



MINUTES

President and Board of Trustees
Village of Arlington Heights
Board Room

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005

December 4, 2023

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll:
Schwingbeck, Dunnington, Bertucci, LaBedz, Baldino, Grasse, Tinaglia,
and Shirley.

Also present were: Randy Recklaus, Diana Mikula, Tom Kuehne, Charles
Perkins, Hart Passman and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 11/06/2023 Approved

Trustee Nicolle Grasse moved to approve. Trustee Jim Tinaglia Seconded
the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

B. Committee of the Whole 11/13/2023 Approved

Trustee Richard Baldino moved to approve. Trustee Robin LaBedz Seconded
the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,

Schwingbeck, Shirley

Abstain: Tinaglia

C. Committee of the Whole Minutes 11/20/2023 Approved

Trustee Nicolle Grasse moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Abstain: Bertucci

D. Village Board 11/20/2023 Approved

Trustee Tom Schwingbeck moved to Bertucci. Trustee Wendy Dunnington Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Abstain: Bertucci

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 11/30/2023 Approved

Melissa Cayer asked what was the purpose of the purchased vehicle. Staff will get back to her.

Trustee James Bertucci moved to approve in the amount of \$1,621,040.67. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

Trustee Jim Tinaglia moved to open the Public Hearing. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,

A. Proposed 2024 Budget

Approved

Mr. Kuehne presented the 2024 Budget which for the 5th year in a row has a zero percent tax levy. It takes a lot of financial planning and deliberate actions to achieve this. The Village planned for higher pension funding requirements by keeping pension levies at a consistent rate during high interest earning years. The overall levy is still stable after the 2022 market down turn. We established a long-range bond and debt schedule which keeps the debt levy consistent. Recently, we have experienced solid sales and income tax receipts. The combination of these factors allows us to keep the taxes down. We were able to eliminate vehicle stickers and dog tags for 2024 and future years.

Mr. Recklaus added that staff has kept expenditures flat for the past several years. The Village has also invested dramatically in infrastructure; roads, water mains and sewers. Most of our budget goes to support public safety personnel in the Police and Fire Departments. The next greatest receiver of funds is Public Works at just under 20%.

President Hayes said it is unprecedented to achieve 5 years in a row of no tax increases. He credited the leadership of staff and all employees who do everything they can to keep the tax bill low.

Martin Bauer thanked the Board for a solid budget with a flat tax.

Keith Moens thanked Board and staff for their hard work, this is a tremendous support for taxpayers. It puts money back in resident's pockets, which he believes will be spent locally. He said let's go for a sixth year.

Trustee Jim Tinaglia moved to close the Public Hearing. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

VIII. CITIZENS TO BE HEARD

IX. OLD BUSINESS

- A. Ordinance - Code Amendment Chapter 13
Supplemental Alcoholic Beverage Class Liquor
License

Approved

Ms. Mikula explained the proposed new classification would allow package liquor stores to sell liquor on premises by the glass as part of class offerings. This will address the request of a local entrepreneur who would like to offer cocktail making classes while selling the liquors for the cocktails. Also, a local wine merchant would like to hold tastings that would allow glasses of champagne or wine to be served in his shop. This classification would allow for an educational class of liquor classification for a package liquor store.

President Hayes said the draft ordinance is consistent with what the Board discussed earlier in the year.

Trustee Tinaglia asked if there was any provision to how often these classes can occur. Ms. Mikula said no, but a patron can only attend one class per day during the 9 a.m. and 10 p.m. business hours. A person can receive up to three drinks in a class. The classes will have costs to enroll.

Trustee Nicolle Grasse moved to approve Ordinance 2023-78. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

B. Report of the Committee of the Whole Meeting Approved
of November 13, 2023

A. Arlington Heights Memorial Library Budget
Review

Trustee Bertucci moved, seconded by Trustee Schwingbeck that the Committee-of-the-Whole recommend to the Board of Trustees that the Board acknowledge with thanks the proposed budget for the Arlington Heights Memorial Library.

