponsoring agency, or, whether licensed and/or supervised or not, the facility has nine or more persons plus staff.

CONVALESCENT, NURSING OR REST HOME: is an establishment for the care of the aged or infirm, or a place of rest for those suffering bodily disorders. Convalescent, nursing or rest homes do not include hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured. Convalescent, nursing or rest homes typically provide ongoing, on site medical care to their residents.

Woodridge Population: 32,971

GROUP HOME: A dwelling unit shared by not more than twelve (12) persons not related by blood, marriage, adoption or guardianship, plus their related staff, who live together as a single housekeeping unit and in a long term family environment in which staff persons assist in providing care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. A group home may be shared by groups such as the disabled or the elderly.

Lisle Population: 23,440

COMMUNITY RESIDENCE: A group home or specialized residential care home serving persons with disabilities that have been determined to be eligible for services by any independent service coordination agency, and which agency has determined that joint occupancy of a residential property is medically necessary or beneficial for the person with disabilities. Where the community residence's operator is required to be licensed or certified by a State or Federal agency or department to operate a community residence, the operator shall: a) provide the Village proof of such licensure or certification upon the Village's request; and b) maintain at all times a current and valid license or certificate. A community residence does not include a residence that serves persons as an alternative to incarceration for a criminal offense. A contractual obligation by an organization or entity sponsoring or responsible for the community residence shall be considered ownership, regardless of whether there is a full-time staff person residing in the home.

Carol Stream Population: 40,069

GROUP COMMUNITY RESIDENCE*:* A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of 9 to 15 unrelated persons with disabilities, plus paid professional support staff provided by a sponsoring agency, either living with residents on a 24-hour basis, or present whenever residents with disabilities are present at the dwelling; and complies with the zoning regulations for the district in which the site is located.

ROOMING HOUSE: A building in which sleeping quarters (but not meals or cooking facilities) are provided by pre-arrangement for compensation on a weekly or longer basis for three or more persons who are not members of the keeper's family. For the purpose of this Zoning Code, the term *ROOMING HOUSE* shall also mean lodging house, and shall not include a community residence or nursing home.

Chart Analysis.

For easy reference of the following analysis please see the attached chart, "Community Zoning for Group Homes, 2016". I was unable to obtain any information from the City of Warrenville; there is not a definition for group homes, nor any regulation pertaining to group homes in their code. Of the remaining 11 communities only 3 do not allow group homes as a permitted use in at least one zoning district (Oakbrook, Hinsdale & Lisle). Geneva, Naperville, Wheaton, Downers Grove, Lombard, Woodridge and Carol Stream (7 of the 11 communities) allow group homes as a permitted use in all residential districts. Most of the communities do not allow group homes in commercial districts with the exception of Wheaton which lists it as a permitted use and Oakbrook which identifies it as a special use. The number of occupants that may reside in a group home is defined for all communities except 4. However, in 3 of the 4 cases these communities did not have a narrow definition of group homes (Oakbrook, Hinsdale & Lisle lump group homes with other larger assisted living categories). Most of the communities that do define the number of residents that may occupy a group home, set the limit of 8 occupants per home. Carol Stream, Wheaton and Lombard allow small group homes as a permitted use in all zoning districts but require a special use permit for group homes that exceed their occupancy limit. Naperville has the least restrictive regulations for group homes; Hinsdale has the most restrictive regulations. The Village of Glen Ellyn is most similar to Hinsdale, only allowing group homes to locate in a multi-family residential district and only with approval of a special use.

Attachments. Chart, Community Zoning for Group Homes, 2016

CC: John Sterrett, Planner

X:\Plandev\PLANNING\Housing\ZTA - Group Homes - Additional Research.doc

Community Zoning for Group Homes, 2016					
Elmhurst		**Oakbrook**		**Geneva**	
Single Family	S	Single Family	NP	Single Family	P
Two Family	S	Multi Family	S	Multi Family	P
Multi Family	P	Commercial	S	Commercial	NP
Commercial	NP	Occupant Limit	None	Occupant Limit	8
Occupant limit	8				
Naperville		**Hinsdale**		**Warrenville**	
Single Family	P	Single Family	NP	Single Family	?
Multi Family	P	Multi-Family	S	Multi Family	?
Commercial	NP	Commercial	NP	Commercial	?
Occupant Limit	None	Occupant Limit	None	Occupant Limit	?
Wheaton		**Downer's Grove**		**Lombard**	
Single Family	P/S	Single Family	P	Single Family	P/S
Multi Family	P/S	Multi Family	P	Multi Family	P/S
Commercial	P/S	Commercial	NP	Commercial	NP
Occupant Limit	5 to 15	Occupant Limit	8	Occupant Limit	8 or 9+
Woodridge		**Lisle**		**Carol Stream**	
Single Family	P	Single Family	S	Single Family	P/S
Multi Family	P	Multi Family	S	Multi Family	P/S
Commercial	NP	Commercial	NP	Commercial	NP
Occupant Limit	12	Occupant Limit	None	Occupant Limit	8 or 9+

Key

P = Permitted

S = Special Use

NP = Not Permitted

? = No information

P/S = Permitted up to occupant limit; special use required for larger number

PLANNING & DEVELOPMENT DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Greg Mathews, Village Attorney

FROM: Steve Witt, Building & Zoning Official

TO: Staci Hulseberg, Director of Planning and Development
John Sterrett, Planner

DATE: February 28, 2018 Revised

SUBJECT: **Group Homes**
Accessibility Requirements

The following is a review of accessibility code requirements related to the use of an existing residential single-family dwelling unit as a group home. For the purpose of this memorandum, I assume that the group home provides 24-hour care for not more than 5 non-transient occupants at any one time, excluding staff. I also assume that the group home acts as one dwelling unit wherein each sleeping room does not have separate kitchen, toilet, bathing or other living spaces.

2009 International Building Code (“IBC”): A group home as described above would fall into Residential Group R-3 (IBC Section 310). As long as there are no more than sixteen non-transient persons of any age receiving care in the group home, the group home is permitted to comply with the International Residential Code (“IRC”). The IRC has no accessibility requirements. As both the single-family and group home uses are of a residential nature, there is no change of the occupancy group which would otherwise trigger accessibility requirements (IBC Section 3411.4).

1997 Illinois Accessibility Code (“IAC”): The IAC is applicable to all “public facilities” and “multi-story housing units” as defined and governed by the Environmental Barriers Act. A group home contained within a single-family residential structure would not meet the criteria for a covered multi-story housing unit. A single-family dwelling unit is not in itself covered by the IAC; however, a group home within a single-family residential structure would be considered a public facility as it is used by the public and employees. The IAC is not applicable to existing buildings unless there is work being performed thereon including new construction, alteration, additions, historic preservation, restoration, or reconstruction in whole or in part (IAC Section 400.130).

Fair Housing Act (“FHA”): The accessibility provisions of the FHA generally apply to new multifamily housing consisting of four or more dwelling units and built for first occupancy after March 13, 1991. To be covered by the FHA, all of the finished living space must be on the same floor, that is, be a single-story dwelling unit. Since the group home is only one dwelling unit, the FHA is not applicable, regardless of date of initial occupancy.

2010 Americans with Disabilities Act ("ADA"): The ADA is applicable for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities. It is not applicable to existing buildings unless there is new construction or alterations being performed.

Summary: Group homes operating out of existing single-family dwelling units are not subject to accessibility requirements unless there is new construction or alterations being performed.

Staff's Final Recommendation to the Plan Commission, March 8, 2018

Up to 4 Resident Group Homes by District

	Permitted	Special Use	Not Permitted
RE		X	
R0		X	
R1		X	
R2		X	
R2B		X	
R3	X		
R4	X		
R5	X		
C2			X
C3			X
C4			X
C5A			X
C5B			X

5 + Resident Group Homes by District

	Permitted	Special Use	Not Permitted
RE			X
R0			X
R1			X
R2			X
R2B			X
R3		X	
R4		X	
R5		X	
C2			X
C3			X
C4			X
C5A			X
C5B			X

Plan Commission Recommendation, March 8, 2018

Maximum 4 Resident Group Homes by District

	Permitted	Special Use	Not Permitted
RE			X
R0			X
R1			X
R2			X
R2B			X
R3		X	
R4		X	
R5		X	
C2		X	
C3			X
C4		X	
C5A			X
C5B			X

REGULAR PLAN COMMISSION MEETING
DECEMBER 14, 2017

Call to Order

The regular meeting of the Plan Commission was called to order by Chairperson Mary Loch at 7:00 p.m. Plan Commissioners Angela Fanella, Phillip Hartweg, Tracy Heming-Littwin, Terra Costa Howard, Tim Loftus, Mohammed Saeed and Jamie Vondruska were present. Plan Commissioner David Rodemann was excused. Also present were Village Director of Planning and Development Staci Hulseberg, Village Planner John Sterrett, Associate Village Planner Kelly Purvis, Village Trustee John Kenwood and Recording Secretary Debbie Solomon.

Public Comment

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Public Hearing – 400 Duane Street – Glen Ellyn Public Library – Special Use Permit and Zoning Variation

On the agenda was a public hearing regarding the Glen Ellyn Public Library for a Special Use Permit and Zoning Variation.

PUBLIC HEARING – 400 DUANE STREET – GLEN ELLYN PUBLIC LIBRARY – SPECIAL USE PERMIT AND ZONING VARIATION
PUBLIC HEARING WITH DISCUSSION, CONSIDERATION, AND RECOMMENDATION REGARDING A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT AND A ZONING VARIATION TO PERMIT A DRIVE-THRU PICK-UP AND DROP-OFF WINDOW FOR THE GLEN ELLYN PUBLIC LIBRARY LOCATED AT 400 DUANE STREET. THE SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DUANE STREET AND PROSPECT AVENUE IN THE C5B CENTRAL BUSINESS DISTRICT – CENTRAL SERVICE SUB-DISTRICT.

Commissioner Heming-Littwin moved, seconded by Commissioner Hartweg, to open the public hearing at 7:01 p.m. The motion carried unanimously by voice vote.

Staff Introduction

Associate Village Planner Purvis was sworn in and showed a site plan overview of 400 Duane Street. Associate Village Planner Purvis stated the petitioner is Product Architecture and Design, on behalf of Dawn Bussey, Director of the Glen Ellyn Public Library, located at 400 Duane Street. Associate Village Planner Purvis stated the petitioner is requesting approval of an amendment to the Special Use Permit to allow a drive through book pick-up and drop-off to be constructed on the west side of the existing building. Associate Village Planner Purvis stated to accommodate the request, the petitioner is specifically requesting approval of a Special Use Permit in accordance with Section 10-4-17-2(B) of the Glen Ellyn Zoning Code and a Variation from Section 10-5-10(A) to allow three stacking spaces for the drive through in lieu of five required stacking spaces.

Associate Village Planner Purvis stated the subject property is located on the northwest corner of Duane Street and Prospect Avenue in the C5B Central Service Subdistrict. The surrounding zoning and land uses are Conservation Recreation to the north in the CR Zoning District, Multi-Family Residential to the south in the R4 Zoning District and CBD Service Subdistrict to the east and the west in the C5B Zoning District. Associate Village Planner Purvis stated notice of the public hearing was published in the November 29, 2017 edition of the Daily Herald, and property owners within 250 feet of the subject property were notified by mail of the public hearing and a placard was placed on the site.

Associate Village Planner Purvis stated the Comprehensive Plans provides that the “Downtown should consist of an exciting mix of retail, service, entertainment, office and public uses, as well as housing units. It should continue to be oriented primarily to the needs of the Glen Ellyn community.” Associate Village Planner Purvis stated the Comprehensive Plan also states that the “Downtown should remain unique in terms of the mix of uses and the range of businesses, services and other activities it offers to the community.”

Associate Village Planner Purvis stated over the last five years, the Glen Ellyn Public Library has been working toward the completion of its Master Plan with Phases I and II completed by 2015. Associate Village Planner Purvis stated the third and final phase of the Master Plan includes a renovation of the lobby, circulation workroom, and meeting rooms. Associate Village Planner Purvis stated the library will be adding a 150 square foot café on the first floor as well as a 22 square foot entryway addition (within the original building envelope). Associate Village Planner Purvis stated exterior alterations to the west elevation will create a new book drive up, book return and new canopy over the new windows.

Associate Village Planner Purvis stated with this final phase of the project, the library staff are seeking to increase the functionality of the building by providing a new drive up window that will allow residents to pick-up and drop-off books without having to leave their vehicles. Associate Village Planner Purvis stated currently, 15-20 patrons a day park in front of the library (in the proposed location of the drive through window) to run in and grab books. Associate Village Planner Purvis stated the drive through will address a perceived community need specifically for those with young children or limited mobility.

Associate Village Planner Purvis stated the window will be staffed during regular library hours Monday – Thursday from 9-9, Friday 9-5 and Saturday and Sunday from 1-5. Associate Village Planner Purvis stated the library staff anticipates that 15-20 cars will use the drive-up window each day, and based upon how many cars typically park in the front to run in, they are anticipating no more than 3 cars at a time in the drive through. Associate Village Planner Purvis stated transactions are estimated to take 1-5 minutes, and in the event that transactions are taking longer, patrons will be asked to move to the 15 minute parking space and come into the building (parking stall 86 will be designated 15 minute parking).

Associate Village Planner Purvis stated the original Special Use Permit does not allow for the construction of a drive through lane on the site, and in order to construct the project as proposed, the library will need an amendment to the Special Use Permit. Associate Village Planner Purvis stated Section 10-5-10(A) of the Zoning Code requires that a minimum of 5 stacking spaces be provided for vehicles in a drive though lane. Associate Village Planner Purvis stated the petitioner has provided that the drive through window has been positioned as far south on the site as is feasible, without disturbing the vehicular and pedestrian circulation on the site. Associate Village Planner Purvis stated to the south of the drive through lane is the main entrance to the building and existing handicapped parking stalls, which are to remain unchanged. Associate Village Planner Purvis stated in order to work within the constraints of the site, there will be room for only three cars to stack at the drive through window before the cars will block parking spaces on the north of the site. Associate Village Planner Purvis stated to mitigate the impact of cars stacking in front of these parking spaces the petitioner has agreed to designate parking spaces 52 and 53 as employee of the month and service parking (both staff positions). Associate Village Planner Purvis stated Stall 51 will be removed to make way for a pedestrian pathway that will provide access to relocated bike racks and the Prairie Path. Associate Village Planner Purvis stated the library is required to have 103 parking spaces, and the elimination of stall 51 will leave a total of 107 spaces available for the library's use.

Commissioner Loftus asked if a drive through was not granted with the original Special Use Permit to which Associate Village Planner Purvis stated a drive through was not requested when the building was originally constructed so this is a new request to amend the original Special Use Permit.

<u>Petitioner's Presentation</u>

Dan Pohrte, architect with Product Architecture and Design located at 811 W. Evergreen, Suite 405, in Chicago, Illinois, was sworn in and showed an overview of the New Site Plan and the final proposed rendering of the building. Mr. Pohrte stated Associate Village Planner Purvis presented the project in its entirety. Mr. Pohrte stated the small canopy over the drive through window will only come out three feet from the building, and there are no new materials being used with this drive through window that are not already in use on the building.

Questions from the Plan Commission

Dawn Bussey, Executive Director of the Glen Ellyn Public Library, was sworn in. Commissioner Heming-Littwin asked if the people coming to the window would already have books pulled to which Ms. Bussey stated they would already have books pulled which is why it should only take people approximately one minute to five minutes at the drive through window. Ms. Bussey stated there will be another exterior drop added in the parking lot by the exit, but when the library is closed, the library staff will prefer to have the building drop used so the books go directly into the building. Commissioner Heming-Littwin stated she is concerned about patron/pedestrian safety as the stacking cars will be over a painted pedestrian walkway. Mr. Pohrte stated a fifth car would stack over this walkway. Commissioner Heming-Littwin stated the walkway is a code requirement, and a car should not stack over this. Ms. Bussey stated they can move this walkway down another space if need be. Associate Village Planner Purvis stated there is a 4-space wiggle room with the parking spaces so if another space was removed, it would be fine.

Commissioner Vondruska stated the stacking scenario would only happen if everyone brought their books at the same time. Ms. Bussey stated when patrons pull up in front of the library to pick up held books or return books inside, it only takes a patron approximately two and a half minutes to get out the car, come into the building and get back into the car so the window will save more time in this process.

Commissioner Loftus asked if a survey was done to check how many cars are there at the same time. Ms. Bussey stated there is never usually more than three cars at the same time at their library, and they did ask other community libraries what they were seeing. Ms. Bussey stated the amount of cars varies at these other libraries depending on the size of the library, but the libraries close in size to Glen Ellyn's, see about the same amount of cars at the same time.

Commissioner Fanella asked when the library's busiest time is. Ms. Bussey stated this varies day to day based on the frequency of the library user. Commissioner Fanella stated she used the library often and never sees more than two cars.

Commissioner Heming-Littwin stated every time she goes to the library, she feels there is a problem getting around the corner in the parking lot. Ms. Bussey stated their hope is that with the removal of the side walk, this will widen the area so cars can get past other cars better and lessen the congestion.

Commissioner Fanella asked if there is a plan in place to market this drive through to the patrons. Ms. Bussey stated there will be signage in the library and a piece in their newsletter.

Commissioner Heming-Littwin moved, seconded by Commissioner Fanella, to close the public hearing at 7:21 p.m. The motion carried unanimously by voice vote.

Commissioner Heming-Littwin moved, seconded by Commissioner Fanella, to reopen the public hearing at 7:22 p.m. in order to receive public comment on this. The motion carried unanimously by voice vote.

Persons in Favor of or in Opposition to the Request

Ita Fischer, who resides at 500 Longfellow Avenue in Glen Ellyn, Illinois, stated she has been a member of the library for 20 years, and this drive through window will be a great addition and will help with safety.

Commissioner Loftus asked if there will be signage stating the drive through window should only be used for drop-off of books and pick-up of reserved books. Ms. Bussey stated if someone comes to the window who is not either dropping off books or picking up reserved books, will be asked to park in the 15-minute parking and come into the building instead of being at the window.

Commissioner Heming-Littwin moved, seconded by Commissioner Vondruska, to close the public hearing at 7:24 p.m. The motion carried unanimously by voice vote.

Comments from the Plan Commission

Commissioner Heming-Littwin stated she is in favor of this; however, she is concerned about patron safety due to the walkway and possible stacking of cars. Commissioner Heming-Littwin stated she would like a condition added that says that if it is discovered the stacking of cars is happening more often, then a sign should be added to say, "No stacking beyond this point."

Commissioner Howard stated this is a great project, and the current drop-off seems unsafe. Commissioner Howard stated this will be a good use of the space and is meeting the needs of the community.

Commissioner Hartweg stated it would be good to have a lane to show this drive through window, and the safety and convenience coming from this project are important. Mr. Pohrte they received this comment previously and have corrected the lane piece.

Commissioner Loftus stated he thinks this window will become more popular than they think it will be so there will be more cars. Commissioner Loftus stated the window will be helpful, and he agrees about the condition of putting the sign in later if needed.

Commissioner Vondruska stated he supports this project as there is a definite need. Commissioner Vondruska stated the project seems well thought out, and he likes the condition that is suggested.

Commissioner Fanella stated she supports this project, and this project will improve the pedestrian situation. Commissioner Fanella stated this window should increase the use of the library.

Commissioner Saeed stated he does support this project as many people will use this.

Chairperson Loch stated she supports this project and agrees with what the commissioners have stated.

Commissioner Heming-Littwin moved, seconded by Commissioner Howard, to recommend approval of a Special Use Permit and a Zoning Variation to permit a drive through pick-up and drop-off window on the west elevation for the Glen Ellyn Public Library located at 400 Duane Street.

Having considered the application of the Glen Ellyn Public Library for approval of Special Use Permit and a Zoning Variation for 400 Duane Street, the Plan Commission hereby adopts the findings of fact in the petitioner's application packet and testimony presented by the petitioner at the public hearing as well as the findings included in the deliberations of the Plan Commission and recommends approval of the requests, subject to the following condition:

1. If there becomes a regular stacking of cars over five cars, there will be a sign installed stating the cars cannot continue to stack past a certain point.

The motion carried unanimously with eight (8) yes votes and zero no votes as follows: Plan Commissioners Heming-Littwin, Howard, Fanella, Hartweg, Loftus, Saeed, Vondruska and Chairperson Loch voted "yes."

Public Hearing – Zoning Text Amendments

On the agenda was a public hearing regarding Zoning Text Amendments.

