

VILLAGE OF NILES

1000 Civic Center Drive
Niles, IL 60714
www.vniles.com



Approved Meeting Minutes

Monday, February 5, 2018

7:00 PM

Village Hall

Planning and Zoning Board

Chairman

Thomas Kanelos

Members

Susan DeBartolo

Morgan Dubiel

Ted Karabatsos

Barbara Nakanishi

Thomas Parala

Robert Schulter

Angelo Troiani, Emeritus

Staff Liaison Bruce Sylvester

CALL TO ORDER/ROLL CALL

Senior Planner Bruce Sylvester said this request is for a drive through facility at the former Hardee's location at 9102 Milwaukee Ave. The owner of Papagalino's Restaurant at 9014 Milwaukee Ave. has purchased this property as a second restaurant location for his business and wants to use the drive through facility that already exists. The special use has expired since the drive through facility has not been used in over a year.

Chairman Kanelos asked if the Village requires a restaurant location that has been closed for six months and someone wants to reopen, they need to request a special use.

Mr. Sylvester said the new zoning ordinance eliminated that.

Commissioner Dubiel asked if anything changed in the new code [for this application] since Hardee's applied.

Mr. Sylvester said no, it has already been approved as a restaurant with a drive through facility.

Commissioner DeBartolo asked if they do a drive through at this location, will it bother the surrounding businesses.

Mr. Sylvester said it was listed under 'critical issues' and once he looked at the aerial view, this sight is surrounded by commercial property so there would be no issue.

Chairman Kanelos said there are code requirements that govern sound and how loud it can be, correct?

Charles Ostman, Director of Community Development, said there used to be. There are no specifics on sound.

There were no other questions from the Commissioners for Staff. At this time Chairman Kanelos called for the petitioner to come to the podium.

Sotorios (Steve) Savvinos, 9102 N. Milwaukee Ave., Niles was sworn in. He had nothing to add and there were no questions from the Commissioners or the public.

Chairman Kanelos entertained a motion.

Commissioner Nakanishi moved to **approve** item 18-ZP-1 for consideration of a special use permit to allow a restaurant building with drive through service at 9102 Milwaukee Ave. The findings of fact have been satisfied.

Seconded by Commissioner Schulter, on roll call the vote was:

AYES: 6 Nakanishi, Dubiel, Karabatsos, DeBartolo,
Schulter, Kanelos

NAYS: 0

ABSENT: 1 Parala

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate this recommendation. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date. Anyone in the audience who would like to be informed as to the date this will be heard by the Board of Trustees, leave your name and address with the recording secretary.

Chairman Kanelos called for the second item on tonight's agenda.

18-ZP-2 Requesting approval of a 'massage services establishment ' special use permit per Village Ordinance Appendix B, Section 8.2(A) to allow a massage business at 259 Golf Mill Center.

Bruce Sylvester said this address may seem familiar because it is the same location where there was a problem that came before this Board in late 2017. The proposal now is under a new applicant who wants to reopen the same type of business in this location.

Commission Dubiel said the police department has no particular concerns about this new business. But there were two previous violations at this location. At the time the violations were vague. Do we know anything else about this?

Village Attorney Danielle Grcic said she did not have current information regarding this case. She did say the violations were referred to the Circuit Court. They could be either a misdemeanor or a felony, but that was under the previous owner. She does not have a copy of the ticketed offense but can find out and tell Commissioner Dubiel what it is.

There were no other questions for Staff regarding this case. Chairman Kanelos called on the petitioner to come forward.

Geoffrey Gist, attorney, 1241 W. Webster Ave., Suite 100, Chicago, IL 60614 and Dan Yang, business owner, 24161 Apple Creek Lane, Plainfield, IL 60586 came to the podium. Only Ms. Yang was sworn in as Mr. Gist is an attorney.

Mr. Gist handed out a supplement to the application.

Chairman Kanelos said they do not like getting information at the last minute when they don't have a chance to review it.