Trustee James Bertucci moved to approve. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

C. Report of the Committee of the Whole Meeting Approved

of November 15, 2023

C. Final Recommendation of the Committee of the Whole to the Board of Trustees for the 2023 Property Tax Levy payable in 2024

Trustee Grasse moved, seconded by Trustee Schwingbeck that the Committee-of-the-Whole recommend to the Village Board of Trustees to authorize staff to prepare the Village's and the Arlington Heights Memorial Library's 2023 Tax Levy Ordinance reflecting an estimated total tax levy of \$52,871,000 or a 0% increase over the 2022 tax levy for the Village and Library portion of the levy.

Trustee Tinaglia said it is unprecedented that there has been a zero percent tax increase for 5 years.

Trustee Nicolle Grasse moved to approve. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

D. Report of the Committee of the Whole Meeting Approved
of November 15, 2023

D. Final Recommendation of the Committee of the Whole to the Board of Trustees for the 2024 Budget.

Trustee Tinaglia moved, seconded by Trustee La Bedz that the Committee-of-the-Whole recommend to the Village Board of Trustees that the Board approve the Proposed 2024 Budget as amended through the review process.

Trustee Jim Tinaglia moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- E. An Ordinance Providing for the Levy, Assessment and Collection of Taxes for the Year Beginning January 1, 2024, and Ending December 31, 2024, for the Village of Arlington Heights Approved

Trustee James Bertucci moved to to move the Tax Levy, Tax Abatement and Budget Ordinances to this point in the agenda. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Trustee James Bertucci moved to approve 2023-79. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- F. An Ordinance Abating Taxes Levied for the Year 2023 Heretofore Levied to Pay Principal and Interest on the \$9,530,000 General Obligation Bonds, Series 2018, of the Village of Arlington Heights Approved

Trustee Richard Baldino moved to approve 2023-80. Trustee Wendy Dunnington Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- G. An Ordinance Adopting a Budget and Appropriations Ordinance and Amounts Set Forth Therein for the Year Commencing January 1, 2024 and Ending December 31, 2024 Approved

Trustee Nicolle Grasse moved to approve 2023-81. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- H. 116-120 W. Eastman Development - PC#23-002 Approved
Planned Unit Development, Land Use Variation
for Multi-Family in B-5, Conceptual Restaurant
Special Use Permit, Variations

Katie Lambert said their team focused on the recommendations made at the Board Meeting of November 6th and made changes to incorporate some screening for the pool deck and stepping the St. James façade. They peeled back the 5th floor opposite St. James so that it is lower. Parking is partially submerged and the setbacks were increased. The pool deck was moved further in from Highland.

Mr. Perkins said the building lost an interior fitness room and three 5th floor units. The bedroom count went from 159-155. The parking count remains the same, and the ratios for parking increased so the building exceeds code by 2 spaces. The request for tandem stalls reduced from 23 to 21.

The streetscape on St. James is not aesthetically pleasing, and while it is not in front of their property, the developer has agreed to remove that asphalt and install grass if possible. There are utilities there, so it may not be possible.

The neighborhood immediately to the north is zoned R- 3. There are concerns that the neighboring properties are also zoned B-5 meaning more density is possible in the neighborhood. The neighbors and the Board expressed concern on this, so the Board could consider drafting a Red Flag Ordinance for properties on either side of the project. Such an ordinance would identify that further study and evaluation could occur.

Staff recommends approval of the project with the modifications presented this evening. The Plan Commission also voted in favor of the approval. Mr. Perkins itemized the changes made since the November 6th review which were highlighted in the staff report.

Mr. Recklaus explained from a legal perspective, the applicant purchased the property under the existing Zoning Code. The applicant has a right to build on their property within the existing code. So tonight, there are three items the Board is voting on. Those are the only items that deviate from Village regulations. The matter of whether or not the parcel should be zoned B-5 is not being voted upon. If one doesn't agree on the zoning, it is not a legally defensible reason to vote against the project. You can direct staff to evaluate the zoning on the other lots in the area but that would not affect this vote.