PUBLIC HEARING – ZONING TEXT AMENDMENTS

PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING PROPOSED AMENDMENTS TO THE GLEN ELLYN ZONING CODE. AMENDMENTS INCLUDE CHANGES TO CHAPTERS 2, 4, 5, AND 8 OF THE GLEN ELLYN ZONING CODE THAT WILL AFFECT THE REGULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE VILLAGE. THE PROPOSED AMENDMENTS ARE RELATED TO SUCH THINGS AS DEFINITIONS, SUPPLEMENTAL REGULATIONS, RESIDENTIAL AND COMMERCIAL USES, ACCESSORY STRUCTURE SETBACK REQUIREMENTS, AND PERMITTED OBSTRUCTIONS AND STRUCTURES IN REQUIRED YARDS, AMONG OTHER ITEMS.

Commissioner Heming-Littwin moved, seconded by Commissioner Howard, to open the public hearing regarding Zoning Text Amendments at 7:31 p.m. The motion carried unanimously by voice vote.

Staff Introduction

Village Director of Planning and Development Staci Hulseberg, Village Planner John Sterrett and Associate Village Planner Kelly Purvis were sworn in.

Village Planner Sterrett stated they will start with #4 on the list of text amendments, Group Homes, as there are residents who wish to speak on this topic. Village Planner Sterrett stated the staff did research on what is currently permitted in the Village Code and discussed this with the Village's legal counsel as well. Village Planner Sterrett stated the Village is not out of conformance with the Fair Housing Act, but the way the Village Code is set up for Group Homes could be challenged by limiting where Group Homes are allowed. Village Planner Sterrett stated they want to ensure there is no discriminatory effect on individuals who may need certain facilities such as Group Homes.

Village Planner Sterrett stated Group Homes are currently allowed in the R3 and R4 Zoning Districts as Special Uses. Village Planner Sterrett stated staff is proposing in the R3 and R4 Zoning Districts to allow a Group Home where there are eight or less individuals as a permitted use, and if there are nine or more residents, this would need a Special Use Permit for the R3 and R4 Zoning Districts.

Questions from the Plan Commission

Commissioner Heming-Littwin asked about a Sheltered Care Facility versus a Group Home and asked about the definition for a Sheltered Care Facility. Planning and Development Director Hulseberg stated staff is only proposing to change where a Sheltered Care Facility is permitted and not the definition of a Sheltered Care Facility. Planning and Development Director Hulseberg read the definition of a Sheltered Care Facility from the Village Code.

Commissioner Howard asked how many Sheltered Care Facilities are currently in the Village. Planning and Development Director Hulseberg stated there were two, but one is relocating. Trustee Heming-Littwin asked if a church is considered a Sheltered Care Facility when they are doing P.A.D.S. to which Planning and Development Director Hulseberg stated these facilities are permanent homes and not temporary.

Commissioner Howard asked for clarification on Group Homes. Commissioner Fanella asked if a Group Home would have permanent residents to which Planning and Development Director Hulseberg stated yes. Planning and Development Director Hulseberg stated a Group Home is a building or facility that would consistently house these types of individuals. Associate Village Planner Purvis stated that recovering alcoholics and addicts would be included in the group home definition, and are a protected class under the Fair Housing Act as these individuals are considered disabled. They would be included in the group home definition unless we separated them out and create a different definition for rehabilitation of this sort. Planning and Development Director Hulseberg stated the staff looked into this issue and talked to legal counsel today as there are other communities that separate recovering addicts and alcoholics out from other from other protected classes. Planning and Development Director Hulseberg stated a Group Home can be redefined if need be to exclude individuals that may be housed as an alternative to incarceration or rehabbed from drug or alcohol abuse.

Commissioner Heming-Littwin asked if any of the districts that are being recommended would be near a school and if the Plan Commission need to be concerned about something like this. Planning and Development Director Hulseberg stated the Plan Commission can decide on a specific circumference around schools that would not be eligible for group home location. Staff can do more research and come up with a classification for this type of use, what district it would be recommended in and what distance restrictions would be suggested.

Commissioner Vondruska asked why the R3 and R4 Zoning districts are being changed when Special Use would allow there to be a process for this already. Associate Village Planner Purvis showed a chart of the 12 communities surveyed and stated Hinsdale and Glen Ellyn seem to have the most restrictive regulations for Group Homes. Associate Village Planner Purvis stated the staff felt there could be a discriminatory effect if Group Homes are not allowed somewhere in the Village, but wanted to ensure they chose areas that would be least impacted. Planning and Development Director Hulseberg stated there are some single-family homes in the R3 and R4 Zoning Districts, and this creates a space/place where Group Homes are permitted that would have the least amount of impact. Planning and Development Director Hulseberg stated the staff is recommending this to get the Village more in line with what other communities are doing and what the staff believes the Fair Housing Act is communicating. Planning and Development Director Hulseberg stated if the commissioners say no to this, the current Village code is not illegal, but does invite possible legal challenges.

Chairperson Loch stated she is struggling with the possible parking situations for these Homes and asked if something should be included in the definition. Planning and Development Director Hulseberg stated there are no parking restrictions over and above for these Homes. Commissioner Heming-Littwin asked if these individuals would have transportation. Planning and Development Director Hulseberg stated a Sheltered Care Home would be different than a Group Home in terms of the individuals who reside there so transportation accessibility may be different in these Homes.

Commissioner Howard asked about the other communities' restrictions on Group Homes. Associate Village Planner Purvis showed a chart of Community Zoning for Group Homes with the research comparison of the 12 communities and reviewed the findings for these communities. Associate Village Planner Purvis stated only three out of the 11 communities (excluding Warrenville) require Special Use to locate a group home anywhere in their Villages.

<u>Persons in Favor of or in Opposition to the Request</u>

Mike Spain, who resides at 364 Lorraine Street in Glen Ellyn, was sworn in. Mr. Spain stated he lives near the Group Home at 373 Lorraine Street which is a residence operated by a national For-Profit company, Rescare. Mr. Spain passed out a sheet on this property to the commissioners and staff and stated there have been no permits applied for and no Special Use Permits associated with this property since 2015, per a FOIA request. Mr. Spain stated Rescare took occupancy of this property in July 2017. Mr. Spain stated the neighborhood needs help with this property as there are major safety concerns, and this property did not go through the process to request a Special Use for a Group Home so the residents were unaware. Mr. Spain stated there are three to four vehicles always at this property, and he has seen several possible accidents that could have occurred due to the amount of vehicles. Mr. Spain stated the Glen Ellyn Police Department has been called to the residence multiple times as well as Metro Paramedic Services.

Commissioner Heming-Littwin asked in which zoning district is this property to which Planning and Development Director Hulseberg stated it is in R2 Residential. Planning and Development

Director Hulseberg stated this specific issue is not for the Plan Commissioner to consider as it is a Code Enforcement issue that is being dealt with.

Chairperson Loch asked how many people are at the residence. Mr. Spain stated six to seven adults, but he does not think there are any children.

Commissioner Howard stated this is being seen in other communities as well, and the legal definition of a family has changed. Commissioner Howard stated she is unsure if the code needs to be changed, especially if legal counsel says the Village is fine.

Mr. Spain stated there are four Group Homes in the Village, but he does not have the addresses of the other three homes.

Commissioner Loftus asked if the residents have experienced any good things due to this Group Home to which Mr. Spain stated there have been no positives at all.

Erin Pavlich, who resides at 364 Lorraine Street in Glen Ellyn, was sworn in. Ms. Pavlich stated one of the biggest issues is the parking as there is a commercial vehicle parked in front of the residence all the time. Ms. Pavlich stated there are visibility issues and near accidents due to the amount of vehicles at this property. Ms. Pavlich stated she cannot stress enough the importance of a Special Use Permit for a Group Home, especially in the R2 Zoning District. Ms. Pavlich stated she feels the people running the Rescare Group Home are not doing a good job, and the facility is not managed properly. Ms. Pavlich stated this group home was not vetted properly in the first place.

Mary Crois, who resides at 331 Phillips Avenue in Glen Ellyn, was sworn in. Ms. Crois stated she is a licensed clinical psychologist, and she feels this group home is not a safe environment and not conducive to a family neighborhood. Ms. Crois stated the parking is an issue on Phillips Avenue as well as some vehicles park there too, and it is hard to get a vehicle in or out. Ms. Crois stated there are many young children who pass by this group home on the way to school. Ms. Crois stated she does not believe the group home’s caretakers are professionals.

Paula Fredrickson, who resides at 327 Phillips Avenue in Glen Ellyn, was sworn in. Ms. Fredrickson stated this group home makes her very uncomfortable due to safety concerns for her and her children. Ms. Fredrickson stated the property’s yard maintenance is being done by the Village as no one at the home was taking care of this. Ms. Fredrickson stated her children pass that way all the time on the way back and forth to school. Ms. Fredrickson stated the property channels and process were not followed for this group home.

Commissioner Vondruska asked if anything was ever approved for this group home to which Planning and Development Director Hulseberg stated the Village did not know about this group home until the residents brought complaints to the Village.

Barbara Spain, who resides at 367 Lorraine Street in Glen Ellyn, was sworn in. Ms. Spain stated this home is her and her husband's dream home as they are about to retire, but it does not feel that way. Ms. Spain she is not sure why nothing is being done about this group home by the Village.

John Kenwood, who resides at 120 Exmoor Avenue in Glen Ellyn, was sworn in. Mr. Kenwood stated he empathizes with the residents who have spoken as they are living in a scenario that is not acceptable. Mr. Kenwood stated that even if a group home was allowed in the R2 Zoning District, this group home seems to not have the right landlord. Mr. Kenwood gave an example of someone who might have an adult child with Autism or Down Syndrome as you would want them to live close to you if they could not live with you. Mr. Kenwood stated the definition of a family has changed. Mr. Kenwood stated he understands why the rationale is for group homes in the R3 or R4 Zoning districts as these districts are closer to public transportation, but the housing in these districts may not be conducive to a group home. Mr. Kenwood stated the R2 Zoning District seems ideal for a group home, and there might need to be accelerated Special Use Permits for this as a Special Use process can take a long time. Mr. Kenwood stated he is not sure the housing stock in the R3 and R4 Zoning Districts would fit this need.

Yavor Goranov, who resides at 730 Euclid Avenue in Glen Ellyn, was sworn in. Mr. Goranov stated he has lived in the Village for 20 years and is actively involved in development of the Village as he is an architect and contractor who specializes in single-family homes in the R1 and R2 Zoning Districts. Mr. Goranov stated he does not understand how a group home is allowed in the Village as two families living in one home is not allowed per the Village's code. Mr. Goranov stated this is then a different kind of discrimination. Mr. Goranov stated he feels sorry for the residents that spoke as he is not sure how this group home is there as it was not legally attained. Mr. Goranov stated he sees no purpose or reason to allow group homes in the R2 Zoning District.

Commissioner Heming-Littwin moved, seconded by Commissioner Fanella, to close the public hearing for Zoning Text Amendments on Group Homes at 8:35 p.m. The motion carried unanimously by voice vote.

<u>Comments from the Plan Commission</u>

Commissioner Heming-Littwin stated it seems the change to the definition of a group home is to take out the "not more than 8," and based of this definition, the "shared responsibilities" may need to be detailed. Commissioner Heming-Littwin stated the definition of a group home may then need to be very specific as she does not want what is currently happening to the residents that spoke to happen in the Village again. Commissioner Heming-Littwin stated the people behind this specific group home seem to be only in it for the money.

Planning and Development Director Hulseberg stated her direction the Planning and Development staff was to pursue this group home issue rigorously; however, there have been delays outside of Planning and Development on this issue. Planning and Development Director Hulseberg stated the staff is not proposing a major change to the definition.

Commissioner Vondruska asked if the Village can legally write Village code that would discriminate against people's conditions to which Planning and Development Director Hulseberg stated they cannot do this.

Associate Village Planner Purvis stated some of the communities that the Village surveyed have clearer definitions of group homes, and some of these strengthened definitions are viewed positively.

Commissioner Fanella does not want to put another burden on the Village to come up with a detailed definition. Planning and Development Director Hulseberg stated the language can get tricky, and they need to ensure the language is enforceable.

Commissioner Howard stated adding restrictive language would be viewed as much more discriminatory. Commissioner Howard thanked the residents who brought this situation to the attention of the Village and the Plan Commission. Commissioner Howard stated it would be helpful to get a better definition of what these things are and what the definitions are in other communities.

Chairperson Loch stated they could approve changes to the group home definition, and an issue such as the current one could still happen. Chairperson Loch stated she feels they need to leave well enough alone until they all better understand.

Commissioner Loftus asked about what Zoning or Building Codes are needed to operate a company out of a home. Planning and Development Director Hulseberg stated it is the use of the property that dictates the specific codes. Planning and Development Director Hulseberg stated in the case of the group home, they are not operating a business. Planning and Development Director Hulseberg stated her staff has been barred at the door of this home on several occasions.

The consensus of the Plan Commission is to leave the definition as is for now.

Mr. Spain stated he would be happy to serve on an ad hoc committee to help with this issue.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to re-open the public hearing regarding Zoning Text Amendments at 9:03 p.m. The motion carried unanimously by voice vote.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to continue the public hearing for Zoning Text Amendments to the next regularly scheduled Plan Commission meeting. The motion carried unanimously by voice vote.

Trustee's Report

Trustee Kenwood stated the proposed gas station on Roosevelt Road was approved at Monday's meeting. Trustee Kenwood stated the Village Board will be discussing parking at the December 18, 2017 meeting, and you should attend if you have an opinion on the Village's parking situation.

Planning and Development Director Hulseberg stated litigation is still in process for the other proposed gas station in the Village so she cannot comment specifically on this. Planning and Development Director Hulseberg stated since there was an article in the newspaper on this litigation which said the litigation was not dismissed, and the Village and True North need to file Responses.

Chairperson's Report

Chairperson Loch wished everyone a Happy Holiday.

Staff Report

Village Planner Sterrett stated there will not be a Plan Commission meeting on December 28, 2017, so the next regularly scheduled meeting will be on January 11, 2018.

Adjournment

Commissioner Hartweg moved, seconded by Commissioner Heming-Littwin, to adjourn the meeting at 9:05 p.m. The motion carried unanimously by voice vote.

Respectfully Submitted,

Debbie Solomon, Recording Secretary

MINUTES
REGULAR PLAN COMMISSION MEETING
JANUARY 11, 2018

Call to Order

The regular meeting of the Plan Commission was called to order by Acting Chairperson Tracy Heming-Littwin at 7:00 p.m. Plan Commissioners Angela Fanella, Phillip Hartweg, Terra Costa Howard, David Rodemann, Mohammed Saeed and Jamie Vondruska were present. Plan Commissioner Tim Loftus and Chairperson Mary Loch were excused. Also present were Village Director of Planning and Development Staci Hulseberg, Village Planner John Sterrett and Recording Secretary Debbie Solomon.

A quorum was present.

Planning and Development Director Hulseberg entered the meeting at 8:00 p.m.

Public Comment

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Approval of November 30, 2017 Plan Commission Minutes

Commissioner Fanella asked that a spelling error be corrected on page 4. Commissioner Fanella moved, seconded by Commissioner Howard, to approve the amended minutes of the November 30, 2017 Plan Commission minutes. The motion carried unanimously by voice vote.

Public Hearing – 501 Hillside Avenue – Glen Ellyn Bible Church – Amendment to Special Use Permit and Zoning Variation

On the agenda was a public hearing regarding the Glen Ellyn Bible Church's request for an Amendment to a Special Use Permit and a Zoning Variation.

PUBLIC HEARING – 501 HILLSIDE – GLEN ELLYN BIBLE CHURCH – AMENDMENT TO SPECIAL USE PERMIT AND ZONING VARIATION

PUBLIC HEARING WITH DISCUSSION, CONSIDERATION, AND RECOMMENDATION REGARDING A REQUEST FOR APPROVAL OF AN AMENDMENT TO A SPECIAL USE PERMIT AND A ZONING VARIATION TO ACCOMMODATE A PROPOSED 2,400 SQUARE FOOT LOBBY AND BASEMENT

ADDITION TO THE EXISTING CHURCH BUILDING LOCATED AT 501 HILLSIDE AVENUE. THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF HILLSIDE AVENUE AND MAIN STREET IN THE R2 RESIDENTIAL DISTRICT.

Commissioner Howard moved, seconded by Commissioner Vondruska, to open the public hearing at 7:02 p.m. The motion carried unanimously by voice vote.

Staff Introduction

Village Planner Sterrett was sworn in and showed a site plan overview of 501 Hillside Avenue. Village Planner Sterrett stated the petitioner is the Glen Ellyn Bible Church, represented by John Vandervelde, Executive Pastor. Village Planner Sterrett stated the petitioner is requesting a public hearing regarding a proposed 2,400 square foot addition to the existing church building to accommodate a lobby space on the first floor and a children's programming area in the basement. In order to construct the addition, the petitioner is requesting approval of the following:

1. An amendment to Ordinance 3689 to delete condition #2 of Section 3 of the Ordinance.

2. A variation from Section 10-4-8(D)4(a) to allow a corner side yard setback of fifteen (15) feet in lieu of the minimum required corner side yard setback of thirty (30) feet.

Village Planner Sterrett stated the subject property is located at the southwest corner of Main Street and Hillside Avenue in the R2 Residential District. The surrounding land uses and zoning districts are as follows:

North: C5A Central Retail Core – Former Giesche Shoes; Office
North: C5B Central Business District - Medical Office; St. Petronille Parking
South: R2 Residential – Single-Family
East: R2 Residential - St. Mark's Episcopal Church
West: R2 Residential – Single-Family

Village Planner Sterrett stated a notice of the Public Hearing was published in the December 27, 2017 edition of The Daily Herald. Village Planner Sterrett stated a Special Use Permit and Side Yard Setback Variation were granted in 1967 during the church's construction under Ordinance 1512. Village Planner Sterrett stated a Special Use Permit and Parking Lot Variation were granted to the church in 1989 under Ordinance 3689 for a South Addition to the parking lot. Village Planner Sterrett stated a Zoning Variation and Side Yard Setback Variation were granted to the church in 2000 under Ordinance 4859 for construction of a shed.

Village Planner Sterrett stated the petitioner appeared before the Plan Commission on September 8, 2016 for a pre-application meeting for the proposed addition, and the petitioner presented a plan that included a 2,538 square foot addition as well as an outdoor terrace that would have been located at the property line along Hillside Avenue. Village Planner Sterrett stated that based on feedback from the Plan Commission, the petitioner has eliminated the outdoor terrace, reduced the size of the addition, and added additional pervious surface to the overall property to off-set the proposed impervious surface created from the addition.

Village Planner Sterrett showed a rendering of the proposed project and stated the petitioner is proposing a 2,400 square foot addition to the existing church building on the north side of the building to accommodate a lobby area on the main floor and a children's programing area in the basement. Village Planner Sterrett stated the addition will be constructed on an existing open space area west of the sanctuary.

Village Planner Sterrett stated in 1989, the Village Board approved Ordinance 3689 which granted approval of a special use permit for the Church to construct an addition on the south side of the building for educational activities. Village Planner Sterrett Ordinance 3689 also granted approval of a variation from the Zoning Code to allow the Church to have fifty-two (52) parking stalls in lieu of the required 135 parking stalls, and a condition was placed on Ordinance 3689 requiring the existing open space on the east side of the property and the existing open space to the west of the sanctuary to remain as greenspace. Village Planner Sterrett stated this condition essentially allows an addition to the building to be built on the impervious area west of the building only, and this impervious area is the parking lot for the Church. Village Planner Sterrett stated constructing an addition on the rear of the building would thus result in the elimination of serval parking stalls, and the addition as proposed does not eliminate any parking stalls.

Village Planner Sterrett stated staff has researched and attached the transcript from the July 25, 1989 Plan Commission meeting when the Plan Commission discussed the requests for the addition and parking lot variation, and based on the transcript from this meeting it appears that condition #3 was placed in the ordinance to address a concern that if the Church were to construct an addition that increased the seating capacity of the Church then the existing number of parking stalls would not be able to accommodate the addition since a variation was being given at that time to the reduce the required number of parking stalls. Village Planner Sterrett stated the proposed addition to the Church does not add any seats to the sanctuary and therefore does not require any additional parking stalls to be added to account for the addition. Village Planner Sterrett stated the applicant has indicated that the addition will make the lobby and children's programming area more functional than the current layout allows. Village Planner Sterrett stated the required corner side yard setback in the R2 district is thirty (30) feet, and the existing church has a nonconforming corner side yard setback ranging from five (5) feet to fourteen (14) feet. Village Planner Sterrett stated the proposed addition has a corner side yard setback of fifteen (15) feet. Village Planner Sterrett stated the narrow configuration of the lot from north to south creates difficulty in placing the addition in the buildable area of the lot without impacting the existing parking stalls in the rear of the building. Village Planner Sterrett stated staff is of the opinion that eliminating parking stalls for the addition would have a far greater impact on both the Church property and surrounding properties than if the addition were constructed in the proposed location.