Mr. Gist said it contains a business license; a program for the new business, a

message therapist code of conduct, photos of Ms. Yang's existing business in Crest Hill, IL. He said Ms. Yang is experienced in this type of business and has been for five years. She has two establishments - one in Bolingbrook and one in Crest Hill. Both she and her husband are licensed masseuses with licenses in the state of Illinois. She has never had any problems at her other businesses.

Chairman Kanelos asked if she would be present during business hours at the Golf Mill location.

Mr. Gist stated either she or her husband would be present. There will two other licensed masseuses as well.

Chairman Kanelos said their packet states the applicant must complete a background check for the Chief of Police before the business license is issued. That would include her husband and he asked whoever makes the motion include all employees too. Is there any connection whatsoever between the future owner and the previous owner?

Mr. Gist said no.

Commissioner Dubiel said the packet passed out says Mr. Dan Yang. Also, there is no copy of her husband's license in what was just handed out. He said Mr. Gist only included information of the one business in Crest Hill. What about the one in Bolingbrook?

Mr. Gist said that is a typo. It is Ms. Dan Yang. He said he can provide a copy of her husband's license. He can also provide information on the second location. It is at 485 S. Weber. The name is Lucky Foot Spa, Bolingbrook.

Commissioner Dubiel asked if these spas are incorporated.

Ms. Yang said yes.

Commissioner Dubiel said she hasn't given any proof that these two corporations are in good standing with the State of Illinois.

Chairman Kanelos said ultimately they have to get a business license. And any masseuse that works there must provide a copy of their license.

Mr. Ostman said that is the state's responsibility to get that information.
[inaudible at this time]

Ms. Grcic asked the name of the current business. She then looked up on the Secretary of State website Orland Park Home Spa which is operating under an assumed name of Crest Hill Rose Massage; the other business is Bolingbrook Lucky Foot Spa. Both are in good standing with the Secretary of State. They both show Dan Yang as the president.

There were no more questions from the Commissioners or the public.

Chairman Kanelos asked Mr. Ostman if there would periodically be spot checks and Niles inspectors could say 'let me see the license', correct? It's a concern because the previous owner obviously did not do a good job of monitoring the employees. Everyone needs to have a license and background check.

Commissioner Schuller asked how often the Village makes spot checks.

Mr. Ostman said the licenses are supposed to be posted. He'd have to ask the inspector how often he would spot check. You could make a condition that it is their responsibility that [inaudible].

Chairman Kanelos said that is the state's responsibility.

Commissioner Karabatsos said the state issues the license but Niles does the spot checks. So if someone is not licensed and is caught working there, what happens?

Mr. Ostman said we report it to the state.

Commissioner Dubiel asked why the applicant wants this location.

Ms. Yang said because she likes it here.

Chairman Kanelos said they could make it a condition that if there is any code violation resulting in a criminal charge or act, it is cause for revocation of the special use.

Ms. Grcic said she would keep it a bit broader. A violation of any Village of Niles ordinance - it could be a nuisance. It doesn't have to rise to the level of criminal activity. Or a violation of a state statute; or if the owner is engages in any activity that amounts to criminal conduct, that is grounds for revocation under the Village code.

Chairman Kanelos asked what if they employ anyone who doesn't have a license or come to get a background check - place the onus on them if an employee of this business doesn't have a license or background check that is cause for revocation.

Ms. Grcic said you can add a separate condition that the owner is responsible to provide the Village with a list of therapists with credentials. If that is not done, that is grounds for revocation. After checking with Mr. Ostman that is something that can be tracked.

Commissioner Schuller asked Ms. Yang is she is leasing the space from the previous owner because he understands she was locked into a lease.

Mr. Gist said the previous owner is still on the lease. If and when Ms. Yang gets the license, the landlord will continue releasing the previous owner once Ms. Yang is able to sign.