Village Planner Sterrett stated the proposed addition to the Church building will add 3,010 square feet of impervious surface to the property; however, the Church is proposing the elimination of 2,697 square feet of existing impervious surfaces to off-set this increase resulting in a net increase of 313 square feet of impervious surface to the property. Village Planner Sterrett stated the existing asphalt surface for the four (4) parking stalls closest to the building are proposed to be replaced with permeable pavers and several existing concrete areas, including a portion of an existing walkway on the south side of the building, are proposed to be eliminated and replaced with greenspace. Village Planner Sterrett stated all new impervious surfaces created from the addition will meet the required seven (7) foot impervious surface setback. Village Planner Sterrett stated stormwater detention for the property is currently provided within the confines of the parking lot, and the proposed improvements will also be serviced by the existing detention area. Village Planner Sterrett stated the net increase of impervious surfaces is less than 25,000 square feet so no additional detention is required.

Commissioner Fanella asked about the research that was done on the previous transcripts and why the original condition was put in the ordinance that the Church is asking to overturn. Village Planner Sterrett stated the staff looked these transcripts from the two public hearings in 1989, and staff could not assume exactly what the reason was for this. Village Planner Sterrett stated it did appear that due to an addition to the church which resulted in a parking variation that there was some concern that if the Church did expand additional parking in the future which could affect the current parking. Village Planner Sterrett stated since the Church is not adding any additional seating to the sanctuary, there is no requirement by code to add additional parking at this time.

Commissioner Saeed asked about Condition #2 in Ordinance 3689. Village Planner Sterrett stated this says that the open space is to remain green space in the future.

Acting Chairperson Heming-Littwin asked about where the corner side yard setback that is being referenced. Village Planner Sterrett showed this on the overview and stated the closest point is 15.1 feet, but is required to be 30 feet.

Acting Chairperson Heming-Littwin asked what percentage of green space is being taken up by the addition to which Village Planner Sterrett stated the petitioner will talk through this in their presentation.

Petitioner's Presentation

Sworn in were Tracy Kasson, attorney with Rathje and Woodward at 300 E. Roosevelt Road in Wheaton, Illinois; John Vandervelde, Executive Pastor of Glen Ellyn Bible Church at 501 Hillside Avenue in Glen Ellyn, Illinois; Mark Richards, Project Engineer with Webster, McGrath and Ahlberg at 207 S. Naperville Road in Wheaton, Illinois; and Mark Swanson, architect who resides at 536 S. 7th Street in Barrington, Illinois.

Mr. Kasson stated the original church was constructed in 1968, and in 1989, the church requested a Special Use Permit to add a gym and offices. Mr. Kasson stated the green space requirement that is in the transcripts seem to stem from one Plan Commission member who was concerned that the parking situation may need to be looked at if an addition was requested in the future. Mr. Kasson stated in these transcripts, the Village's attorney at that time said this was not necessary; however, the green space requirement was added as a protective measure so the Church would need to come back. Mr. Kasson stated the Church is not adding any seating to the sanctuary so additional parking is not needed.

Mr. Vandervelde stated Glen Ellyn Bible Church has been an integral part of Glen Ellyn for over 75 years. Mr. Vandervelde stated the Church does need to make upgrades and expand. Mr. Vandervelde stated the stairways between the levels were built on different standards so these stairways are now much too narrow for children and the elderly. Mr. Vandervelde stated all the Church's children's programming is in the basement of the building, and they want to ensure these stairways are safe, wider and easier to navigate. Mr. Vandervelde stated the current main lobby is too small for the Church's needs today, and the building is used nearly every evening during the week. Mr. Vandervelde stated the lobby area needs to be a more welcoming and open space. Mr. Vandervelde stated the expansion does fit the architecture of the current facility and also matches the surrounding neighborhood. Mr. Vandervelde stated they did listen to the Plan Commission's comments at the pre-application meeting and did preserve as much green space as possible as well as remove the outdoor patio.

Commissioner Howard if the Church has had an increase in membership in the past year. Mr. Vandervelde stated the Church has not had significant growth year over year; however, families with young children are moving out of the city to Glen Ellyn, and all four of the Church's nursery rooms on the lower level are full.

Acting Chairperson Heming-Littwin asked about the number of current members. Mr. Vandervelde stated they have around 800 members and regular attendees.

Mr. Richards stated the exact size of the addition is 2,277 square feet, and the net new impervious area is approximately 313 square feet. Mr. Richards stated the existing building has a non-conforming corner side yard setback ranging from 5 feet to 14 feet, and the proposed addition would have a corner side yard setback of 15 feet. Mr. Richards stated the Church's lot is 140 feet wide so the variance request would be 13.6% of the frontage on Hillside Avenue. Mr. Richards stated the permeable pavers that will be used in the four parking spaces are not required for this project; however, these pavers do help with drainage and allows the roof drains to be routed through an area which will allow some infiltration. Mr. Richards reviewed the landscape plan.

Mr. Swanson showed the proposed rendering for the Church and stated they designed this to match the original building. Mr. Swanson stated the arched windows will continue around the curve of the building, and the same bricks around the keystone will be used as well. Mr. Swanson stated they will keep the Colonial style so this matches the original structure of the building. Mr. Swanson stated the stairs down to the lower-level lobby will be wide enough to accommodate the volume of people coming and going. Mr. Swanson stated there was some concern about the lower level being sprinkled so they will work with the Village staff to ensure this is done. Mr. Swanson stated the new addition will have sprinklers; however, they are waiting to see if the sanctuary will still need to have these, and the Church will do this if needed.

Commissioner Hartweg asked if the sidewalk would be changed to permeable pavers as well. Mr. Swanson stated they could look at this; however, they do want to ensure they are ADA compliant.

Commissioner Howard asked if there were any current ADA issues to which Mr. Swanson stated the Church does have an elevator so the Church does meet current ADA compliance.

Acting Chairperson Heming-Littwin asked about the mechanicals. Mr. Swanson stated if they do put the mechanicals on the roof, these would go behind a parapet wall. Mr. Swanson stated there has been some talk and revise the equipment so there would be no rooftop mechanicals.

Mr. Kasson summarized the project and stated this project will be harmonious to the surrounding area as the proposed addition does match the existing church. Mr. Kasson sated the Church is not asking for any additional seating in the sanctuary so the Church does not need to install additional parking. Mr. Kasson stated the Church will be in commercial character with the surrounding community. Mr. Kasson stated the side yard setback variance is being requested due to the hardship of the nonconforming corner side yard setback currently being anywhere from 5 feet to 14 feet. Mr. Kasson stated 40% of the property width is taken up in setbacks, and they will not be altering essential setbacks. Mr. Kasson stated the Church is asking for the condition in Ordinance 3689 to be overturned the proposed addition would not affect the parking area.

Questions from the Plan Commission

Commissioner Hartweg asked where the water runs off to. Mr. Kasson stated there are drains in the parking lot where the water drains, and then the water goes into the public sewer. Mr. Richards stated the roof drains from the addition will be routed into the permeable pavers. Mr. Richards stated there is drain tile underneath the permeable pavers that will connect to the storm sewer system. Mr. Richards stated there is some detention in the parking lot as well which goes in the storm sewer. Acting Chairperson Heming-Littwin if the water runs underground. Mr. Richards stated the drain water will run underground through a pipe.

Commissioner Howard asked about the lobby. Mr. Vandervelde stated the main need for the lobby is on Sunday mornings due to the amount of people, and the lobby will also provide a welcoming gathering space for programs during the week. Commissioner Howard asked about the programming during the week. Mr. Vandervelde walked through the typical programming during the week. Commissioner Howard asked if the programming is typically on weekday evenings to which Mr. Vandervelde stated it is.

Persons in Favor of or in Opposition to the Request

Matt Johanson, who resides at 475 Hillside Avenue in Glen Ellyn, Illinois, stated he has been a Glen Ellyn resident for over 20 years and is a member of Glen Ellyn Bible Church as well. Mr. Johanson stated he is definitely in support of this project as it will upgrade and beautify the neighborhood.

Susan Johanson, who resides at 475 Hillside Avenue in Glen Ellyn, Illinois, stated this project will not be a hindrance. Ms. Johanson stated she has worked in the Church's children programming for many years, and they have been waiting for the upgrades to the lobby and the stairways for a long time.

Jamie Simoneit, architect with z+o Architectures and Interiors at 504 Hillside Avenue, stated he is excited about the Church's proposed project, and this project will have no adverse effect on the neighborhood. Mr. Simoneit stated his business is across the street from the church. Mr. Simoneit stated the green space on the north side of the church is in shadow very often. Mr. Simoneit stated he feels the church is in need of this addition as he is an usher at Glen Ellyn Bible Church, and Sundays can be very chaotic and crowded.

Bob Davidson, owner of Blackberry Market at 695 N. Main Street, stated he is the closest retailer to the church, and he does support this project. Mr. Davidson stated this is a community that supports each other and takes care of each other. Mr. Davidson stated he can vouch for the church as they have worked well together. Mr. Davidson stated the church is good about additional parking if Blackberry Market does have an event at night. Mr. Davidson stated he only sees a positive impact with this project and has no issues with this. Mr. Davidson stated he is not a member of the Glen Ellyn Bible Church.

Commissioner Howard moved, seconded by Commissioner Fanella, to close the public hearing at 7:50 p.m. The motion carried unanimously by voice vote.

Comments from the Plan Commission

Commissioner Vondruska stated most communities have churches on many corners, and it seems there is never enough parking. Commissioner Vondruska stated he like the changes and appreciates that the Church listened to the Plan Commission's comments and made adjustments.

Commissioner Fanella stated she is happy to see the Church took the Plan Commission's feedback into consideration and appreciates that research was done into the 1989 transcripts to see why this should be overturned. Commissioner Fanella stated she can support this project and appreciates the diligence and persistence that went into this project.

Commissioner Saeed stated he has no problem with the expansion. Commissioner Saeed stated he was concerned with the roof drains, but feels better after the explanation.

Commissioner Howard stated this sounds like a great project and is happy that the Church took into consideration what the Plan Commission said. Commissioner Howard stated it is great to see the support of local business owners as well.
Commissioner Hartweg stated they will be changing the "box" on the corner to a nick-looking building. Commissioner Hartweg stated he likes the use of the pavers. Commissioner Hartweg stated he did walk around the church, but saw no signage so it is a bit hard to tell where the front door is.

Commissioner Rodemann stated the petitioner took great care in putting together this proposal as the design is elegant and fits the architecture already there. Commissioner Rodemann stated this project will enhance the Glen Ellyn Bible Church and the Village of Glen Ellyn as a whole.

Acting Chairperson Heming-Littwin thanked the Church for coming back and stated she is happy to see this updated project proposal. Acting Chairperson Heming-Littwin stated she was concerned about the originally proposed outdoor patio.

<u>Motion</u>
Commissioner Howard moved, seconded by Commissioner Hartweg to recommend the following:

Having considered the application of the Glen Ellyn Bible Church for approval of an amendment to the existing Special Use Permit to delete condition #2 in Section III of Ordinance 3689 and to allow a 2,277 square foot building addition, and a variation from the Zoning Code for 501 Hillside Avenue, the Plan Commission hereby adopts the findings of fact in the petitioner's application packets and the testimony presented by the petitioner at the public hearing as well as the findings included in the deliberations of the Plan Commission and recommends approval of the requests, subject to the following conditions:

1. The proposed addition and existing building shall adhere to all applicable building, fire, and life safety codes and the construction plans be revised to meet the requirements outlined in the Building Division review memo from Steve Witt, Building and Zoning Official, dated August 31, 2017; and

2. Comments contained in the Public Works review memo from Rich Daubert, Professional Engineer, dated November 30, 2017, shall be addressed at the time of the building permit application.

The motion carried unanimously with seven (7) yes votes and zero no votes as follows: Plan Commissioners Howard, Hartweg, Fanella, Rodemann, Saeed, Vondruska and Acting Chairperson Heming-Littwin voted "yes."

Village Planner Sterrett stated this would be on the Village Board's agenda for an approval vote on February 12, 2018.

There was a break taken at 7:58 p.m. Planning and Development Director Hulseberg entered the meeting at 8:00 p.m. Acting Chairperson Heming-Littwin reconvened the meeting at 8:05 p.m.

Public Hearing – Zoning Text Amendments

On the agenda was a public hearing regarding Zoning Text Amendments.

PUBLIC HEARING – ZONING TEXT AMENDMENTS
CONTINUED PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING PROPOSED AMENDMENTS TO THE GLEN ELLYN ZONING CODE. AMENDMENTS INCLUDE CHANGES TO CHAPTERS 2, 4, 5, AND 8 OF THE GLEN ELLYN ZONING CODE THAT WILL AFFECT THE REGULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE VILLAGE. THE PROPOSED AMENDMENTS ARE RELATED TO SUCH THINGS AS DEFINITIONS, SUPPLEMENTAL REGULATIONS, RESIDENTIAL AND COMMERCIAL USES, ACCESSORY STRUCTURE SETBACK REQUIREMENTS, AND PERMITTED OBSTRUCTIONS AND STRUCTURES IN REQUIRED YARDS, AMONG OTHER ITEMS.

Commissioner Fanella moved, seconded by Commissioner Vondruska, to open and continue the public hearing regarding Zoning Text Amendments at 8:06 p.m. The motion carried unanimously by voice vote.

Staff Introduction

Acting Chairperson Heming-Littwin stated anyone who were sworn in previously is still under oath.

Acting Chairperson Heming-Littwin stated they had discussed Group Homes at the last meeting about Permitted Use versus Special Use.

Commissioner Fanella stated she would like to wait to discuss the Group Home text amendment until all the Commissioners who were at the last meeting at present and so the Commissioners have the minutes from that meeting in front of them.

Commissioner Vondruska stated he read the updated Staff Memo on Group Homes. Commissioner Vondruska stated there are concerns about Group Homes and the Fair Housing Act and asked if the Village's attorney is comfortable with the update. Planning and Development Director Hulseberg she will get the attorney's comments for the next meeting.

Acting Chairperson Heming-Littwin suggested they start at the beginning of the Draft of Proposed Zoning Code Text Amendments and discuss these one by one.

1. Clarify that the regulations contained in the "Permitted Obstruction and Accessory Structures in Required Setbacks" table apply to all accessory structures and obstructions,

regardless if they are in a require yard, including that all commercial businesses are required to have enclosures for their bulk trash containers, regardless if it is in a required yard.

Village Planner Sterrett stated staff is proposing that the regulations contained in the Permitted Obstructions and Accessory Structures table be applicable to all obstructions and accessory structures regardless of whether they are located in a required yard or elsewhere on a lot, as has been standard practice for accessory structures located outside of a required yard.

There were no questions or comments from the Plan Commission or the public on this text amendment.

2. Clarify that an alteration does not include reconstruction. As currently written, this allows non-conformities to survive.

Village Planner Sterrett stated they are taking out the words “reconstruction” and “replacement.” Village Planner Sterrett stated a non-conforming building would remain non-conforming.

Bill Enright, who resides at 344 N. Main Street in Glen Ellyn, was sworn in. Mr. Enright asked what would happen if a structure was non-conforming in the first place and how this would fall in these parameters. Village Planner Sterrett stated there is nothing to prevent an owner from tearing down and building in the same non-conformance.

Commissioner Rodemann asked where the line is drawn with this as it seems a bit grey. Village Planner Sterrett stated the alteration definition is specific, and it is just the words “reconstruction” and “replacement” that will be removed.

Planning and Development Director Hulseberg stated there can be exceptions to this as well, but these word changes are not a huge change.

3. Clarify the maximum permitted heights of Flagpoles.

Village Planner Sterrett stated the height of a flagpole is only “per zoning district” with no indication of what height restriction of a particular zoning district a flagpole must follow so the height will not exceed the maximum height permitted for the principal structure on the lot in the subject zoning district.

Mr. Enright asked if this is equal to the height of the house. Village Planner Sterrett stated a flagpole cannot go above the height of the principal building on the lot.

4. Make "Group Homes" a permitted or special use in various residential districts.

Acting Chairperson Heming-Littwin stated they will skip this one.

5. Make second floor residential uses permitted, rather than special uses, in the downtown.

There were no questions or comments from the Plan Commission or the public on this text amendment.

6. Make a pay day loan service a special use, rather than a permitted use, in the C3 district and eliminate them completely from the C5A and C5B districts.

Village Planner Sterrett stated this is being amended so the Village can have more control over where these pay day loan services, such as currency exchanges, can be located.

Mr. Enright asked why the Village is regulating this as there should be state requirements on this. Village Planner Sterrett stated the Village is only regulating the land-use component on this. Mr. Enright stated he does not feel the Village should be regulating this.

Commissioner Howard stated is fine with the Village doing this as she does not want to see one on every block, and the Village wants businesses that will generate tax income.

7. Add pharmacy and drug store permitted uses to C3 district.

Village Planner Sterrett stated the building and zoning official is allowed to permit a land use to be considered either a permitted or special use when such a use had been deemed similar in nature and is compatible with the listed uses. Village Planner Sterrett stated this use is then similar to and compatible with, uses in the C3 District so staff recommends adding this use as a permitted use.

Commissioner Vondruska asked if a Special Use would still be needed if the pharmacy or drug store has a drive-through window. Village Planner Sterrett stated this would need a Special Use.

Commissioner Fanella asked if a medical marijuana dispensary is considered a pharmacy or drug store. Planning and Development Director Hulseberg stated it is neither, and the staff knows exactly where these could go in the Village. Village Planner Sterrett stated a medical marijuana dispensary has its own category in the Zoning Code.

8. Eliminate millinery and haberdashery uses from the C5A and C5B districts.

Village Planner Sterrett stated the terms millinery, hat store for women, and haberdashery, clothing store for men, are obsolete and no longer used so they are removing these use categories.

There were no questions or comments from the Plan Commission or the public on this text amendment.

9. Create regulations for solar panels.

Village Planner Sterrett stated they need more regulation and limitation on where solar panels go can be located. Village Planner Sterrett stated a three foot clearance should be maintained between the top of the solar energy system and the ridge height of the building.

Commissioner Fanella asked if they are complicating the ability of a resident to install solar panels with this wording. Acting Chairperson Heming-Littwin stated having no trees would be more important than where the solar panels are located.

10. Create a setback requirement for pervious paver driveways, similar to impervious driveways.

Village Planner Sterrett stated this amendment will close a loop hole of allowing “grasscrete paver” driveways to be located within the required impervious setback of a district.

Commissioner Rodemann asked if the Village is trying to eliminate the ability to put “grasscrete” up to the property line. Planning and Development Director Hulseberg stated this can look unkempt if not maintained right, and the Stormwater Engineer says that larger width lots have greater impervious surface setbacks. Planning and Development Director Hulseberg stated by decreasing the amount a surface may allow water to penetrate before it is considered impervious will consider “grasscrete pavers” impervious and require it to meet the setback. Planning and Development Director Hulseberg

Ray Whalen, who resides at 177 Sunset Avenue in Glen Ellyn and owns a local building company, was sworn in. Mr. Whalen stated he does not know anyone who has a complete paver driveway in the Village. Mr. Whalen asked if this amendment relates to the #13 zoning text amendment as well. Mr. Whalen stated a “grasscrete” driveway is going to create ruts on the sides of the driveways.

Planning and Development Director Hulseberg stated they should defer the discussion on this so the staff could do some more work. Planning and Development Director Hulseberg stated they many need to prohibit “grasscrete driveways” completely.

It was decided to defer the discussion on this text amendment.

11. Clarify that only emergency generators are allowed to project in to the required yards, not all mechanical equipment such as HVAC units and pool equipment.

Village Planner Sterrett stated all mechanical equipment had been grouped together on the Permitted Obstructions and Accessory Structures in Required Setbacks table, and it was decided to separate emergency generators from other mechanicals.

Planning and Development Director Hulseberg stated some residents were having difficulty replacing their Air Conditioning units in side yards, and the biggest concerns are the front yard and corner side yard.

Acting Chairperson Heming-Littwin stated it does not seem to make sense that a generator, which is louder than an air conditioning unit, would be allowed in a side yard, but an air conditioning unit would not be. Commissioner Fanella stated she feels there needs to be a bit more wiggle room for the air conditioning units.