Commissioner Dubiel wants clarification on the owner having to report all employees to the Village to make sure they are licensed and have proper background checks. The previous case was licensed. How would we know who is there without some type of regular spot checking?

Ms. Grcic said if you build in remedies for yourselves, two conditions are better than one. One is if there is criminal activity, it amounts to ordinance violation. Second would be if they failed to register their employees with background checks and licenses.

Commissioner Dubiel asked Ms. Yang if these things were made as conditions, does she understand what is expected of her.

Ms. Yang said yes.

Commissioner Karabatsos asked about the Village making sure all licenses are current as well the state monitoring system. He cited an example of plumbers and how their licenses have to be valid with both.

Mr. Ostman replied but it was inaudible.

Chairman Kanelos said the only enforcement the Village has is if in a spot check, the inspector finds someone who is not registered, not licensed or hasn't had a background check. That is the only way to enforce it.

Commissioner Schuller asked if the Village fines the business for violations as well.

Mr. Ostman said not for massage therapists not being licensed.

Ms. Grcic said the previous owner was fined and she paid it both times there was a violation. There is the code and each code has a remedy section if there is a finding of a violation. Then you go back to what is a remedy for that violation. For the most part it is up to \$1,500 per violation. But every day that violation exists, it is a separate expense. There is also availability to give daily fines that could amount to more than the \$1,500.

Commissioner Schuller asked Mr. Gist if his client understand that.

Mr. Gist said yes, she will know that.

Commissioner Dubiel asked if this information given to them tonight by the attorney would be entered into the record as well.

Chairman Kanelos said he looked through it and didn't see anything complex enough for this item to be tabled. Everyone has had a chance to go over it. We will enter Supplemental Health Center documents that were presented to this Board by the attorney, Mr. Gist, as part of the record.

Commissioner Dubiel confirmed this will be Health Center Inc. at this location. This is totally separate from the owner's two other establishments. And the ownership of this location is only Dan Yang.

Ms. Yang answered yes to all of the above.

Chairman Kanelos asked if there were additional questions from the Commissioners or from the public. There were none.

Commissioner DeBartolo moved to **approve** 18-ZP-2 for consideration of a special use permit to allow a 'massage services establishment' at 259 Golf Mill Center with the caveats the business owner has provided the reasons why we are placing requirements for receiving the special use permit that she has put in her notes. We are also adding she must have a criminal background check on herself if she is the only owner and any other owner that may come in; and any subsequent employee at this establishment must also go through a criminal background check. If someone violates the state statues or there is criminal contact or a Village nuisance, the Village will revoke the special use permit. The owner will provide a list of employees with a copy of their licenses and make sure those copies get to the police chief so these employees can get their criminal background checks.

Seconded by Commissioner Dubiel with an amendment. The condition would be that any violation of a local, county or state code results in revocation of a special use; the owner is responsible to provide the Village with a list of all employees and their licenses; each will have a background check provided by the Niles police chief. If this is not done, it too will result in revocation of the special use.

Commissioner DeBartolo accepted the amendment.

On roll call the vote was:

AYES: 6 DeBartolo, Schuller, Nakanishi, Dubiel,
Karabatsos, Kanelos

NAYS: 0

ABSENT: 1 Parala

There being six (6) affirmative votes the motion carried.

Chairman Kanelos stated this Board is a recommending Board to the Board

of Trustees who can either confirm or negate this recommendation. It will be necessary for the petitioner to contact Mr. Ostman and ask to be placed on the Board of Trustees agenda. The petitioner will then be notified of the date. Anyone in the audience who would like to be informed as to the date this will be heard by the Board of Trustees, leave your name and address with the recording secretary.

Chairman Kanelos called for the final item on tonight's agenda. He said for the record, this is a discussion. The petitioner is not asking for any recommendations or decisions tonight, except recommendations to the petitioner if they so chose.

18-ZP-3 Review and discussion of a planned unit development 'concept plan' per Village Ordinance 12.5(B) for a proposed 72-unit senior living community at 7104 Touhy Avenue.

Mr. Sylvester said this is a proposal for a senior living facility at 7104 Touhy Ave. This is being made by the Alden Foundation. Representatives are here tonight to present the explanation of the proposal of a single building with 72 units for senior housing. This is the first time he is presenting a PUD [planned unit development] since he has been at the Village and it could be the first time for some of the newer members of the Board of Commissioners. A PUD is a proposal that is made and reviewed through a three step process. The first step is called a concept plan review. It is very preliminary and there is no vote taken and it does not go before the Village Board. It is a discussion among the members of this Board. It does not require public notice beyond being posted on tonight's agenda. After tonight's discussion between this Board and the applicant, the Board can provide thoughts, suggestions, feedbacks, criticisms or whatever you feel appropriate. The petitioner will take that information and proceed to step two. That would be the preliminary plan providing more detail or perhaps changes or modifications to the site plan, of which there is a copy in tonight's packet. That discussion would also occur in front of this Board and it would provide notification in the newspaper and to property owners within 250 ft. That meeting could be in a month or six months. This Board would have more discussion; you would take comments from the public. At that time you would vote for a recommendation to the Village Board. The Village Board would then vote on the preliminary plan. The third review would be when the developer comes back with a final plan. That would have very detailed information including landscape plan. An important thing is the entitlement step; that is the step when the Board's vote entitles the developer to build something. That is in the second step. The reason he says this is if the preliminary plan is approved, it basically entitles the developer to build what is shown in that step two preliminary plan. They still have to come back for the third step. But as long as the plan and details that are provided in that step are consistent with the plan approved in the second step, they are entitled to build it. The Village can't change their mind and say no.

Chairman Kanelos said in Section 12 on Planned Unit Developments, when it comes to the final plan, it doesn't say it comes back to this Board. According to what he is reading, it goes to the Village Board at that point.

Mr. Sylvester said it's what is in the ordinance, so he is wrong. It would just go to the Village Board for the final plan. That is the end of the presentation from Staff.

Commissioner Schuler one of the exemptions requested is two parking stalls per unit. In the project description on page 3 from the petitioner, they are suggesting one parking space per unit; that would be 70 parking spaces as opposed to 72. Which is it?

Mr. Sylvester said they are proposing one stall per unit. For some types of senior living the parking requirement is less than two. For assisted living facilities, it is one per unit.

Chairman Kanelos said according to the zoning code this type of facility would require two parking stalls per unit. That's what applies to this in terms of the standard. It is not assisted living; it is senior living.

Mr. Sylvester said this is not an apartment building. It is a senior living facility. You need to talk to the developer about exactly what they are doing. The other important thing is many planners refer to PUDs as planning by negotiation. The idea is it is back and forth conversation with this Board representing the Village and the developers. Typically the developers want something more than the Village allows. An example would be a tall building, more density or relaxation of a requirement such as parking requirements. The idea of why PUDs were created is not only to promote flexibility but we don't just want to say with a variation - ok, you can do that - without the Village getting something in return. It could be a higher design standard, higher quality of materials, public amenities, shelters, parks, bus stops etc. As you listen to the developer present the proposal, ask specifically what exemption or relaxations are they looking for. He believes parking is the only one although that depends on exactly what type of housing this is. If apartments, they need two stalls per unit. If it is not apartments but some sort of assisted facility or something else, then it is only one spot per unit. That is something to ask them. What will the Village get in return for relaxing a requirement? This is a process more than anything.

Chairman Kanelos said this is very well done.

Commissioner Karabatsos asked if before the zoning code was written on PUDs, it was always discussion with no input from the public.

Mr. Sylvester said where he has worked this was always the process. It starts with discussion before going out to neighbors and the wider community.

Commissioner Karabatsos asked if it was always this way even before the new zoning code. It seems like a great expense for the developer to go through and what if it doesn't get approved.