Planning and Development Director Hulseberg there was a reason for this; however, they will defer this discussion and pull the original Staff Report on this topic.

Mr. Whalen stated there is a difference between required side yard and side yard, and you can put an air conditioning unit on the side of a house, just not in the required side yard setback.

Acting Chairperson Heming-Littwin asked about satellite dish placement to which Village Planner Sterrett stated the Village cannot regulate satellite dish locations.

It was decided to defer the discussion on this text amendment.

12. Allow accessibility ramps in the accessory structures chart in the same location stairs are allowed.

Village Planner Sterrett stated this would allow ramps to be put in a front or rear yard. Acting Chairperson Heming-Littwin asked if a ramp could be in a required side yard setback to which Village Planner Sterrett stated it could not.

13. Allow primary shared driveways between 2 homes to not meet the required impervious surface setback.

Village Planner Sterrett stated this is for 2 homes that have driveways that go right to the property line, and it allows for 2 existing driveways to share the same apron/access into the street.

Acting Chairperson Heming-Littwin asked what would happen if 2 driveways are currently touching. Village Planner Sterrett stated a homeowner could go back and redo the driveway if they wanted to.

There was a discussion on this. Planning and Development Director Hulseberg stated they could go back and add language to say that if the Village Engineer says the driveways are ok; however, this should be a very rare occurrence.

It was decided to defer the discussion on this text amendment.

14. Remove the setback limitation for Basketball Poles and Non-mechanical Laundry Drying Equipment (clothesline).

Village Planner Sterrett stated this amendment came from a variation request that came before the Village Board about a year ago. Village Planner Sterrett stated staff is proposing to allow basketball poles and clotheslines in all required yards without limitations.

Acting Chairperson Heming-Littwin stated they should not have to do a text amendment due to one issue.

Village Planner Sterrett stated the staff did do a survey of the surrounding communities to see which communities regulate this and which do not. Village Planner Sterrett stated Oak Brook, Warrenville, Woodridge, Lisle and Geneva are among the communities that do have regulations on this, and Hinsdale, Batavia, Naperville, Lombard, Elmhurst and Carol Stream do not have regulations on this.

Acting Chairperson Heming-Littwin asked for a consensus, and all Commissioners were fine with this.

15. Require all accessory structures and detached garages to meet the minimum required corner side yard setback for principal structures.

Commissioner Howard asked what an accessory structure was to which Village Planner Sterrett stated this would be a shed or gazebo.

Planning and Development Director Hulseberg stated this is more of a characteristic of the streetscape issue, and there should be an open view with no obstructions. Planning and Development Director Hulseberg stated there should be uniformity on this in the neighborhood as well; however, these structures have been allowed in the past on corner lots.

Commissioner Howard stated the requirements for accessory structures on corner lots may be more difficult and suggested they may need to look at requirement for building on corner lots.

Acting Chairperson Heming-Littwin stated they need to look at the code for all corner residential lots, but not make this over-riding for all properties.

Planning and Development Director Hulseberg stated this is only for corner side yard setbacks. Planning and Development Director Hulseberg stated the staff will give the addresses of homes in question to the Plan Commissioners to drive by and look at.

Mr. Whalen put a picture up from the Zoning Code and stated this does change the use of the rear yard. Village Planner Sterrett showed some pictures of how an obstruction might look.

It was decided to defer discussion on this text amendment.

16. Add Corner Side Lot Line to the list of definitions of Lot Lines.

Village Planner Sterrett stated they have current definition for a Corner Side Lot Line.

Planning and Development Director Hulseberg stated they should defer this discussion as this language relates to #15.

It was decided to defer discussion on this text amendment.

17. Create definition of Gross Floor Area and Net Floor Area.

Village Planner Sterrett stated this is just creating definitions for Gross Floor Area and Net Floor Area.

There were no questions or comments from the Plan Commission or the public on this text amendment.

18. Define what a turret is and consider a turret as a special architectural feature and place limits on their area, height and setback. The current height regulations effectively prohibit them.

Village Planner Sterrett stated this amendment will allow turrets to be architectural features of a building, and turrets can be no more than five feet higher than the constructed ridge of the house.

Commissioner Vondruska asked for a definition of a turret to which Village Planner Sterrett stated the definition is already included in the code.

Mr. Whalen stated there is concern from the builder's side about this. Commissioner Howard asked if it was ok to get the language in now and then adjust the language later if needed.

It was decided to defer discussion on this text amendment.

19. Create definitions for pet grooming, pet training, pet store and veterinarian which are mostly currently lumped together as kennels.

Village Planner Sterrett stated they have no terms defined for animal day cares, animal grooming or animal training facilities. Village Planner Sterrett stated staff feels animal grooming is appropriate as a permitted use in not only the C3 but also the C2 and C5B district.

Acting Chairperson Heming-Littwin asked if Woofbeach is an animal day care too as she does see dogs there all day long sometimes. Planning and Development Director Hulseberg stated they will look at this again.

20. Require a Special Use Permit for beauty and barber shops and nail salons on the first floor in the C5A District.

Village Planner Sterrett stated they are adding definitions for beauty shops, barber shops and nail salons. Village Planner Sterrett stated the Village did receive a letter of concern from the Downtown Alliance as they wanted to ensure these types of places were defined.

There were no questions or comments from the Plan Commission or the public on this text amendment.

21. Eliminate the requirement for spacing of light poles.

Village Planner Sterrett stated requiring light poles to be spaced apart from one another decreases the effectiveness of the lighting.

There were no questions or comments from the Plan Commission or the public on this text amendment.

22. Add a requirement for trash cans for outdoor seating on private property.

Commissioner Fanella asked if this is for all outdoor seating for restaurants to which Village Planner Sterrett stated it is. Commissioner Fanella asked about Blackberry Market. Village Planner Sterrett stated Blackberry Market's outdoor seating is in the public right-of-way, and they do have an agreement with the Village to have a trash can.

23. Reduce the parking requirement for carry-out restaurants which is currently excessive.

Village Planner Sterrett stated the Village had an extremely restrictive code on this so they changed it to say 1 space for each 100 square feet of gross floor area, instead of 40 square feet.

There were no questions or comments from the Plan Commission or the public on this text amendment.

24. Establish a minimum interior side yard setback in the R1 and R0 Residential Districts.

Village Planner Sterrett stated this has to do with flag lots which have narrow lot width by definition.

There were no questions or comments from the Plan Commission or the public on this text amendment.

25. Allow legal, non-conforming decks to be reconstructed.

Village Planner Sterrett stated this has to do with decks that are accessed from the second story of a home. Village Planner Sterrett stated only decks that are within a required rear yard have height limitations which is currently three feet so the staff is proposing to increase this to 6 feet. Village Planner Sterrett stated anything over six feet in height in buildable area would then count toward Lot Coverage Ratio (LCR). There was a discussion over six feet versus seven feet.

Mr. Whalen stated he is concerned about a possible walk-out basement with a lot that slopes as it would not be good then to count this in the LCR. Mr. Whalen stated he is concerned with visibility, and decks do help to break up the bulk view of a home.
Planning and Development Director Hulseberg stated they will eliminate that these will contribute to LCR.

26. Remove reference to the Architectural Review Commission from the Zoning Code.

Village Planner Sterrett stated now the Architectural Review Commission (ARC) is now dissolved, all references to the ARC do need to be deleted from the Zoning Code.

There were no questions or comments from the Plan Commission or the public on this text amendment.

Commissioner Fanella moved, seconded by Commissioner Vondruska, to recommend approval of the following zoning text amendments as discussed:

#1; 2; 3; 5; 6; 7; 8; 9; 12; 14; 17; 19; 20; 21; 22; 23; 24; 26 and #25 with the stricken language, "but shall be included in the lot coverage ratio of the lot when constructed over 6' in height."

The motion carried unanimously with seven (7) yes votes and zero no votes as follows: Plan Commissioners Fanella, Vondruska, Hartweg, Howard, Rodemann, Saeed and Acting Chairperson Heming-Littwin voted "yes."

Commissioner Fanella moved, seconded by Commissioner Hartweg, to continue the public hearing for the remaining Zoning Text Amendments to be reviewed to the next regularly scheduled Plan Commission meeting. The motion carried unanimously by voice vote.

Trustee's Report

None

Chairperson's Report

Acting Chairperson Heming-Littwin stated she would be the acting chairperson again at the January 25, 2018 meeting as Chairperson Loch will be out of town.

Staff Report

Village Planner Sterrett stated there are two items to be considered at upcoming Plan Commission Meetings: 765 Harding Avenue and 240 Hawthorne Boulevard.

Other Business

Karen Gorz, who resides at 570 Crescent Avenue in Glen Ellyn, stated she is a member of the League of Women Votes, and she is observing Village meetings. Ms. Gorz stated she would appreciate it if the Plan Commission's packet was on the Village's website.

Planning and Development Director Hulseberg stated the staff is working on this and are doing a few commissions at a time with the new electronic packet system.

Adjournment

Commissioner Howard moved, seconded by Commissioner Fanella, to adjourn the meeting at 9:57 p.m. The motion carried unanimously by voice vote.

Respectfully Submitted,

Debbie Solomon
Recording Secretary

PLAN COMMISSION
MINUTES
FEBRUARY 22, 2018

The meeting was called to order by Chairperson Mary Loch at 7:00 p.m. Plan Commissioners Angela Fanella, Phillip Hartweg, Tracy Heming-Littwin, Terra Costa Howard (left at 8:48 p.m.), Tim Loftus, Mohammed Saeed and Jamie Vondruska were present. Plan Commissioner David Rodemann was excused. Also present were Village Director of Planning and Development Staci Hulseberg, Village Attorney Greg Mathews, Village Planner John Sterrett, Associate Planner Kelly Purvis and Recording Secretary Barbara Utterback.

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to approve the minutes of the January 11, 2018 Plan Commission meeting. The motion carried by voice vote with two abstentions.

On the agenda was a pre-application meeting for 491 and 495 Newton Avenue and a continued public hearing for Zoning Code Text Amendments.

PRE-APPLICATION MEETING TO DISCUSS THE RE-ZONING, RE-SUBDIVISION AND PLANNED UNIT DEVELOPMENT OF 491 AND 495 NEWTON AVENUE TO ALLOW THE CONSTRUCTION OF TWO DUPLEXES ON THE SITE
(Ray Whalen Builders, Inc.)

Staff Introduction

Associate Planner Kelly Purvis stated that the petitioner for the subject project is Ray Whalen Builders, Inc., owner of the property commonly known as 491 and 495 Newton Avenue. Ms. Purvis stated that Mr. Whalen has requested a pre-application meeting with the Plan Commission regarding the proposed resubdivision, rezoning and special use for a planned unit development of these two parcels to allow the construction of two duplexes on the site. Ms. Purvis stated that the subject properties are located on the east side of Newton Avenue between Anthony Street and Pennsylvania Avenue. She stated that the southernmost lot is zoned C5B Central Service Subdistrict and the northern lot is zoned R2 Residential Zoning District. She added that as part of the approval, the petitioner plans to request approval of R4 zoning for the entire property. She stated that the surrounding land uses are Multi-Family R4 Residential to the west, C5B Commercial to the east and south and R2 Residential to the north.

Ms. Purvis stated that the petitioner had appeared before the Plan Commission for pre-application meetings on three separate occasions. She stated that the first application was for a multi-use 3-story mixed use building on the 491 Newton Avenue site. She added that the plans were later revised to also include the 495 Newton Avenue property that was for two similar style mixed use buildings that would be rezoned to C5B. Ms. Purvis stated that the second pre-application for this site was similar to what is being proposed tonight which is a rezoning of the property to R4 with two duplexes to be proposed on the site. She stated that in 2015, the Plan Commission was in favor of the rezoning of the property to R4 and felt it was a good transition between the single-family and commercial uses and generally a good use of the site.

Ms. Purvis stated that in order to proceed with the project, the petitioner would need to receive approval of a zoning map amendment for the rezoning, a minor resubdivision and a special use for a planned unit development which is required for attached single-family and two-family dwellings in the R4 Residential district. Ms. Purvis stated that the petitioner would like a combined review of the preliminary and final PUD.

Ms. Purvis stated that the total site is approximately 26,000 square feet and the petitioner is proposing to construct two 2-story duplexes, each consisting of approximately 2,350 square feet and each duplex would have a shared front porch and a detached two-car garage in the rear. She added that the shared driveway and landscaping on the site would be maintained by a homeowner's association. Ms. Purvis stated that the site would be resubdivided and the southern lot is C5B and the northern lot is R2. She added that the petitioner is proposing to rezone both properties to R4 Residential zoning district. She also stated there are multi-family residential uses located across the street from the subject site and staff believes this would be encouraged as a transition between the commercial and single-family zoning districts and would be an appropriate rezoning of the site. Ms. Purvis stated that the density of the project is in compliance with the density standards of the zoning code. The code requires a lot area of 4,950 square feet per unit for two-family developments in the R4 zoning district. In accordance with this requirement, five units would be permitted on the property. She added that the project has a floor area ratio of .37 and a .4 floor area ratio would be permitted. Ms. Purvis stated this site would be subdivided into four lots so that each property would have ownership of the patio and the detached garage behind it which creates smaller than normal zoning districts. She stated that the lot widths range in size from almost 35 feet in width to approximately 39 feet in width. She stated that adding Lots 1 and 2 together would result in almost 74 feet and Lots 3 and 4 would be almost 72 feet. Ms. Purvis stated that in order to complete the project as proposed, each lot would require a deviation from the interior side yard setback requirement where there is a shared lot line. A deviation would also need to be provided for the impervious surface setback as no impervious setback would be there and 2 percent is required per code. She also stated that deviations would be required to allow the garages to touch and that they take up more than 30 percent of the required rear yard. Ms. Purvis stated that the shared driveway aisle width is 18 feet on both sides and approximately 12 feet in the middle. Ms. Purvis added that the code requires that two-way drive aisles must be 19 feet wide so there is enough room for cars to pull over to the side if necessary. She added it is anticipated that with up to eight (8) parking spaces in the rear there would not be much traffic going in and out but the drive aisle width should be considered.

Ms. Purvis stated that with planned unit developments, there is a requirement that 20 percent of the site be dedicated to common open space and since this development is being divided into four individual lots, there would not be any common open space. She added that what is required is 5,215 square feet and approximately 47 percent of the site is open green space (12,200 square feet). She added that staff feels due to the nature and the size of the development that a deviation for common open space would be appropriate for this type of project.

Regarding landscaping, Ms. Purvis stated that staff would typically recommend some type of a border or fence to provide a buffer at the northern part of the site between the single-family residences to the north and a little more of an intensive use at the subject location with duplexes. Ms. Purvis stated that the petitioner has indicated that he has spoken to the property owner to the north and the property owner would prefer landscaping instead of a fence. Therefore, large shrubs are being proposed that are listed in the plant list of the Appearance Review Guidelines as a 4-foot tall deciduous shrub variety. She also stated that the landscaping plan shows the appropriate number, size and type of tree that is required in the Supplemental Regulations of the Zoning Code. She added that the residential PUD regulations require that a 10-foot wide landscape buffer be provided along the peripheral lot lines so staff suggests that adding some additional natural groupings in front of the property might have more impact than the 10-foot buffer around the outside especially since some of the commercial uses are a more intensive use as is the multi-family use across the street. Ms. Purvis stated that this is the area that needs to be screened and the petitioner is providing screening there.

Ms. Purvis stated that a deviation from the Supplemental Regulations Table would be required to allow bay windows to encroach into the interior side yards. She stated that bay windows are permitted in the rear and front yard but not in the interior side yards.

Ms. Purvis stated that the petitioner is seeking feedback from the Plan Commission on the proposed development concept, the rezoning of the property to R4, the subdivision of the site into four (4) lots, the request for a one-step approval process for the preliminary and final PUD and the proposed deviations to complete the project.

<u>Questions to Staff from the Plan Commission</u>

Plan Commissioner Loftus asked if verification was received that notification was sent to the neighbors for this project and Ms. Purvis replied no. Plan Commissioner Loftus also asked if the resident who owns the property to the north has agreed to the shrubs on the north side. Ms. Purvis stated that the petitioner has indicated that he had spoken to the neighbor to the north who stated he would prefer landscaping at that location. She added that she did not speak to the neighbor to the north. Plan Commissioner Fanella asked how staff feels about the driveway width. Ms. Purvis stated that this issue was discussed at the Village Development Committee. She stated that the driveway will be private so there is less concern regarding it meeting what staff would typically want for a two-way drive aisle. Ms. Purvis responded to Plan Commissioner Fanella that a single-family driveway can be as small as nine (9) feet for a one-way drive aisle. Ms. Purvis responded to Plan Commissioner Loftus that the petitioner is requesting approval of a preliminary and final approval at the same time for this project at a future meeting. Ms. Purvis clarified for Chairperson Loch that all four (4) bay windows would require a deviation. She added that all four (4) of the bay windows on all sides would require a deviation. She added that the windows would be permitted if they were in the rear of the duplex or in the front of the duplex but are not permitted on the sides. She also stated that an encroachment can be up to three (3) feet in the required yard in the rear or the front of the duplex, however, it is not permitted on the sides. She added that the subject encroachments would be 2-1/2 feet into the side yard.

Petitioner’s Presentation

The petitioner, Ray Whalen of Ray Whalen Builders, spoke on behalf of his proposed project at 491 and 495 Newton Avenue in Glen Ellyn, Illinois. Mr. Whalen stated that when he looked at the subject parcel originally, the use would have been more of an intense use with a commercial aspect and because of market conditions, he downsized the use to single-family which fits more as a transition and more in the character of the neighborhood. He stated he looked at the adjacent homes in the area and most of them have detached garages which is why he prefers the proposed concept and will be requesting several deviations. Mr. Whalen stated that the density could have been greater as they could have included another unit on the site. He added that four (4) units was a personal preference as he wanted to have windows and a lot of open space and daylight in the units so they did not feel confining to the residents, looked better and fit in better with the character of the neighborhood. Mr. Whalen stated there is quite a bit of open space on the site and he would like the residents to feel that their units are single-family homes. He added that this project is a transition from the R2 zoning district into the Commercial and R4 zoning district across the street.

Mr. Whalen stated that he wanted to present this information to the Plan Commission so that this request can be combined into a preliminary and final Planned Unit Development. He stated he feels there is a need for this type of housing in the community for people downsizing and thinks it will help the economics of the downtown area as people will possibly shop and visit the restaurants more in the downtown. He also stated that he does not know if all of the garage space will be used or sold, however, he wanted to provide enclosed garage spaces instead of having single and two-car garages which has created a need for some of the deviations.

Mr. Whalen stated that one change that he learned about earlier today is that the ownership of the property to the north changed last summer so Mr. Whalen will get something in writing regarding that change. He added that he will be sure to do whatever the new neighbor wants regarding this property.

Mr. Whalen stated he would like bay windows on the buildings as they will enhance the look of the building, avoid long flat sides and break up some of the mass of the building. Mr. Whalen stated that he looked at the drive aisle as a private drive for the four (4) units and that the pervious surface would be reduced and there would be more green space and openness. Mr. Whalen added that the price point would be approximately $650,000-$750,000. He also stated the buildings will be able to have elevators with three (3) stops at the basement, first floor and second floor.

Questions from the Plan Commission

Plan Commissioner Heming-Littwin asked what the depth of the bay windows is as compared to the fireplaces. Mr. Whalen responded that the bay window is projected approximately 2-1/2 feet and the fireplace cannot exceed more than 2 feet (approximately six (6) inches greater). Mr. Whalen responded to Plan Commissioner Saeed that all of the units will have a full basement and three (3) bedrooms. Mr. Whalen responded to Plan Commissioner Loftus that they intend to have a wall separating units for privacy, security and fire issues. He also stated that all building code requirements will be met as well as the requirements for the interior of the units. Mr. Whalen stated that the studs are staggered which he would classify as two walls but they will have to comply with requirements from the Village Building Department.

Persons in Favor of or in Opposition to the Request

No persons spoke in favor of or in opposition to the subject request.

Comments from the Plan Commission

Plan Commissioner Heming-Littwin liked the proposed development which she felt is in a good transitional area. She appreciated that the petitioner took into consideration some of the items the Plan Commissioners had talked about at previous meetings. She was supportive of the re-zoning, subdividing the property into four (4) lots, combining the preliminary and final Planned Unit Development, the deviation and the bay windows. Plan Commissioner Heming-Littwin also stated that she likes that the drive aisle narrows between the two buildings because: 1. There will be room to place snow on the side. 2. It provides the effect that the drive is private because it narrows down instead of being a large drive going through. She also stated that she appreciated that the petitioner was not over-building on the subject lot and that he intends to address this project with the new resident next door. The other Plan

Commissioners were supportive of the proposed project and agreed with Plan Commissioner Heming-Littwin's comments.