Chairman Kanelos agreed but said that is the way the code is written. At this point the developer doesn't own the property and before the property gets sold, there is a certain process that things have to go through.

Commissioner Schulter said in his experience this is how the process takes place.

Mr. Sylvester said the property is currently owned by the Village.

Ms. Grcic said if the Village does sell this property, there is a thirty day notice that has to be published in the paper.

Commissioner Karabatsos asked if the property goes out for bid.

Ms. Grcic said there was an RFQ [request for qualifications] that went out. Alden and others responded and Alden's came back as one of the most favorable. The property has to be appraised by state statute before anything can be sold. There is a detailed process and procedure before anything can be done.

Commissioner Dubiel asked if the RFQ called for this specific use. Do the representatives from the developer get sworn in? Something has already been presented to Staff, correct? There have been some responses to date - one from the Village Engineer; four from the fire chief. It concerns him the Board is not giving public notice at this level.

Ms. Grcic says yes, the RFQ called for this specific use.

Chairman Kanelos said yes, they get sworn in. He agrees about public notice but it's already been commented. Maybe when we go through the zoning code we can make recommendations if we don't think this is the right way to do it. Right now let's transition our questions specific to this particular project.

Mr. Sylvester said there was one meeting between the developer and the Village that he sat in on. He doesn't know if there were other meetings. The only items that appear on this Board's agenda come through him and he circulates it to the various Village departments. They then provide comments. He then familiarized everyone with the site. It is shown on the overhead projector. The old maintenance garage and the Village rain garden are on Touhy west of the police station at the corner of Milwaukee and Touhy. He then explained the property boundaries and where the proposed building would be located. The pump station building would remain. All the information on the screen is in the packets.

Chairman Kanelos asked Mr. Sylvester if there is a shortage of senior or affordable housing in Niles.

Mr. Sylvester does not know. Every municipality in the state has to have a certain amount of affordable housing. The Village of Niles has more than is said to be necessary.

Chairman Kanelos said PUD Section 12.4b states 'in no case may an exception to district regulations granted unless the applicant demonstrates substantial benefit to the Village.' He asked Mr. Sylvester what his and the department's opinion is as far as substantial benefit to the Village or does he have no opinion.

Mr. Sylvester said that is a good question to put to the developer.

Mr. Ostman is speaking but it is inaudible.

Commissioner Schulter asked the Chairman if he asked about affordable housing or senior living.

Chairman Kanelos said for both.

Mr. Ostman said there is one senior living development, The Huntington, on Maryland Ave.

Chairman Kanelos said what about Brookdale. It certainly is not affordable. The fire department anticipates forty calls per year. How did they come up with that number? What does Niles charge for a call like that?

Mr. Ostman said they got the information from the number of calls Mt. Prospect receives from their senior living residences. He does not know the charge per call.

There were no more questions for Staff. Chairman Kanelos called for the petitioner[s] to come forward.

The following people approached the podium and were sworn in.

Beth Demes, Executive Director, Alden Foundation

Randi Schullo, President, Alden Realty & Management Services

Michael Bailey, architect

Robert Kim, architect

Barry Mullen, Alden Foundation Director of Development

The previous speakers gave the same address: Alden headquarters at 4200 W. Peterson Ave., Chicago, IL 60646.

John Ryan, Ives/Ryan Group, Inc., 324 Eisenhower Ln., N, Lombard, IL 60148, landscape architect

Ms. Demes is please to present the concept plan for Niles Horizon Senior Living Community at 7104 W Touhy in Niles. They have developed senior housing since 1996. They presently have fourteen affordable independent living communities throughout the Chicago suburban, one presently under