CONTINUED PUBLIC HEARING – ZONING CODE TEXT AMENDMENTS

CONTINUED PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING PROPOSED TEXT AMENDMENTS TO THE GLEN ELLYN ZONING CODE. AMENDMENTS INCLUDE CHANGES TO CHAPTERS 2, 4, 5 AND 8 OF THE GLEN ELLYN ZONING CODE THAT WILL AFFECT THE REGULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE VILLAGE. THE PROPOSED TEXT AMENDMENTS ARE RELATED TO SUCH THINGS AS DEFINITIONS, SUPPLEMENTAL REGULATIONS, RESIDENTIAL AND COMMERCIAL USES, ACCESSORY STRUCTURE SETBACK REQUIREMENTS AND PERMITTED OBSTRUCTIONS AND STRUCTURES IN REQUIRED YARDS, AMONG OTHER ITEMS.
(Village Planner John Sterrett)

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Loftus, to open the public hearing. The motion carried unanimously by voice vote.

Staff Introduction

Village Director of Planning and Development Staci Hulseberg, Village Attorney Greg Mathews and Village Planner John Sterrett were present to speak on behalf of the subject requests. Mr. Sterrett stated that seven (7) text amendments had been deferred from previous Plan Commission meetings and will be discussed at this meeting.

4. Amend the Definitions of "Family" and "Group Homes" and make "Group Homes" a permitted or special use in various residential districts.

Introduction

Mr. Sterrett stated that the discussion on group homes had been tabled until this meeting in order to receive input from the Village attorney. Mr. Sterrett also stated that staff has provided information to the Plan Commission regarding how other communities similar to Glen Ellyn determine and regulate group homes. Mr. Sterrett stated that staff is proposing to change the proposed language for the definition of group home by taking the definition of family and specifically excluding a group home and a sheltered care facility stating that it is not subject to the definition of family because a group home would be in conflict to the way that a family is currently defined. Mr. Sterrett stated that the definition of group home has also been modified. He stated that staff previously said a group home was a residential building housing no more than eight (8) adults, however, that has since been changed to four (4) adults based on staff's findings from looking at other communities. He also stated staff has also tried to define what a group home is not, including a nursing home, a hospital, an adult day care center, child day care center or a dwelling unit or living quarters to serve an alternative to incarceration. He stated that a reference is included about a group home having state certification. He also stated that staff is proposing to have a group home be a special use in the R2 and R2B District with four (4) or less residents instead of eight (8) or less residents as previously proposed. He added that in the R3 and R4 Districts, a permitted use would be four (4) or less residents and a Special Use in those two districts would be four (4) or more residents with the R5 District being the same.

Questions/Comments from the Plan Commission

Plan Commissioner Heming-Littwin said that staff stated group homes are for adults, however, it states “for people” per staff which she feels could be any age. She felt that it would be more appropriate if “people” was changed to “adults.”

Plan Commissioner Heming-Littwin also asked if people with criminal offenses who are transitioning back into society would be candidates to live in group homes and Mr. Sterrett responded no. Plan Commissioner Heming-Littwin also asked for a definition of who would be covered under fair housing from a disability standpoint. Village Attorney Mathews stated that regarding the rehabilitation of criminally convicted individuals, neither the FHA nor the ADA would apply to allow those persons to be considered disabled for purposes of this type of housing. Attorney Mathews responded to Plan Commissioner Heming-Littwin that the list of disabilities, including addiction, is wide-ranging and protected under the ADA and fair housing. He also stated that the people in group homes are not supposed to be specific to adults.

Plan Commissioner Loftus had concerns with wording in general. He stated that in his profession he must follow the Illinois Disability Code and that according to the definitions of the Illinois Accessibility Code, a group home is considered transient lodging and asked if transient lodging is allowed in residential areas. He then read the definition of a group home from the ADA handbook. Attorney Mathews then responded to Plan Commissioner Loftus and stated that transient lodging as viewed in the Village relates to bed and breakfasts and hotels/motels as opposed to extended stay lodging. Director Hulseberg stated that definition may include group homes. Attorney Mathews agreed with Plan Commissioner Loftus that meeting the accessibility codes would be required for transient housing in the Village. Plan Commissioner Vondruska expressed a concern regarding the populations that may end up in the group homes. Attorney Mathews stated staff is working to develop a process that does not currently exist whereby an owner of a group home could work with the Village to determine whether or not a use is appropriate for the residential district it is in. Plan Commissioner Heming-Littwin stated that the R1 zoning is not included in the zoning districts that would allow group homes, and Director Hulseberg responded that is because R2 and R2B include the vast majority of residential districts in the Village. Plan Commissioner Fanella stated that all residential districts should also have the R1 residential district. Attorney Mathews stated that group homes should be considered for all residential districts. Director Hulseberg responded to Chairperson Loch that there could not be more than four (4) disabled adults total in a group home. Attorney Mathews responded to Plan Commissioner Heming-Littwin that the Village can require a group home to have a special use permit and other necessary documentation. Attorney Mathews stated that he will look into ADA requirements in response to Plan Commissioner Loftus. In response to Plan Commissioner Fanella, Attorney Mathews advised not discriminating among types of disabilities. He also stated that what cannot be said is that the residence does not fit within the character of the neighborhood because the residents are disabled. Chairperson Loch responded to Plan Commissioner Fanella that licensing is regulated by the state and building codes are regulated by the Village.

Persons in Favor of or in Opposition to the Request

Michael Spain, 367 Lorraine, Glen Ellyn, IL appreciated that the Village has started a process regarding group homes. He stated there are currently no requirements for group homes. He also stated the house at 373 Lorraine is not ADA compliant in any sense and was supposedly an all female establishment although there was a male living there at one time. He stated that calls have been made from the group home to the police department. Mr. Spain suggested that parking is atrocious and workers are allowed to park without a problem. He stated that cars cannot be parked where there are fire hydrants and he wondered why this has not been addressed. Mr. Spain also stated there appears to be potential abuse and the situation is devastating.

Paula Frederickson, 327 Phillips Avenue, Glen Ellyn, IL said that it has been stated that a process is not in place, however, she stated she remembered that special use permits were only allowed in R3 and R4 zoning districts and were not allowed in R2 and wondered why.

This item was tabled at this time and will come before the Plan Commission at the next meeting.

10. Original Text Amendment: Create a setback requirement for pervious paver driveways similar to impervious driveways.

Revised Text Amendment: Limit the previous surface setback requirement to five (5) feet from the property line on lots greater than 100 feet wide.

Introduction

Mr. Sterrett stated that staff was originally going to define what an impervious surface is so that it included some pervious surfaces such as Grasscrete. He stated that was to address a problem when new homes are built and driveways are constructed on predominantly large lots with large widths and that the path that is leading from the street to the garage—if it is a detached side load garage—will not be able to meet the impervious surface setback. He stated that to be sure they meet the impervious surface setback and also have some space beyond that setback to drive a car on, they put Grasscrete down. He stated that strip of Grasscrete is unsightly and does not look good for the character of the neighborhood. He added that they had originally proposed to change the definition for impervious. Mr. Sterrett stated there were concerns regarding whether or not this would have negative impacts on other areas in the Village on smaller lots or where a small strip of Grasscrete would be installed where vehicles are driving to a detached garage in the back of a lot, and staff did not want to do anything that would impact them. He stated that instead of changing the definition to impervious surface, staff instead looked at what the problem is with larger lots which is that they have to meet this very large impervious surface setback compared to other lots and create an exemption that states that residential driveways on lots over 100 feet in width do not have to be further than five feet from the property line and this problem will be avoided. He stated staff is eliminating the definition of impervious surface.

Questions/Comments from the Plan Commission

Mr. Sterrett confirmed for Plan Commissioner Loftus that the above information regarding impervious surface setbacks only pertains to residential driveways.

11. Clarify that only emergency generators are allowed to project into the required yards, not all mechanical equipment such as HVAC units and pool equipment.

Introduction

Mr. Sterrett stated that research was done regarding how mechanical units get included in being able to be placed in a required corner side or side yard setback. He stated that up until the early part of 2014, mechanical units, including air conditioners, were never allowed in a required front or side yard setback. He stated they are still allowed on the side of a house but are not permitted in a required side yard setback, adding that took place by staff where the intention was to allow only emergency generators to be located in a corner side yard setback or required side yard setback. In December of 2013, the Plan Commission had no discussion at all regarding changing the allowances for mechanical units or air conditioners in required corner side or side yard setbacks—only emergency generators. Mr. Sterrett stated that what the Village Board ultimately approved included an allowance for mechanical units to be in a corner side yard or side yard setback. He added there had been no discussion regarding this topic to change it back to what it was four years ago and had been up until that point.

Questions/Comments from the Plan Commission

Plan Commissioner Loftus asked about noise levels in existence. Mr. Sterrett stated there are noise restrictions from commercial to residential, however, there are no noise restrictions from residential to residential.

13. Exempt primary shared driveways between two homes from the impervious surface setback requirement.

Introduction

Mr. Sterrett stated an exemption was brought forward for two residential units that share a driveway where the driveway is also going down the property line and allowing a driveway to be re-built in the same location and not have to meet the impervious surface setback. He stated that this is not being changed at this time because the Grasscrete issue could have an impact on this proposed change. He stated that with the changes to the residential driveways and not changing the definition of impervious surface, staff does not believe any issues will be created as a result of the previous text amendment.

15. Original Text Amendment: Require all accessory structures and detached garages to meet the minimum required corner side setback for principal structures.

Revised Text Amendment: Require all accessory structures and detached garages to meet the minimum required corner side yard setback for principal structures when located on a reversed corner lot. Require all accessory structures and detached garages to be at least twenty (20) feet from the corner side yard lot line when located on a corner lot.

Mr. Sterrett stated that currently per code a detached garage must be at least 18 feet from a corner side lot line. He stated that staff originally proposed that a detached garage on a corner lot would have to meet the same setbacks as a principal structure, therefore, it could not be located within that corner side yard setback. He stated that the Plan Commission recognized there are differences between detached garages that are on corner lots and detached garages that are on reverse corner lots which is where a corner side lot line is basically a continuation of the adjacent front lot line. He added that in those situations, a detached garage can be much further out than the adjacent principal structure. He stated that there is not the same concern on corner lots because the adjacent lot is not being impacted by the detached garage that might be closer. Mr. Sterrett stated staff provided a compromise that if one is on a reverse corner lot, one could not have a detached garage encroaching into the corner side yard setback, however, if one is on a regular corner lot, one could encroach into the corner side yard setback but it would have to be located at least 20 feet from the corner side lot line which is increased from 18 feet so that a car can be parked in a driveway and not overhang.

Questions/Comments from the Plan Commission

Plan Commissioner Heming-Littwin felt that this recommendation is too restrictive. Director Hulseberg stated that it is the shape of the lot and not the address that determines the location of the garage and added that three nearby communities have this in their code. Chairperson Loch was in favor of bringing garages back to the building line where the houses are because a brand new garage in front of someone's home is intrusive. Director Hulseberg responded to Plan Commissioner Fanella that a garage is being recommended to be 20 feet from the lot line on a 50-foot lot.

16. Corner Side Yard. Add Corner Side Lot Line to the list of definitions of Lot Line. Modify the text and illustration that defines a required Corner Side Yard. Modify term used to define Reversed Corner Lot.

Introduction

Mr. Sterrett stated there is no definition for corner side lot line, however, there are definitions for front, rear and side. Staff is proposing to modify the definition for front lot line which would be that the front lot line is the front street line and the corner side lot line shall be the street line that is not the front line. Mr. Sterrett stated that staff is proposing to change the definition of a required corner side yard which is currently defined as going from the front of the house to the back of the house and in the front of the house will be the front yard setback, however, there is an area behind the house in the rear yard where there is no setback. He stated staff is proposing to extend the corner side yard from the front line of the building to the rear property line.

Director Hulseberg stated that staff is proposing to make a portion of the rear yard the required corner side yard. She added that one is allowed to cover only 30 percent of the required rear yard. She also stated that on a 50-foot wide lot, one can currently have a 600-square foot detached garage. She also stated that on smaller width lots, an accommodation will need to be made to cover more of the rear yard.

Questions/Comments from the Plan Commission

Mr. Sterrett responded to Plan Commissioner Heming-Littwin that the front yard is the shortest dimension of a lot.

18. Create a definition and regulations for turrets as a special architectural feature placing limitations on the area, height and setbacks. Current height regulations in the Code effectively prohibit turrets.

Introduction

Mr. Sterrett stated that what is currently being proposed regarding turrets is no different than what was proposed last time, however, staff could review what surrounding communities currently do if the Plan Commission wishes them to do so.

Questions/Comments from the Plan Commission

Plan Commissioner Fanella asked if a Victorian home in Glen Ellyn could currently be replicated with a turret per the existing code. She added that she would like to continue preserving the character of the Village. Chairperson Loch responded to Plan Commissioner Fanella that currently a home could not be re-built with a turret that does not meet code. Director Hulseberg stated staff feels it is a good idea to allow turrets. Director Hulseberg responded to ZBA Member Heming-Littwin that one could request a variation for a large turret at the Zoning Board of Appeals.

Persons in Favor of or in Opposition to this Request

No persons spoke in favor of or in opposition to this request.

This item was tabled at this time and will come before the Plan Commission at the next meeting.

Motion 1

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Loftus, to recommend approval of the presented text amendments as is for Text Amendment 10 regarding impervious surface setbacks, 11 regarding a/c units, 13 regarding shared driveways and 16 for the corner side yard definition.

The motion carried unanimously with seven (7) yes votes and zero (0) no votes as follows: Plan Commissioners Heming-Littwin, Loftus, Fanella, Hartweg, Saeed, Vondruska and Chairperson Loch voted yes.

Motion 2

Plan Commissioner Hartweg moved, seconded by Plan Commissioner Saeed, to recommend requiring all accessory structures and detached garages to meet the minimum required setback when located on a reverse corner lot and require all accessory structures and detached garages to be at least 20 feet from the corner side lot line when located on a corner lot.

The motion carried with four (4) yes votes and three (3) no votes as follows: Plan Commissioners Hartweg, Saeed, Loftus and Chairperson Loch voted yes; Plan Commissioners Fanella, Heming-Littwin and Vondruska voted no.

Motion 3

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to continue the public hearing regarding turret and group home text amendments.

The motion carried unanimously by voice vote.

Trustee Report

Trustee Liaison Bill Enright stated that the Village Board has recently been working on several items, including the Taylor Street underpass, the streets and sidewalks in the Central Business District, parking garages in the downtown, wayfinder signs, parking and funding. He stated that part of the reason for the budget shortfall is because the Village did not get an income tax rebate from the state. Trustee Liaison Enright also asked for feedback regarding having a parking garage behind the Civic Center which would be approximately $60,000-$70,000 per parking space or a parking garage near the Main Street parking lot which would be much cheaper at approximately $30,000 per parking space.

Chairperson Report

No Chairperson Report was given.

Staff Report

Mr. Sterrett stated that the 2018 zoning map update will be on the next Plan Commission agenda.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to adjourn the meeting at 9:20 p.m. The motion carried unanimously by voice vote.

Prepared by:
Barbara Utterback
Recording Secretary

Reviewed by:
John Sterrett
Village Planner

PLAN COMMISSION
MINUTES
MARCH 8, 2018

The meeting was called to order by Chairperson Mary Loch at 7:00 p.m. Plan Commissioners Angela Fanella, Phillip Hartweg, Tracy Heming Littwin, Tim Loftus, David Rodemann, Mohammed Saeed and Jamie Vondruska were present. Plan Commissioner Terra Costa Howard was excused. Also present were Village Director of Planning and Development Staci Hulseberg, Associate Planner Kelly Purvis and Recording Secretary Barbara Utterback.

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Plan Commissioner Loftus stated that on page 17 of the January 25, 2018 minutes, the word "could" in the sixth line should be changed to "would." Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Saeed, to approve the minutes of the January 25, 2018 Plan Commission minutes with that change. The motion carried unanimously by voice vote.

On the agenda was a continued public hearing regarding Zoning Code Text Amendments and the Official 2018 Village of Glen Ellyn Zoning Map.

PUBLIC HEARING – CONTINUED PUBLIC HEARING WITH DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING PROPOSED TEXT AMENDMENTS TO THE GLEN ELLYN ZONING CODE. AMENDMENTS INCLUDE CHANGES TO CHAPTERS 2, 4, 5 AND 8 OF THE GLEN ELLYN ZONING CODE THAT WILL AFFECT THE REGULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE VILLAGE. THE PROPOSED TEXT AMENDMENTS ARE RELATED TO SUCH THINGS AS DEFINITIONS, SUPPLEMENTAL REGULATIONS, RESIDENTIAL AND COMMERCIAL USES, ACCESSORY STRUCTURE SETBACK REQUIREMENTS AND PERMITTED OBSTRUCTIONS AND STRUCTURES IN REQUIRED YARDS, AMONG OTHER ITEMS.
(Associate Planner Kelly Purvis)

Staff Introduction

Associate Planner Kelly Purvis stated that three zoning code text amendments remain to be discussed at this meeting.

4. Amend the definitions of "Family" and "Group Homes" and make "Group Homes" a permitted or special use in all residential districts.

Information

Associate Planner Kelly Purvis stated that at the February 22, 2018 Plan Commission meeting, the Plan Commissioners discussed adding group homes to all residential districts as was recommended by the Village Board. Ms. Purvis stated that staff has updated the proposed text amendments accordingly and she displayed two charts that showed what the group home for four residents would look like. She added that special uses in all residential districts up to R2B and the R3 and R4 multi-family districts would be a permitted use, R5 would be a permitted use and group homes would not be allowed in any commercial districts. She added that for R5 and above, group homes would not be permitted at all in the RE Residential Estate through R2B. She also stated that in the multi-family districts and R5, it would be a special use for five or more residents and would not be permitted in the commercial districts. Ms. Purvis stated that currently the only place where group homes would be a special use would be in the R3 and R4 zoning districts and in some of the commercial districts. She stated that group homes are not permitted anywhere in the Village.

Plan Commissioner Heming-Littwin asked why group homes would not be allowed in commercial districts. Ms. Purvis responded that is because there are no single-family homes in commercial districts and we do not want to encourage that. Plan Commissioner Heming-LIttwin stated that there is a medical care type of facility in Wheaton that would like to become a “group home.” Ms. Purvis responded that that type of project would have to appear before the Plan Commission for a zoning code text amendment and request that the subject use be a special use in that district.

ADA Requirements

Ms. Purvis stated that the Plan Commission also requested additional information regarding accessibility requirements, state licensing requirements and parking requirements. Per a memo from the Village Building and Zoning Official, a group home would provide 24-hour care for no more than five non-transient occupants, not including staff. She stated that a group home acts as one dwelling unit. She added that, per the Building and Zoning Official, group homes, as defined, would not have accessibility requirements from the International Building Code. She stated that both single-family and group home uses are residential in nature and there is no change to the occupancy group which would otherwise trigger accessibility requirements. She added that the Illinois Accessibility Code is not applicable to existing buildings unless there is work being performed thereon. She added that accessibility provisions from the Fair Housing Act do not apply to one dwelling unit—they apply to multi-family units consisting of four or more dwelling units. Ms. Purvis stated that the Americans with Disabilities Act is applicable for newly designed and constructed or altered state and local government facilities, public accommodations and commercial facilities. She stated it is not applicable to existing buildings unless there is new construction or alterations being performed.

State Licensing Requirements

Ms. Purvis stated that group homes are regulated by the State of Illinois through the Department of Human Services. She also stated that the state specifies that group homes are to be located in an area that will enable individuals to participate and integrate into their neighborhood. She added that these homes are to be typical homes in residential neighborhoods. She also stated that the state requires that homes comply with locally adopted building, fire and life safety codes and a group home provider must supply the state with documentation showing compliance with these codes. She stated that each home must meet minimum standards such as the number of bathrooms provided, floor area per bedroom and proper evacuation routes. She also stated that all caregivers must be licensed with the Department of Human Services and any employee not licensed must be supervised by a licensed professional. She added that the amount of caregivers necessary to care for individuals is based upon their specific needs and their mental or physical disability.

Parking Requirements

Ms. Purvis stated that the Zoning Code currently regulates the minimum amount of parking requirements in the R3 and R4 zoning districts and there must be at least one parking space per 800 square feet of gross floor area in each home. She also stated that in districts where a group home is not a permitted use, a special use would give one the opportunity to determine how much parking would be needed and it could be a condition of the special use. Ms. Purvis stated that all other parking restrictions in the Village would be enforced for group homes. Ms. Purvis stated that if a special use process is put into place, the Village has more ability to regulate these homes. Ms. Purvis stated that staff thinks it makes sense to allow group homes somewhere in the Village without having to go through a process.

Plan Commissioner Heming-Littwin stated she has read some disturbing articles on group homes where investigations have been done and the homes are not run very well even though they are licensed by the state. She also stated if a home is not put through a process, the Village will not know if they are licensed, have the right kind of care available and are in good standing with the State of Illinois. Plan Commissioner Heming-Littwin stated she has a problem with what staff and the Plan Commission are doing and the only way she could do anything would be to say it is not permitted other than in R3, R4 and R5 and is a special use. She also stated she would not have a problem with a special use in some of the commercial areas rather than going into residential areas. Ms. Purvis responded to Chairperson Loch that currently a group home would be a special use in zoning districts R3, R4, C2, C5A and C5B. Plan Commissioner Heming-Littwin stated that the Plan Commission would not consider more than four persons (not including caregivers) in a group home. Ms. Purvis added that eight persons are currently allowed in a group home.

Questions/Comments from the Plan Commission

Ms. Purvis responded to Plan Commissioner Fanella that four adults age 55 and older are allowed to reside in a single-family home and since people cannot be treated differently, those with disabilities can also reside in a single-family home. She stated that the number of individuals living in a group home is being requested to be reduced to lessen the impact on a neighborhood.

Persons in Favor of or in Opposition to the Request

Paula Frederickson, 327 Phillips Avenue, Glen Ellyn, IL stated that when she answered her door one Sunday evening, a woman from a group home was there with a male staff member of that home. She stated that the resident was trying to get into her home and the staff member was very apologetic about the incident. She added that incident was very scary and she felt fortunate that her children were not there. Ms. Frederickson stated she is now afraid to be in her Glen Ellyn home with unlocked doors and she wants people to understand the severity of the situation.

Erin Pavlich, 364 Lorraine Street, Glen Ellyn, IL stated that the Village's definition of a group home focuses on disabled people. She stated that someone could say that the residents are trying to keep disabled people out of their neighborhood. She stated she did not understand why the Village focused on disabled people but thought it might be because they want to keep out people who are in alternatives to incarceration programs or halfway houses. Ms. Pavlich stated she knows these homes can be well run and if one removes the emphasis on people with disabilities from the definition of a group home, there would be less of an argument that they are just trying to keep out disabled people. Ms. Pavlich stated she supports what sounds like it will be voted on at this meeting which is keeping the current uses in the different districts except for adding some uses in some of the commercial districts and modifying the definitions as proposed.

Plan Commissioner Fanella stated that if John Kenwood who is a Village Trustee is speaking on this topic and then voting on it as a Trustee, she wanted to formally express that is an undue influence which is not appropriate. Trustee Kenwood stated he is speaking as a citizen who has raised a concern previously because he has encountered families who have had issues with this type of situation. Chairperson Loch allowed Trustee Kenwood to speak for three minutes. Trustee Kenwood asked if the subject project is a group home and stated there are group homes in the area that have had no problems. He also stated he agrees it is a difficult issue on both sides and liked that the definition is being changed. He stated that the Village should try to figure out a way to be able to take care of a growing population in its schools which is children who are autistic or who have Down's Syndrome. He stated we are basically telling these people they are not welcome here which he does not feel is right. He stated he is looking for a solution and does not feel he is an undue influence on anyone. He stated we can allow these children to live in this community where they grew up in a way that the parents know that when they pass away, their children can continue to live in this environment. He added that he does not want the wrong type of people living in these homes but would like to figure out a way to have people who need this type of housing living there because they already have a very expensive way of life. He added that when their parents are gone, they may only be able to survive with funding from the state in an appropriate environment and that is what he is looking for.

Plan Commissioner Heming-Littwin responded to Trustee Kenwood by stating that part of what the Village needs to do is balance between the residents here and people in group homes. She stated that she does not think we do not want people in a group home here but wants to be sure if they are here that they are in a safe environment in a licensed home. She stated that the only way to ensure that they are being licensed and properly managed is to have a license from the state and the only way to do that is to have a special use and have whoever is in charge of the home present information to the Village. Plan Commissioner Heming-Littwin added that this would allow for more control of the home.

Motion

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, that the Plan Commission recommend approval of a new definition for a group home being for four (4) residents or less and as otherwise stated in the draft with it being part of a special use in R3, R4, R5, C2 and C4 districts and not permitted in RE, R0, R1, R2, R2B, C3, C5A and C5B districts.

The motion carried unanimously with eight (8) yes votes as follows: Plan Commissioners Heming-Littwin, Fanella, Hartweg, Loftus, Rodemann, Saeed, Vondruska and Chairperson Loch voted yes.

18. Create a definition for a turret and allow it as a special architectural feature. Current height regulation in the Code effectively prohibits turrets.

Introduction

Associate Planner Kelly Purvis stated that per direction of the Plan Commission at the February 22, 2018 meeting, staff reviewed two different homes with turrets in the Village for which she was able to locate building plans. She stated that the Village is not trying to prohibit people from designing homes in this manner and to find out if these turrets can be replicated based on the code amendment that staff is asking to be approved.

Ms. Purvis stated that the first home being discussed is 564 N. Main Street and she believes the turret was a modification of the home as there is a 1-foot difference between the ridge height and the peak of the turret on this 37-foot tall house. She added that this turret could be re-constructed based on staff's proposal. Ms. Purvis stated that 602 Prairie is closely in line with the ridge height of the house so based on what staff is providing, the turret would be able to be reconstructed on this 40-foot tall house.

Ms. Purvis stated that staff has investigated how other communities with historic homes such as Hinsdale, Riverside, Elmhurst, Naperville and Oak Park are regulating turrets. She stated that Hinsdale, Naperville and Oak Park exempt turrets from the height provisions of the zoning code and have no regulations for maximum size or height. She stated that Elmhurst allows turrets with no specific provisions, Naperville allows ornamental towers to be erected to their customary height regardless of height limitations or the zoning district in which they are located and Riverside would require a special use for a turret. She added that for the most part there is not much restriction in other communities where turrets are allowed. She displayed and described photos of four properties with turrets. Ms. Purvis stated that the Village code currently allows one architectural feature and staff is requesting more than one architectural feature to be allowed. Ms. Purvis stated that the three (3) options would be to allow turrets without height restrictions, to allow turrets not to exceed 10 feet above the ridge height and to not allow turrets to exceed five (5) feet above the established maximum height for the zoning district.

<u>Persons in Favor or or in Opposition to the Request</u>

Jamie Simoneit, Architect, 504 Hillside Avenue, Glen Ellyn, IL was not pleased with the limits that will be placed on turrets and stated he appreciated communities that do not put limits on design. Mr. Simoneit stated the easy way to do it is to set the bottom of the turret on maximum eave height—then let the architect do what he likes from there on up. He added that finials and spires should not be restricted, adding that they are generally 3 feet in height. He added that a 7-foot turret will look terrible. He asked for a height of 12 feet with allowance for a 3-foot decorative item on top.

Staff clarified that a turret can be 10 feet above the ridge height.

<u>Comments from the Plan Commission</u>

Plan Commissioner Heming-Littwin stated she preferred the 10-foot turret as a turret should be the focal point of a house—not blended in. She added that a 5-foot difference is not very much. She also stated she is shocked that some communities do not have a height restriction on turrets. Plan Commissioner Fanella was supportive of option one which was to allow turrets without height restrictions, however, would support a 10-foot turret. Plan Commissioner Rodemann stated there should be a difference between a tower and a turret as a turret relates to the overall scale of a house and the highest ridge of a house. He felt that 10 feet is a reasonable dimension for a turret. There was some discussion regarding allowing a weather vane on top of the 10-foot turret. Plan Commissioner Loftus was supportive of no height restrictions for turrets. Plan Commissioner Saeed was supportive of a 10-foot turret. Plan Commissioner Vondruska stated he was in favor of a 10-foot turret with a weather vane.

24. On all corner lots, include the portion of a corner side yard adjacent to a rear yard as though it were part of the rear yard when determining the total allowable square footage of accessory structures and when determining how much of a required rear yard may be impervious surface.

Introduction

Associate Planner Kelly Purvis stated that at the last meeting, the Plan Commission voted to amend the zoning code text amendment that would essentially change how the Village defines the required rear yard on a corner lot. She stated that the zoning code was amended at the last meeting, however, No. 24 above would now be the new definition for the required corner side yard. Ms. Purvis stated that impervious surface is based upon the required rear yard and will allow up to 50 percent of a required rear yard to be covered in impervious surface. Thirty percent (30%) of a required rear yard will also be allowed to be covered in accessory structures. She stated that a corner lot would now be at a disadvantage in terms of what would be allowed in a required rear yard in terms of impervious surface and/or accessory structures.

Ms. Purvis stated that staff now proposes in instances where those two codes—accessory structure percentage and impervious surface percentage—are being applied and indicated the area on a map that would remain a required rear yard. She added that the new text amendment would be “the required rear yard on a corner lot as the area bounded by the side lot line, the rear lot line, the corner side lot line and the rear setback line” for the purposes of calculating the impervious surface and accessory structure coverage percentages.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to close the public hearing. The motion carried unanimously by voice vote.

Motion

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Hartweg, to recommend approval of the text amendments regarding 10-foot turrets (18) and the corner side yard definition (27) as proposed.

The motion carried unanimously with eight (8) yes votes as follows: Plan Commissioners Heming-Littwin, Hartweg, Fanella, Loftus, Rodemann, Saeed, Vondruska and Chairperson Loch voted yes.

PUBLIC HEARING – OFFICIAL 2018 ZONING MAP
DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING THE OFFICIAL 2018 VILLAGE OF GLEN ELLYN ZONING MAP.

Staff Introduction

Associate Planner Kelly Purvis stated that the Illinois Compiled Statutes require that the Village publishes an updated zoning map by April 1 of each year. She stated that this update typically includes annexations, zoning map amendments and corrections of any scrivener's errors. Ms. Purvis stated that there were three (3) annexations of properties into the Village limits that included: 1. 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue (Bucky's gas station). 2. 22W155 Buena Vista Drive, a residential property. 3. 21W551 Bemis Road and 21W518 Bemis Road, the wastewater treatment plant. Ms. Purvis stated that staff is requesting that the Plan Commission review and make a recommendation regarding the Official 2018 Zoning Map.

There were no questions or comments from the Plan Commission.

Motion

Plan Commissioner Hartweg moved, seconded by Plan Commissioner Saeed, to recommend approval of the Official 2018 Village of Glen Ellyn Zoning Map. The motion carried with eight (8) yes votes as follows: Plan Commissioners Hartweg, Saeed, Fanella, Heming-Littwin, Loftus, Rodemann and Vondruska and Chairperson Loch voted yes.

Trustee Report

Regarding the group home item at this meeting, Trustee Liaison Pryde stated that Trustees are residents and can speak their mind as residents and be completely objective as Trustees.

Trustee Liaison Pryde reported that the gas station at Five Corners is still in litigation. He also stated that the Village Board is looking at parking options and Walker Design has been hired to do studies regarding Village lots. He also stated the Village Board has had its first reading of the home rule sales tax and the increase is .25 percent. Trustee Liaison Pryde also stated that possible capital projects include one/two parking garages and a downtown redevelopment streetscape program. He added that the train station and underpass are currently being evaluated. He also stated that the Hadley Junior High improvements were approved last week.

Chairperson's Report

No Chairperson report was given.

Staff Report

No staff report was given.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Fanella, to adjourn the meeting at 8:32 p.m. The motion carried unanimously by voice vote.

Prepared by:
Barbara Utterback
Recording Secretary

Reviewed by:
Kelly Purvis
Associate Planner

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 06/18/18 07:00 PM
Department: Police
Department Head: Phil Norton
Category: Recognition
Prepared By: Patti Taves

SCHEDULED

AGENDA ITEM (ID # 3371)

DOC ID: 3371

Police Chief Norton will present an update on false alarm billing and permit registration.

Background
In 2014 the Police Department responded to a request to identify the most efficient, cost-effective means to invoice businesses and residents for alarm permits and repeated false alarms. Village Code Alarm Ordinance (6-6), had been updated in 2009, and established an annual registration fee along with a restructured false alarm fine scale. The revisions to the ordinance were intended to foster responsible alarm management and accountability through registration and a fine structure that discouraged repeated false alarms that trigger a police response each time. At that time, an extensive investigation into possible options resulted in a recommendation to engage EnablePoint Corporation as our third-party vendor for its professional services. The Department presented its research findings to the Village Board of Trustees Workshop Meeting on February 16, 2015 regarding the proposed changes. Trustees expressed varied opinions concerning both revenue streams and a decision on the best course of implementation was not reached.

Issues

The Department has not lost sight of the value of alarm registrations and the goal to reduce false alarms through proper alarm system management. Police Department staff has revisited the initial plan to pro-actively seek annual alarm permit registrations and to invoice for excessive false alarms that often result from the mismanagement of burglar alarm systems. The recommendations of the Police Department remain unchanged, however it has identified new processes for managing both elements of the ordinance.

Two critical sections must be addressed by the Board:

- Consent that all permit holders pay a permit fee with the exclusion of any school districts and local units of government (see 6-6-6).
- Consent that all false alarm premises are responsible for invoices as derived from the fee structure (see 6-6-12).

Recommendation

The Police Department recommends the use of Seamless Docs for its on-line alarm permit registration and payments. This is a paid subscription service which is already being utilized by other Village Departments. There is no additional cost to the Police Department to upload and customize our existing registration forms to the Seamless Docs on-line platform. This will be an optional and convenient choice for citizens, however they can continue to mail in or register their alarms in person if they choose.

Seamless Docs supports on-line credit card payment access through Stripe.com, a national company that transacts millions of dollars in internet business. The Village already has an account set up with Stripe.com and established a separate bank account through which all credit card payments will be routed. It is anticipated there will be a nominal transaction fee for the on-line service which the Department suggests be absorbed by the Village to encourage on-line registrations.

MUNIS will be utilized to generate the false alarm invoices. There is a fee of $1,400 for 8-hours of implementation and training required to set up the MUNIS modules for alarm billing. Should we need Tyler Forms to develop a specific invoice document for the false alarms, that cost will be approximately $500.

The Police Department will be responsible for the following activities:

1. Essential permit registration information would be added to MUNIS and from that address data, the Police Department will add false alarm activations.
2. Registrations submitted to the Village via pen/paper will likewise be receipted and various payment forms accepted.
3. Receipting all payments remitted both for permit fees, and false alarm payments received at the Police Department.
4. False alarm response records will be added into MUNIS.
5. Responding to customer questions/concerns regarding alarm invoices.

The Finance Department will be responsible for:
1. Generating and mailing false alarm invoices from MUNIS.
2. Receipting any payments for False Alarm invoices remitted to the Cashier's office at the Civic Center.

The Department will begin notifying known alarm users and advise them of the registration and annual fee requirement, and of the Village's intent to begin alarm billing, as soon as Board authorization is granted. The Department will send registration notices to known alarm users/current permit holders who have experienced alarm activations in 2018. False alarm invoicing will begin during the latter part of 2018.

Action Requested
Village Board of Trustees consent to implementation of the 2009 alarm ordinance Title 6-6-1 of the Village Code as written.

List of Attachments:
A. 2017 Alarm Activation Data Analysis
B. Potential Combined Revenue

ATTACHMENTS:

- 2017 Alarm Summary for Board (PDF)

- Combined revenue potential for Board (PDF)

Attachment A: Alarm Activation Data Analysis

2017 Alarm Response Data

6/8/2018

Total number of alarm locations:	**386**	
Commercial premises	118	31%
Residential premises	268	**69%**

Total number of alarms:	**819**	
One alarm	242	
Two alarms	130	
Three alarms	87	**459**
Total # billable alarms	**360**	

Alarms by premise type and number

	Premise type	Number	Total # premises
One alarm	Commercial	41	
	Residential	201	242
Two alarms	Commercial	29	
	Residential	36	65
Three alarms	Commercial	13	
	Residential	16	29
No	Commercial	83	25%
Billable fines	**Residential**	**253**	**75%**
Four alarms	Commercial	7	
	Residential	10	17
Five or more alarms	Commercial	28	
	Residential	5	33
All Billable	Commercial	35	**70%**
alarm locations	Residential	15	30%

Fines by account type

School, Municipal,Fed	$ 8,250	
Church	$ 2,800	
Commercial	$ 4,400	
Residential	$ 1,100	
Total billable alarm fines:	$ 16,550	
School/Muni/Fed	$ 11,050	67%
Commercial/Residential	$ 5,500	33%

Potential Overall Revenue

6/8/2018

2017		
Total number of alarm locations:	386	
Commercial premises	118	31%
Residential premises	268	**69%**

	# Permits	**Fee**	**Revenue**	**2017 Fines**	**Potential Revenue Fees & Fines**
1	386	$ 25.00	$ 9,650.00	$ 16,550.00	$ 26,200.00
		$ 23.50	$ 9,071.00		$ 25,621.00
2	772	$ 25.00	$ 19,300.00		$ 35,850.00
		$ 23.50	$ 18,142.00		$ 34,692.00
3	1158	$ 25.00	$ 28,950.00		$ 45,500.00
		$ 23.50	$ 27,213.00		$ 43,763.00

Sample Permit Revenue

Examples are based on 2017's 386 premises (1), doubled (2), and tripled (3).

Revenues also are calculated using the $25 permit fee, and on
$23.50, which presumes an appoximate credit card convenience
for on-line credit card registration payments.

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 06/18/18 07:00 PM
Department: Glen Ellyn Village Board
Department Head: Lindsey Kaminsky
Category: Discussion Item
Prepared By: Lindsey Kaminsky

SCHEDULED

AGENDA ITEM (ID # 3372) DOC ID: 3372

Village Manager Franz and Finance Director Coyle will provide an update regarding Parking Garage and Capital Projects funding.

During the strategic planning session and budget discussions last year and at various Village Board Workshops this year, the Village Board has developed a consensus with respect to some significant long term capital projects. The Village Board has directed staff to continue to prepare to move forward with the CBD Streetscape project and a parking garage at the Civic Center. The Civic Center renovation project continues to move forward and is lined up to proceed this summer. Additional building needs, including HVAC improvements, new windows, etc. are anticipated; and, therefore additional funding is needed to also meet these needs. The Village Board has directed staff to identify funding options and assess how best to complete these capital projects.

As part of that assessment, staff has discussed the overall capital plan with the Capital Improvements Commission (CIC) as well as discussed funding options with the Finance Commission. At the 5/29 Village Board Workshop, the consensus of the Village Board was to proceed with these capital projects, identify available funds and issue debt to finance any gap. In addition, the Board asked staff to finalize a funding plan, proceed with the 5-year capital planning process as discussed with CIC, formalize a plan to design the parking garage concept at the Civic Center, and finalize a timeline for issuing bonds for these projects.

PARKING GARAGE SUMMARY

The Village Board has identified the Civic Center as the best location for a parking garage and is open to a 4 or 5 Level garage at the location. (See attached design concepts from Walker Consultants, Exhibit I) The preliminary estimate for this project is $9.3M, however extensive utility relocation, access improvements, and other costs are not factored to the $9.3M; and, if the Village Board would like to consider the extension toward Duane, the costs escalates to $11.3M. Therefore, we are setting $12M as a conservative estimate for this project. While this site is likely more complicated with such tight surroundings, it was the best location for a garage for the following reasons:

1. Least valuable land to build upon, keeping other Village property available as potential economic development sites
2. Close proximity to Train Station, ideal for commuters and even more ideal once the pedestrian tunnel is built
3. Close proximity to highest demand for customer and employee parking, driven by various restaurants
4. Hidden by Civic Center, rather than a huge edifice on a major commercial corridor
5. Improves grant opportunities for Train Station/Pedestrian Tunnel Project based on adding commuter parking
6. Assists with Civic Center parking peaks, including Innovation DuPage/COD needs

Parking Goals Met: This proposed Civic Center garage would address the following parking needs:

- Commuters: Add approximately 200 new commuter spaces
- Customers: See #3 above
- Employees: See #3 above
- High School: Does not address this need
- Other: See #6 above

At the last Village Board Workshop, the Board narrowed the focus to following four options:

Civic Center Parking Garage Revised Options					
	Current Parking Spaces	***New Parking Spaces***	***Net New Parking Spaces***	***Project Cost***	***Cost per new space-Low***
4 levels, No Extension	*78*	*295*	217	$7,500,000	$34,562
4 Levels, 3 lvl Extension	78	364	286	$9,300,000	$32,517
5 levels, No Extension	78	361	283	$9,300,000	$32,862
5 Levels, 4 lvl Extension	78	453	375	$11,500,000	$30,667

The next step towards constructing a parking garage is to determine the appropriate construction model and proceed with an RFQ (Request for Qualifications) process. Attached is a brief summary of three different construction models and the pros and cons to both. (See Exhibit II) As you recall, the Village has used all three models over the last 5 years and have had success with all three options:

- § Village Links Clubhouse = Design-Bid-Build (Traditional)
- § Police Station = Design Build
- § Civic Center = Construction Manager-at-Risk

Staff is recommending a Design-Build Process whereby the Village would select a design team through an RFQ process. Given our success with the Police Station, better cost control, and less risk we believe that a parking garage project is well suited for this construction model. In addition, staff has begun to discuss an easement agreement with the Methodist Church and evaluating other site issues.