construction. Thirteen are fully occupied and doing well. They have also developed and own one supportive living facility for seniors for those on fixed incomes which is for assisted living. Michael Bailey & Robert Kim are the architects who have developed the site plan and building plans. John Ryan is the landscape architect. Barry Mullen is the development director. Randi Schullo is president of Alden Realty & Management Services. The Alden Foundation is part of the Alden Network. It is a forty year old senior care company that has developed and operates skilled care and assisted living facilities and memory care for seniors throughout the Chicagoland area, northern Illinois and southern Wisconsin. They are proposing a 72 unit independent community for seniors age 62 and older. It will offer 59 one bedroom apartments, 13 two bedroom apartments - one of the two bedroom apartments will be for an onsite maintenance manager who will live in the building. There will be one other staff person on site Monday through Friday 9 to 5 and that will be the property manager. There will be a lot of common area for the residents. There will be a community room with a warming kitchen, a theatre room, an exercise room, a fitness center, a wellness center, a game room, a library and seating areas. The idea is to get the seniors to come out of their apartments and socialize. It will be a five story building, steel frame and masonry. The architects have followed the zoning ordinance for the C-3 zoning district and also the south Milwaukee Avenue corridor plan. They are proposing 70 parking spaces which they feel are sufficient for their population. All their properties typically have 1 to 1 parking. This site is tighter and all they could get was 70. In all their buildings about 75% of residents own vehicles. While the minimum age is 62, the average age is mid-70s. 75% of residents are single women primarily widows. They have found the parking ratio more than adequate for residents and guests. They are requesting two variances - one is the 2 parking spaces as opposed to 1 to 1; second is a landscape buffer because the space is so tight. She is showing the area on the overhead. Zoning code shows a landscape buffer for the parking at the south end and they are asking for a waiver. They believe there is a need for this type of housing in Niles. The one in existence is actually the Cook County Housing Authority building called Huntington Towers on Maryland Ave. The residents there pay 30% of their income. This proposal is something different. It will be a mixed income community. Three units at unrestricted market rate; rents for very low income seniors that would be as low as \$336 a month - those living on just Social Security. The rents would go up from there to \$975 for one bedroom; up to \$1,100 for a two bedroom unit. Their consultants shared the following demographics: within Niles, population 65 and older, there would be approximately 2,200 seniors who would qualify for this type of housing. They see seniors who are ready to give up their homes and move into this type of housing. If this were to be built with market rate senior housing as opposed to affordable, they would have to charge rents of \$2,500 a month. They see a great need for affordable priced rental senior housing. The recently completed a building in Huntley and it was fully leased before completion.

Commissioner Dubiel asked the dollar value of the project. And are rent amounts divided a third, a third and a third?

Ms. Demes said she doesn't have the exact figures but it is probably in the \$19 million range. This is not Section 8 housing so there are no subsidized units. She went over what she explained before. She does not have the rent schedule with her tonight because she did not think she would be getting into this. Tonight is about the site plan. Their rent schedules are based on income, not assets. There is no subsidy of the rent. What is subsidized is the financing they use to construct the building. It lowers the cost of debt.

Ms. Grcic wants to keep this focused. Today is about the concept plan. And also what are they going to give back to Niles.

Chairman Kanelos said this is about not only the building but the concept in general. He'd rather not wait until a later meeting. The building is beautiful. He was under the impression the Board could ask anything. Where do we get the numbers of what is needed.

Ms. Demes said the market research showing the numbers is based on the competition in the market place and the demographics. They looked at the income of the residents of Niles and surrounding communities. Based on census information 44% of households over the age of 65 would qualify for this housing.

Chairman Kanelos said that's fine Alden shows a need but is there a demand for this for Niles residents. He knows you can't restrict who lives there but their responsibility is to the Village of Niles. So if Alden is going to get a PUD what is the benefit to Niles? Are there other buildings like this in the northwest suburbs?

Ms. Demes said again they are providing 68 affordable units of senior housing. The closest building would be in Mt. Prospect.

Chairman Kanelos wondered how many residents of Mt. Prospect live in that building.

Ms. Demes said she does not know.

Chairman Kanelos said he doesn't expect a guarantee that all the residents of this new building would be Niles residents. But he would like some common information from their other places as to how many people are from that area. How many taxpayers from our area are leaving their homes and would move in here?