TENTATIVE FUNDING PLAN

Approximately $15M in additional funding is required for the near-term capital projects including the parking garage, Civic Center HVAC/new windows, and streetscape projects. To meet these needs, staff recommends a mix of funding including use of General Fund Reserves, with the remaining funding coming through General Obligation Municipal Bonds. The debt service for the bonds would be reimbursed through a combination of revenues from a new revenue source, TIF, Parking Fund and a potential Storm Sewer Fee. Below is an updated funding plan including modifications discussed at the last Workshop meeting most notably a Food and Beverage Tax rather than a Home Rule Sales Tax increase.

Table 1 - Capital Needs

Project Description	**Estimated Funding Needed**	**Notes**
Civic Center Parking Garage	$12.0M	Preliminary Estimate
Civic Center HVAC	$1.2M	Still Evaluating Options and Scope
CBD Streetscape	$2.0M	Assumes Add. Scope of $2M
Total Estimated Needs	**$15.2M**	

Table 2 - Potential Funding Sources

Funding Source Projected FundingNotes		
Motor Fuel Tax	$1.0M	One-Time Revenue
Reserve Funds from General Fund	$1.7M	One-Time Revenue
Municipal GO Bonds (20 years)	$12.5M	Repayment would be approx. $826K annually for 20 years at current rates
Total Potential Funding	**$15.2M**	

Table 3 - Potential Bond Debt Service ($826K Annually) Revenue Sources

Revenue Source Annual ProjectionsNotes		
Food and Beverage Tax	$560K	Assumes 1.0% minus additional staff costs to coordinate new tax
TIF	$75K	Contribution Could Grow
Parking Fund	$50K	New Commuter and Merchant Parking Permits
Storm Sewer Fee	$150K	Reduce Sanitary Sewer Fee; splitting $3 monthly fee into $1.50 Sanitary, $1.50 Storm (Wheaton added a $1.50 flat fee to their storm water rate)
Total Annual Revenues	**$835K**	

As we proceed with considering a Food and Beverage Tax, staff will begin to develop a Communications Plan with those businesses impacted by this new revenue. This new revenue stream would be dedicated to the Capital Fund to allow these projects to move forward and assist in replenishing the Capital Fund that has been impacted by a number of significant projects over the last five years including:

- Police Station-Complete
- Crescent Blvd, near Glenbard West-Complete (Partial Grant Funded)
- Taylor Street Underpass-Scheduled for November (Partial Grant Funded)
- Major Street Projects including Hawthorne and Park Blvd (Partial Grant Funded)

In addition, staff will begin to work on the necessary ordinance modifications to create a storm water fee. No specific timeframe on that part of the funding plan at this point. Other components of the funding plan do not require additional action at this time.

TIMELINE AND NEXT STEPS

As we consider issuing debt to provide funding towards the Capital Fund to finance recent and additional capital projects, the schedule is important to allow the spend down of debt in a timely fashion. Staff has developed the following tentative schedule for the three projects that would be funded through debt financing:

Parking Garage - Design Build

- RFQ for Design Build Team - July 15
- Interview Teams - End of August
- Select Design Team - September 15
- Village Board Approves Contract- October 1
- Design Completed and GMP (5 months) - March 1, 2019
- Start Construction - May 1, 2019
- Compete Construction - Q2 2020

CBD Street and Streetscape Plan

- RFP for Phase II Engineering - Issued June 12, 2018
- Village Board Approval of Engineering Agreement - August 27, 2018
- Preliminary Concept Completion and Board Approval - March, 2019
- Complete Phase II Engineering - February, 2020
- Bidding and Contract Award - March, 2020
- Phase I Construction - 2020 - 2021
- Phase II Construction - 2021 - 2022

Civic Center Renovation Project - Contractor at Risk

- COD to Approve Budget - June 21
- Village Board to Approve GMP -June 25
- Finalize Contract and Bid-out Subs- Now through mid-August
- Start Construction - August 20

- Affected employees move to gym - August 10
- Complete Construction - January 4, 2019

Debt Issuance

- Finalize Funding Plan - June
- New Revenue Approved - October 1
- Credit Rating/Legal Review/Marketing - October - December
- Sell Bonds - Q1 2019

Ø Three Year Spend Down would require that the projects are completed by Q1 2022

Recommendation/Action Requested

This updated information provides the Village Board one more opportunity to ask questions and provide feedback before we commit to these capital projects and funding plans. Staff is looking for direction on the following:

§ Parking Garage Construction Model - Staff is recommending Deign Build similar to what we used for the Police Station.

§ Funding Plan - Staff is ready to develop and roll out a communication plan with stakeholder groups

§ Timeline - Staff has developed a tentative timeline and is looking for any feedback

Staff is prepared to discuss this with the Village Board at the June 18 Village Board workshop and looks forward to getting further direction as noted above.

Attachments
Exhibit I - Civic Center Parking Lot Plans - Walker Consultants
Exhibit II - Project Delivery Methods - Walker Consultants

ATTACHMENTS:

- Exhibit I - Civic Center Parking Lot Plans - Walker Consultants (PDF)
- Exhibit II - Project Delivery Methods - Walker Consultants (PDF)

1 SITE PLAN

0 8' 16' 32'
1/16" = 1'-0"

NORTH

WALKER CONSULTANTS
505 Davis Road
Elgin, IL 60123
847.697.2640 Ph
www.walkerconsultants.com

Walker Parking Consultants/Engineers, Inc.
Firm Certificate of Authority Number: XXXXXX

GLEN ELLYN CIVIC CENTER
PARKING STRUCTURE
GLEN ELLYN, ILLINOIS

NO.	DATE	DESCRIPTION
	03/12/2018	ISSUED FOR REVIEW

ISSUED:

PROJECT NO:	31-8275.00
DRAWN BY:	MJK
CHECKED BY:	TLH

SHEET TITLE:
SITE PLAN

1-100

J:\31-8275-00-GLEN_ELLYN_PARKING_STRUCT\ACAD\06-GRAPH\8275AG-1-100.DWG 3/12/2018 12:11:24 PM KURZ, MIKE

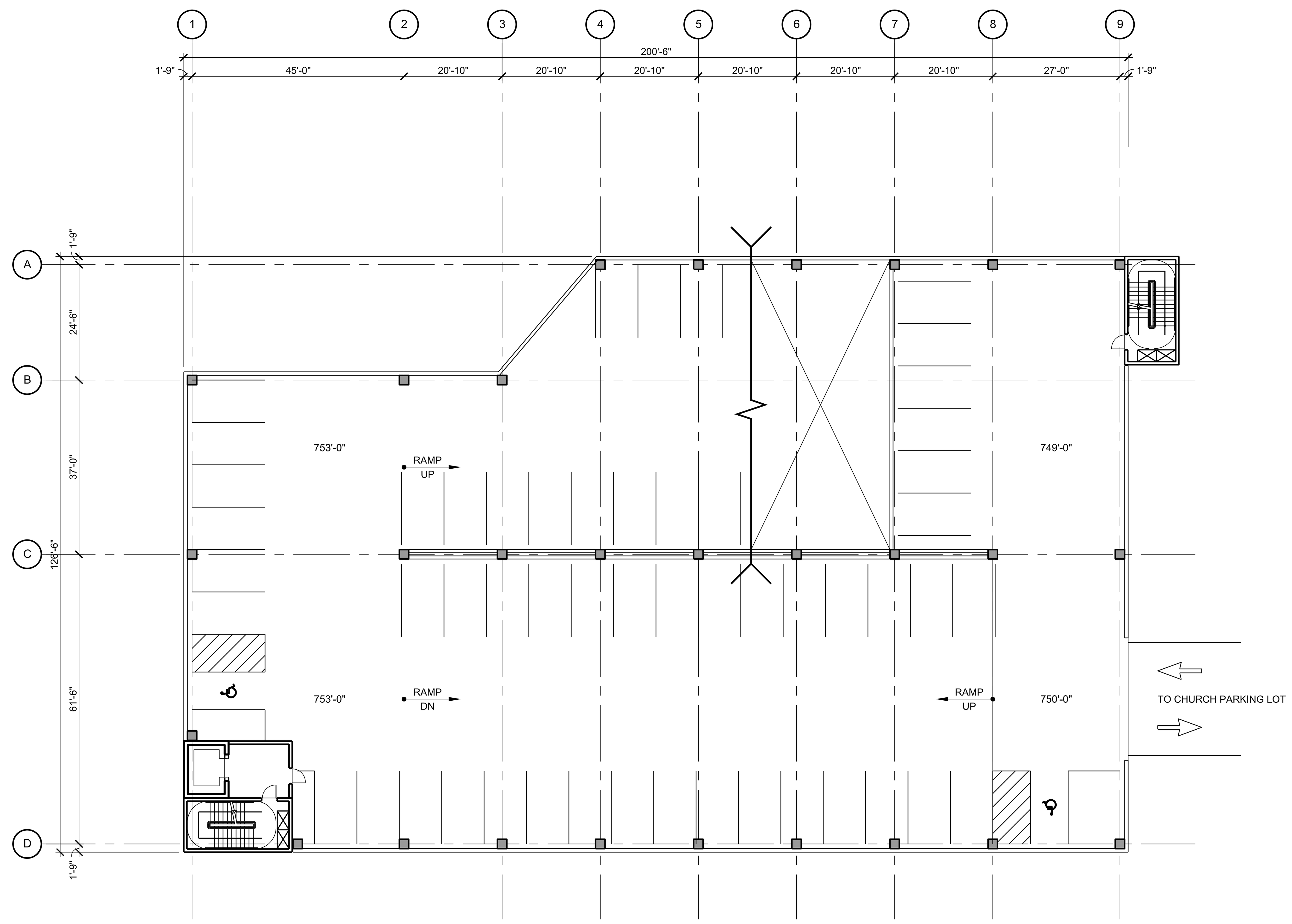
WALKER CONSULTANTS
505 Davis Road
Elgin, IL 60123
847.697.2640 Ph
www.walkerconsultants.com

Walker Parking Consultants/Engineers, Inc.
Firm Certificate of Authority Number: XXXXXX

GLEN ELLYN CIVIC CENTER

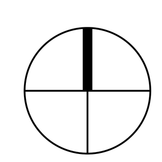
PARKING STRUCTURE

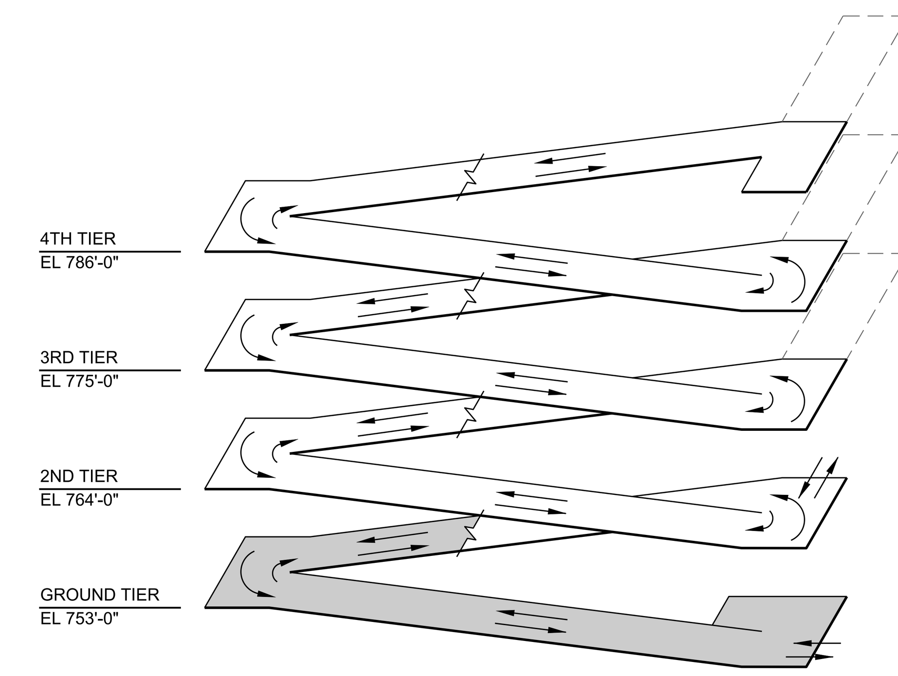
GLEN ELLYN, ILLINOIS



1 GROUND TIER PLAN

0 8' 16' 32'
1/16" = 1'-0"





ISOMETRIC

CAR COUNT

9'-0" 90° STANDARD SPACE

TIER	STRUCTURE STANDARD	STRUCTURE ACCESSIBLE	SURFACE STANDARD	SURFACE ACCESSIBLE	TOTAL
GROUND	54	2	0	0	56
SECOND	58	3	26	0	87
THIRD	65	1	0	0	66
FOURTH	65	1	0	0	66
TOP	20	0	0	0	20
TOTAL	262	7	26	0	295

NO.	DATE	DESCRIPTION
	03/12/2018	ISSUED FOR REVIEW

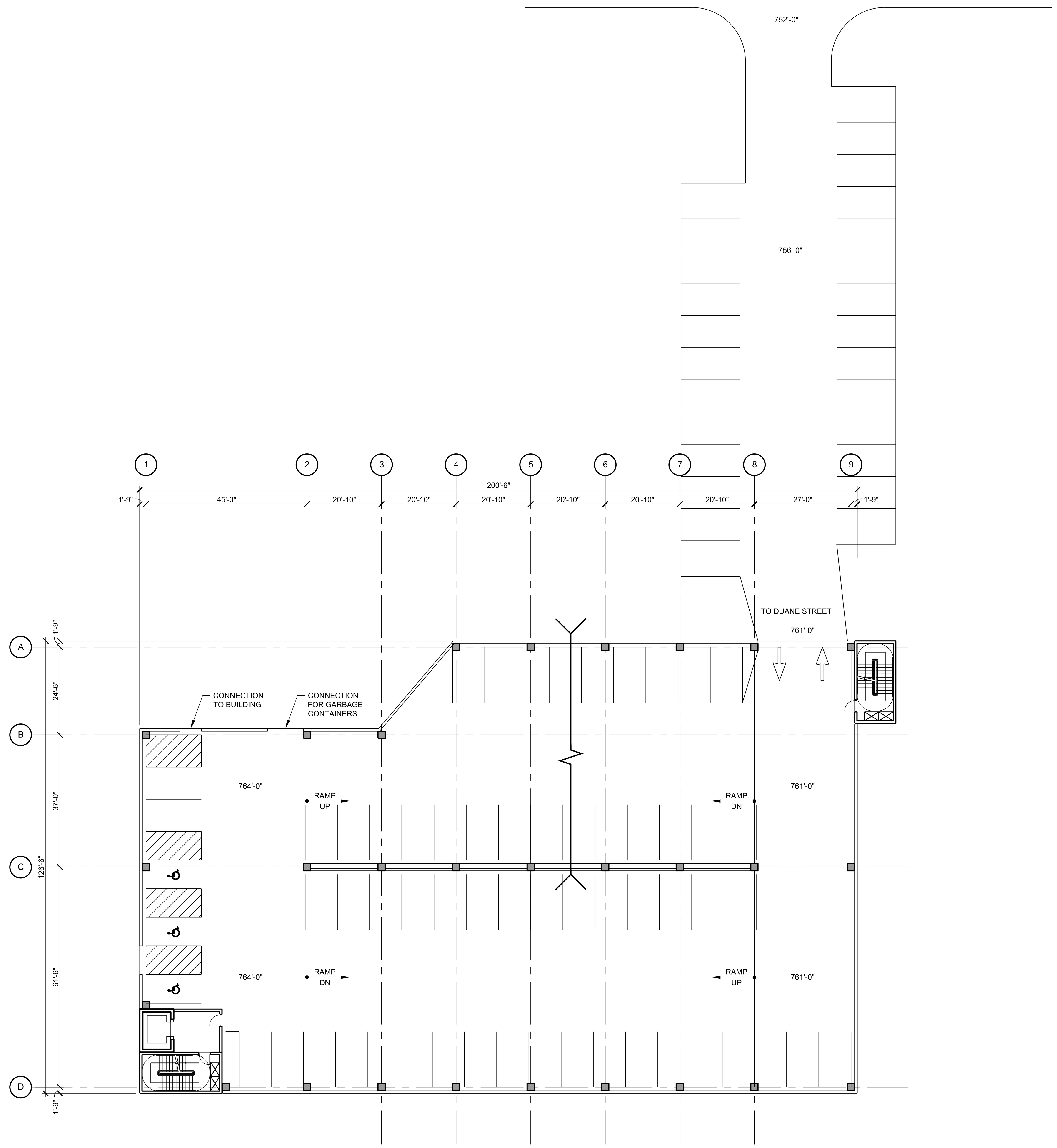
ISSUED:

PROJECT NO: 31-8275.00
DRAWN BY: MJK
CHECKED BY: TLH
SHEET TITLE:

GROUND TIER PLAN

1-101

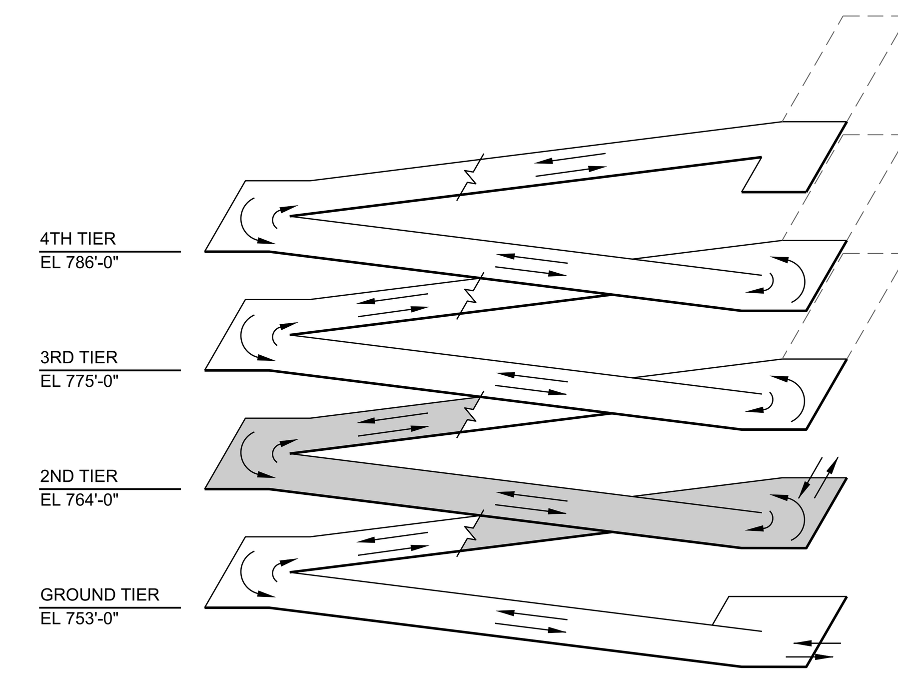
J:\31-8275-00-GLEN_ELLYN_PARKING_STRUCT\ACAD\06-GRAPH\8275AG-1-101.DWG 3/12/2018 12:11:08 PM KURZ, MIKE



1 SECOND TIER PLAN

1/16" = 1'-0"

NORTH



ISOMETRIC

WALKER CONSULTANTS
505 Davis Road
Elgin, IL 60123
847.697.2640 Ph
www.walkerconsultants.com

Walker Parking Consultants/Engineers, Inc.
Firm Certificate of Authority Number XXXXXX