Ms. Demes said a recent project was in Woodridge. It was an RFO also. It took a long time from beginning to end but by the time it was ready there was a waiting list of 200 residents from Woodridge wanting to live there.

Chairman Kanelos would like more information at the next phase of these meetings concerning the amount of local residents that move into these senior

housing apartments. What would be a benefit of this building? Is Alden a for profit organization?

Ms. Demes said if the property is sold to them by the Village of Niles it will put the property back on the tax rolls. The Alden Foundation is a not for profit organization. All the developments are limited partnerships, so they are tax paying for profit limited partnerships. They have to do that for the tax credits so they do pay property taxes.

Commissioner DeBartolo asked why they don't want to do the landscaping along the southern border of the property.

Ms. Demes said there isn't enough room. She would like to turn that type of question to the site plan architects.

Chairman Kanelos if it was 75% of the people in the building or 75% of the units have a car.

Ms. Demes said 75% of the units. This site is also on a bus route so that makes public transportation accessible for the seniors.

Commissioner Dubiel said this is a negotiation. In the end is there a violation of federal or state housing codes if we ask it to be restrictive for people who already live in Niles.

Ms. Grcic said that would be against the law.

Commissioner Dubiel said to Ms. Demes earlier she said they would provide 68 units to Niles residents. How can that be done if it's a violation?

Ms. Demes said he's right; they cannot restrict those 68 units. But they are building 72 total affordable housing units for Niles but cannot restrict to Niles residents. But she thinks a lot of Niles residents will be interested in this type of housing.

Mr. Bailey said the Village code for multi-family dwellings requires two parking spots per unit. There is another section of the code that is residential care which falls into independent living - that is one per unit; assisted living which is .5; then into nursing homes which is one per room.

So this would be multi-family but independent living so they would fall into that one per unit. The reason for requesting 70 instead of 72 is there is only so much land. The borders are tight and that is all they can fit. Where we are requesting the landscape variance is actually existing parking now. [The south eastern portion of the property on the overhead]. They are proposing to repave it, restripe it because the drive aisles are not wide enough to provide the 7 ft. buffer and the south wall of the cistern is not going anywhere.

Commissioner DeBartolo asked if there are poles that can be installed.

Mr. Bailey said curb stops can be put in. Bollards would be an eyesore. The curb stops would be the least intrusive. There will be no assigned spots.

Commissioner DeBartolo asked what if someone asks their grandmother to watch a grandchild for two weeks. Is that possible?

Ms. Demes said that is a non-architectural question. They restrict the building to 62 and older.

Commissioner Dubiel asked why 62 + as opposed to 65.

Ms. Demes said it is what they've been doing for years. At one time there was a HUD restriction that was 62 and older. They are consistent.

Commissioner Nakanishi said it seems the Alden building she passes are built right up to the street. Would they consider setting it back?

Chairman Kanelos said that would be in conflict with the comprehensive plan. Niles wants the buildings closer to the street.

Commissioner Nakanishi said her next question is about the landscape waiver. It really bothers her because it seems like that is always the first thing abandoned. She did notice in comments provided by community services that Niles residents be given priority. She would like to see that too.

Commissioner Schulter asked what does the Village require the petitioner to do regarding landscaping.

Mr. Sylvester said the Village requires seven feet of landscaping between public sidewalks and private property. [The rest of his comments are inaudible].

Mr. Bailey said there is no room. The property is up against the sidewalk. He then showed on the overhead exactly what will remain Village property as far ingress and easement for trucks entering and exiting.

Commissioner Dubiel asked and received clarification on the easement regarding the parking spaces at the south east portion of the property. Why not go higher on the building and have parking underneath?

Mr. Bailey said that would be able to add parking. The cost consideration of raising the building to add parking - you don't gain additional parking because of column spacing. The building footprint would not get smaller.

There was more discussion regarding the parking and green space and the footprint of the building.

Mr. Kim said trying to put a garage on this footprint is not possible. They just don't have the space because these units are small than a condominium unit and there wouldn't be enough width for stalls and aisles. They've already looked into it. He explained the entire site plan as far as most parking behind the building. Above the main entrance is an outdoor patio facing south. At each end of the building are patios and also one behind on the ground floor. He showed all this on the overhead.

Commissioner Dubiel asked if this site is unique for an Alden building. Do you think there is a better site the Village could offer?

Mr. Bailey said yes, it is unique. There was another site but this site works better.

Commissioner DeBartolo really likes this building. She is questioning the safety when the tenants come out and walk to the bus stop.

Mr. Bailey said there is a landscaped parkway that exists all the way along Touhy to the corner of Milwaukee. The landscape variance they are requesting is actually on the north side of the sidewalk along the parking lot. The bus stops at the corner by the police station.

Commissioner Karabatsos asked what the typical square footage of their lots is.

Mr. Bailey said there is no typical. The Mt. Prospect lot is over five acres. However most of the land is on a Commonwealth Edison right of way. They put 92 units there. The property is almost 91,000 sq. ft. This is the smallest site.

Commissioner Nakanishi said the fire departments asked if the entrances and exits will accommodate their equipment, such as turning radius, etc.

Mr. Kim said his plan is based on the fire trucks being able to turn. He showed and discussed the traffic pattern on the overhead.

Mr. Mullen said he listed in the narrative some of the things that will benefit the Village. One is this is a difficult site. They are trying to accommodate an existing function of the Village which is the water department and the pumping station.

Commissioner Dubiel said given the site and RFQ, this is the best we can get there, correct? Are you taxed at the gross value of construction or is at the subsidized amount where the tax credits reduce property tax?

Mr. Mullen said the existing functions on that site can continue. He is not saying to stop anything. Everything can work together.

Ms. Demes said they are taxed at the market value of the building. The cost to build this is greater than the value because the rents are lower. They are

estimating about \$80,000 in property tax. She cannot comment on condo property tax.

Ms. Schullo said they cannot say only Niles residents. The Village can start their own wait list and you could feed that to Alden. So if you got 100 Niles residents to show interest and hand that list over to Alden, that would be the first list they work off. They have to be very careful with fair housing. Niles could put it in their newsletter. If a resident is interested, please contact the Village. They would also have to meet the requirements. But it is all by first come, first served. The need is there and they can all work together. She grew up in Morton Grove and this is near to her heart.

Mr. Ryan said his company has been the landscape architect for Alden for almost thirty years. Alden does not skimp on landscaping. Regarding initial requirements, this is part of the corridor study. Parkway trees are required. He explained in detail all the landscaping while pointing to the site on the overhead. [It is not necessary to explain every type of plant he is describing].

Chairman Kanelos thanked the entire Alden team for answering a lot of questions. You present everything quite well. There were no comments from anyone else.

DISCUSSIONS

Chairman Kanelos knows Commissioner Dubiel wanted to discuss something that was brought up at the December meeting [page 7, item 4] about making sure the public is aware of an option to appeal a decision. Commissioner Dubiel stated it was a wording issue and he believes the word was relief. Because of bad weather and it is late, the Chairman requested this gets discussed at the March meeting. If there are no cases in March, can it be brought up at the April meeting? Commissioner DeBartolo will not be in attendance at the April meeting. Ms. Grcic said she could have the information ready by the April meeting.

ADJOURNMENT

Chairman Kanelos made a motion to adjourn.

Commissioner Dubiel moved to adjourn.

Seconded by Commissioner Nakanishi, on roll call the vote was:

AYES: 6 Dubiel, Karabatsos, DeBartolo, Schuller,
Nakanishi, Kanelos

NAYS: 0

ABSENT: 1 Parala

There being six (6) affirmative votes the motion carried.

The meeting adjourned at 9:15 P.M.

Kathleen Janessa, Recording Secretary