GLEN ELLYN CIVIC CENTER
PARKING STRUCTURE
GLEN ELLYN, ILLINOIS

NO.	DATE	DESCRIPTION
	03/12/2018	ISSUED FOR REVIEW

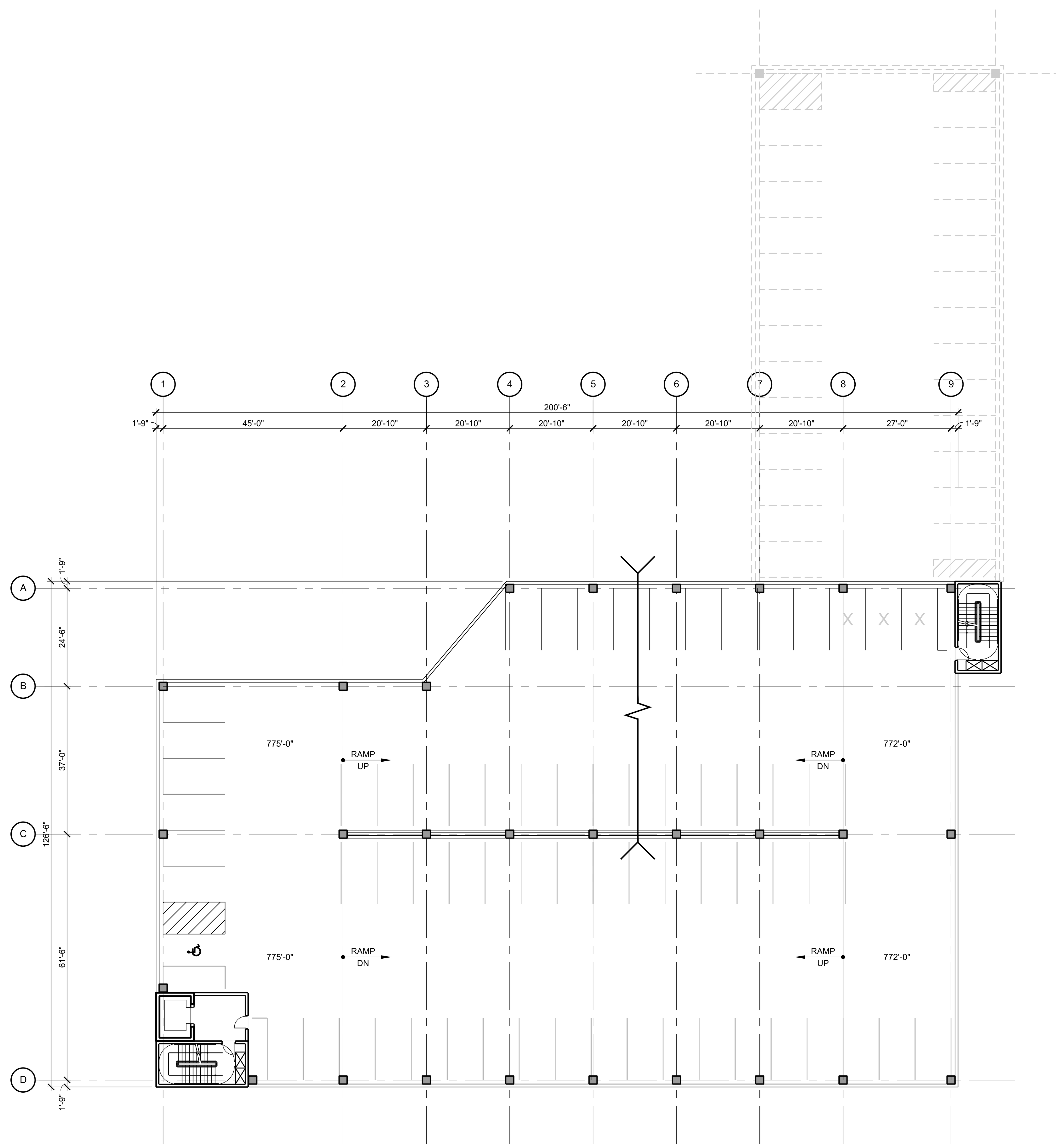
ISSUED:

PROJECT NO: 31-8275.00
DRAWN BY: MJK
CHECKED BY: TLH
SHEET TITLE:

SECOND TIER PLAN

1-102

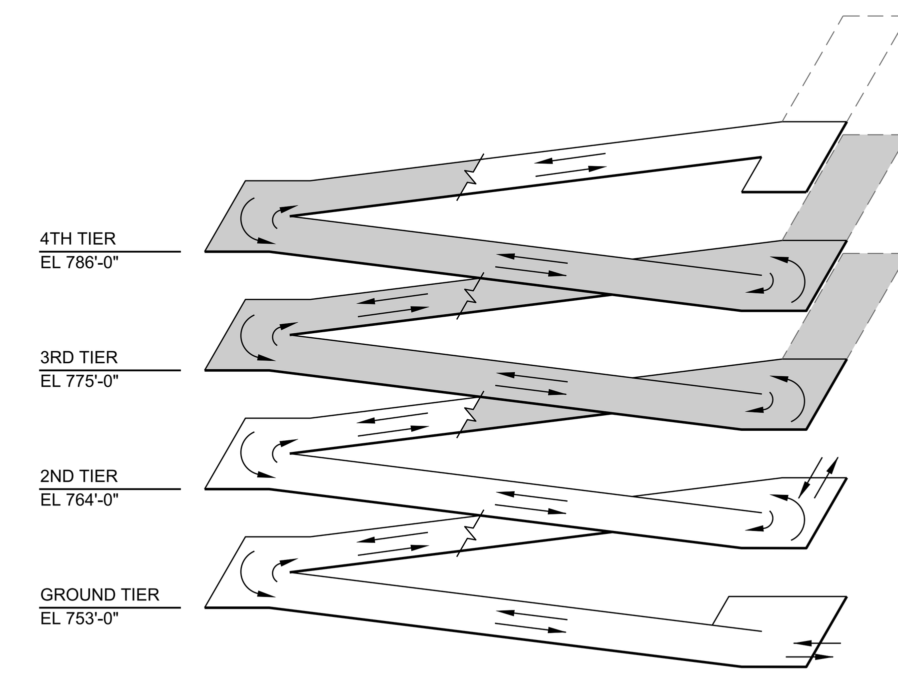
J:\31-8275-00-GLEN_ELLYN_PARKING_STRUCT\ACAD\06-GRAPH\8275AG-1-102.DWG 3/12/2018 12:10:51 PM KURZ, MIKE



1 TYPICAL TIER PLAN

1/16" = 1'-0"

NORTH



ISOMETRIC

WALKER CONSULTANTS
505 Davis Road
Elgin, IL 60123
847.697.2640 Ph
www.walkerconsultants.com

Walker Parking Consultants/Engineers, Inc.
Firm Certificate of Authority Number: XXXXXX

GLEN ELLYN CIVIC CENTER
PARKING STRUCTURE
GLEN ELLYN, ILLINOIS

NO.	DATE	DESCRIPTION
	03/12/2018	ISSUED FOR REVIEW

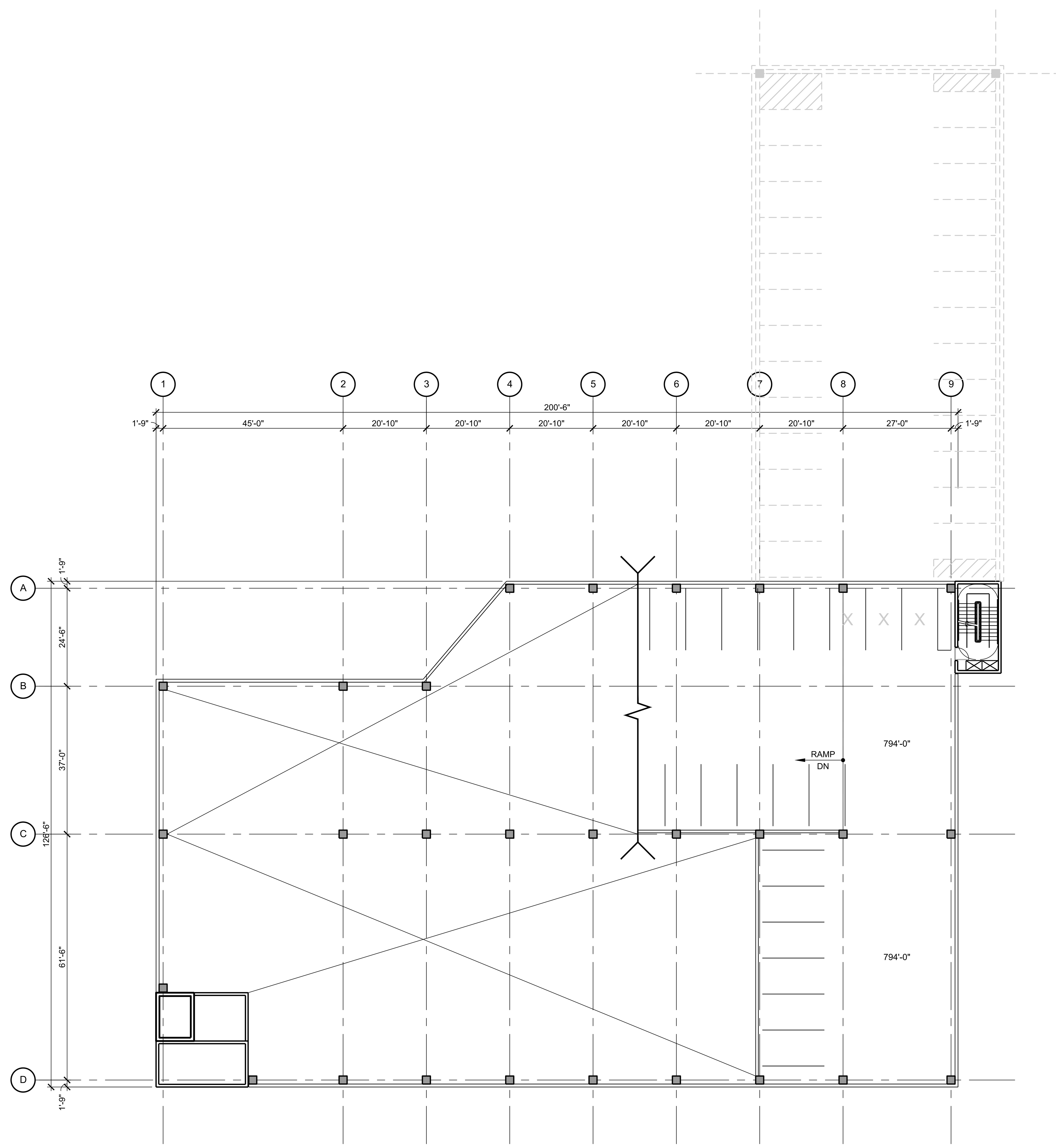
ISSUED:

PROJECT NO: 31-8275.00
DRAWN BY: MJK
CHECKED BY: TLH
SHEET TITLE:

TYPICAL TIER PLAN

1-103

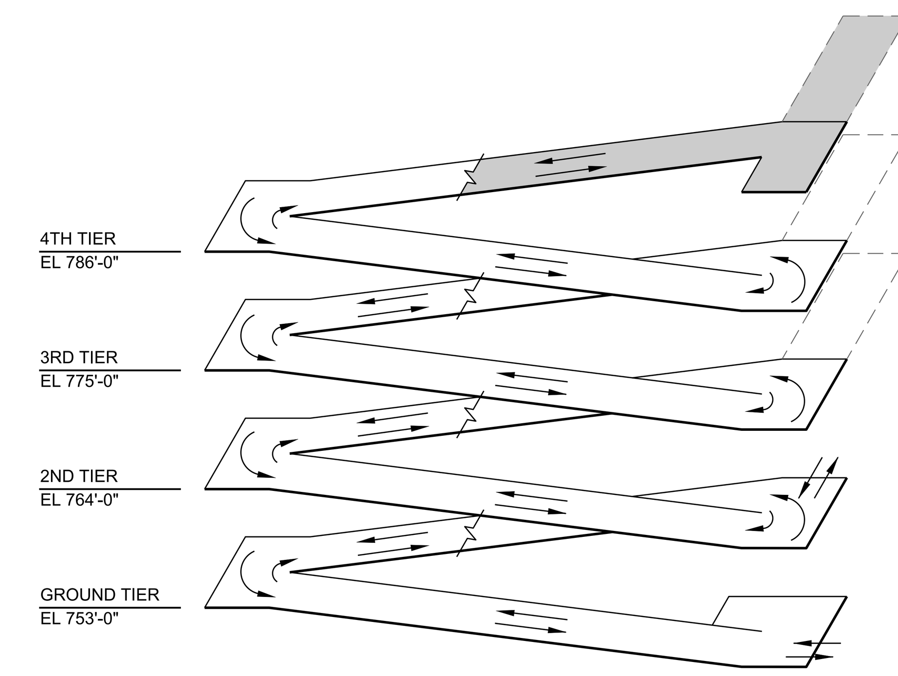
J:\31-8275-00-GLEN_ELLYN_PARKING_STRUCT\ACAD\06-GRAPH\8275AG-1-103.DWG 3/12/2018 1:12:59 PM KURZ, MIKE



1 TOP TIER PLAN

0 8' 16' 32'
1/16" = 1'-0"

NORTH



ISOMETRIC

WALKER CONSULTANTS
505 Davis Road
Elgin, IL 60123
847.697.2640 Ph
www.walkerconsultants.com

Walker Parking Consultants/Engineers, Inc.
Firm Certificate of Authority Number: XXXXXX

GLEN ELLYN CIVIC CENTER

PARKING STRUCTURE

GLEN ELLYN, ILLINOIS

NO.	DATE	DESCRIPTION
	03/12/2018	ISSUED FOR REVIEW

ISSUED:

PROJECT NO: 31-8275.00
DRAWN BY: MJK
CHECKED BY: TLH
SHEET TITLE:

TOP TIER PLAN

A-104

J:\31-8275-00-GLEN_ELLYN_PARKING_STRUCT\ACAD\06-GRAPH\8275AG-1-104.DWG 3/12/2018 12:10:32 PM KURZ, MIKE

PROJECT DELIVERY METHODS

"Owner Control"

Most ← → *Least*

Design-Bid-Build

- Three separate phases
  - Design
  - Bidding
  - Construction
- Contracts
  - Owner/Designer
  - Owner/Contractor
- Budget
  - Cost estimator consultant typically employed
  - Contract Sum
- Schedule
  - Dictated by Owner contract
- "Traditional" project delivery – well understood and well established

Construction Manager at Risk (CMAR)

- Three phases
  - Design
  - GMP
  - Construction
- Contracts
  - Owner/Designer
  - Owner/CM-Constructor
- CM part of the design process
- CM establishes GMP
  - GMP can be established at multiple points
  - GMP can change via change order
  - GMP typically includes a contingency
- Schedule
  - Assembled by CM

Design-Build

- Two phases
  - Design
  - Build
- Contracts
  - Owner/Design-Build Entity
- Design builder to design and construct to meet performance standards
  - Performance standards set by owner
  - Referred to as "Scoping or Bridging Documents"
- Budget
  - Lump Sum or GMP
- Schedule
  - Per design build agreement
  - Can be fast-tracked

**Agency CM, Integrated Project Delivery, and Multi-prime not included.*

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 06/18/18 07:00 PM
Department: Administration
Department Head: Mark Franz
Category: Discussion Item
Prepared By: William Holmer

SCHEDULED

AGENDA ITEM (ID # 3373) DOC ID: 3373

Assistant Manager Holmer will facilitate a discussion to update the Board on the Civic Center Renovation.

BACKGROUND

In 2017, the Village Board approved a plan to renovate the Civic Center to better align internal staff efficiencies and work areas, along with improving space to lease to the College of DuPage as part of a new collaboration which will bring Innovation DuPage and the Small Business Development Center (COD) to the Civic Center. Subsequently, the Village Board approved contracts with Dewberry Architects and Leopardo Construction, Inc. (LCI) to complete the design and construction, respectively.

ISSUES

On May 7, 2018, at a Village Board Workshop, the Board discussed known HVAC issues in the Civic Center and the potential opportunity to address them during the upcoming renovation. The Board directed staff to explore options for the HVAC system as a part of this project. Staff directed Leopardo (LCI) and Dewberry to develop alternatives to address the HVAC problems in the building. The team developed the following for options:

Option 1 - Replace Steam Boilers with Hydronic - Cost $1.4 million (BEST)
Option 2 - Electric baseboard heaters at perimeter areas - Cost $463,000 (FAIR)
Option 3 - Electric duct coil heating at the existing VVT boxes - Cost $994,000 (BETTER)
Option 4 - Electric duct coil heating at the VVT boxes (only on 1st floor) - Cost $670,000 (GOOD)

From the perspective of occupant control, comfort and overall performance, LCI ranked the options from fair to best. All options would likely require some level of asbestos abatement, the cost of which is not included in the above estimates. Attached is a chart depicting the options along with some pros/cons as developed by LCI.

HVAC ANALYSIS

Staff has reviewed and discussed the options presented by LCI and, at this time, we are recommending proceeding with the renovation project as originally planned without addressing HVAC. To be clear, the HVAC will need to be addressed; however, staff feels that it is necessary to evaluate options and related costs more completely prior to recommending a course of action. These options/costs were put together in a short time frame and staff simply feels it is prudent to conduct a more thorough assessment of the current system and potential options before moving forward.

GUARANTEED MAXIMUM PRICING (GMP)

Pricing on this project will be structured similarly to the Police Department construction. LCI has developed a GMP for the construction costs. While the GMP reflects a total construction cost approach, they have also been able to break out the costs to account for the fact that the project is being funded by both the Village and the College. As with the Police Department, LCI will seek competitive bidding from sub-contractors throughout the Civic Center project.

You may recall that the College had a budget of $2,000,000, while the Village set a budget of $1,350,000 for a total of $3,350,000. Staff is recommending approval of a GMP in the amount of $3,059,844. It is important to remember that this represents construction costs only. The entire project cost is inclusive of architect fees, contingencies, and other "soft costs." These soft costs have been accounted for in our overall budget. In the event the Board chooses to move forward with one of the HVAC options presented, the GMP would be increased by the amount associated with the option chosen. It is anticipated that the College of DuPage Board will approve their scope of the project at their meeting on June 21, 2018. We will then request approval of the GMP at our meeting on June 25, 2018.

RECOMMENDATION

There is no recommendation for the Board; however, staff is planning to present the GMP for consideration at the June 25, 2018 Village Board meeting. Additionally, staff will be exploring other HVAC options outside of the scope of the renovation which will be presented to the Board at a later time.

ATTACHMENTS:

- HVAC Options Analysis 2018.05.31 Bill Version (PDF)

Glen Ellyn Civic Center 18-4447
HVAC Options Analysis
5/31/2018

	Option 0	Option 1	Option 2	Option 3	Option 4
Description	**No change to current system. Keep current base bid design.**	**Replace steam boilers with hydronic and add reheat coils to existing VVT**	**Electric base board heating at perimeter**	**Electric duct coil heating at existing VVT**	**Same as Option 3, but only First Floor**
Construction Cost	$0	$1,389,219	$446,752	$970,759	$649,062
Design Cost	$0	$16,000	$21,669	$22,369	$20,884
Schedule Impact	3 weeks if approved on 6/4	12 weeks	12 weeks	12 weeks	12 weeks
HVAC performance	No change.	Best	Fair	Better	good
Electrical Service	No change.	No change.	No change.	New electrical service needed	New electrical service needed
Abatement	No change.	Potential at all demo'd ceilings. Need Village to conduct complete environmental survey and complete abatement.	Potential at baseboard heaters. Need Village to conduct survey and complete abatement.	Potential at all demo'd ceilings. Need Village to conduct environmental survey and complete abatement.	Potential at all demo'd ceilings (first floor). Need Village to conduct environmental survey and complete abatement.
Pros:	No cost and schedule	Addresses main HVAC concern. Best occupant temperature control.	Least first cost and minimal disruption. Provides additional heating at perimeter	Addresses main HVAC concern. Good occupant temperature control. Minimal disruption.	Addresses main HVAC concern (First floor only). Good occupant temperature control. Minimal disruption.
Cons:	Will not address HVAC issues.	Significant first cost. Demo/disruption to install hydronic piping through out building.	Only addresses part of HVAC issue. Manual occupant control of heating.	New electrical service. Still have existing steam boilers to maintain. Localized demo/disruption to install coils.	Will not address HVAC issues on Second & Third floors. New electrical service. Still have existing steam boilers to maintain. Localized demo/disruption (first floor) to install new coils.