President Hayes said this process has been really constructive and resulted in a high-quality project. It will be a great addition to the neighborhood and the community. He is in support of the proposal as modified. He would like to see condition 15 (the removal of asphalt) occur and a Red Flag Ordinance move forward.

Trustee Grasse said the petitioner bought the property with the current zoning and was willing to listen and change the project based on feedback from the Board and neighbors. She noted this process highlighted that if we work together, we can come to better conclusions. She supports looking at a Red Flag Ordinance.

Trustee LaBedz asked if they studied going down one more level. Joe Taylor said they did, but from a financial perspective, it was not reasonable. Trustee LaBedz noted the cabanas at the pool will help shade the tenants in addition to providing screening. She said the nearby bank property may not be a bank forever. She is very much in favor of a Red Flag Ordinance, and asked that the area from Walnut to Vail on Northwest Highway be evaluated, not just the neighboring lots.

Trustee LaBedz said it was unfair to say the residents have not been heard. They have been heard very well and their concerns resulted in a high-quality project. The Board is not choosing between the developer and the residents. She said she hoped it was a win-win, no one got everything they wanted.

Resident Comments

Greg Menzies said the building is too dense and too high. B-5 to residential is not a small change. He was in favor of a Red Flag ordinance.

Vivian Menzies also liked the Red Flag Ordinance suggestion and said the area should encompass any area where single family homes are next to the downtown area. The building in question has only been a commercial building, this is a huge change.

Tom Gaynor said he would like to see a more collaborative approach rather than a serial process. Visioning would help. He is proud of the improvements that were made.

Scott McKinney said he was surprised by the lack of change in the project based on how adamant the Board was at the last meeting.

Eileen Devine said the neighbors' passion is equal to the developers. Residents need to be involved earlier in the process to better communication rather than it turning defensive, contentious and unfriendly. She disagreed that the building should be multi use, saying it could be 3 stories of residential instead. The changes made were minimal and the building is still too large.

Jon Lewis said the Board should consider precedent, and just because it can be built doesn't mean it should be. He said three story buildings next to single family is not appropriate, and he is not sure he can trust the will of the Board.

Jacob Starr said he lives directly across the street. Everything that has been asked of the developer, they have done, and people keep asking for more. He said they have done a good job in being responsive. He expressed concern that the exit from the garage is 90 degrees, he suggested it might be better angled. Mr. Perkins explained traffic would be directed to the south with signs.

Martin Bauer said he was in favor of the building. Most of the concerns expressed will dissipate. The Village benefits from the businesses and the higher density. Being business friendly helps the town and predictability is important for development. Including the neighbors and HANA benefitted the development. The petitioner has gone out of its way to work with the Village and residents.

Eric Cecci said he was originally not on board with the project. He always hoped something would be done though. There has been a lot of compromise and he wished there would not be headlights coming directly into his home, but he appreciated all the efforts of the neighbors and the developer.

Board Comments

President Hayes said the resident's concerns were heard and incorporated into the plans. No one got everything they wanted, but the result is a great project for the neighborhood and the Village.

Trustee Schwingbeck said the project looks nicer than it did than before.

Trustee Grasse explained that the Board has to look at the economic needs of the Village too. It also has to make decisions that do not put the Village in legal jeopardy. This decision ensures developers know that the zoning laws can be trusted. She is in favor of the project.

Trustee Dunnington said because of the zoning, not all the changes suggested could be made. She would like to consider a Red Flag Ordinance. This project will help everyone looking for apartments in the Village, these new residents will add to our local economy.

Trustee Baldino agreed that the Red Flag Ordinance will allow for more open discussions on properties in the area, we can have more productive conversations on the next properties to come forward. He said enough changes have been made that he will vote in favor.

Trustee Schwingbeck questioned the 90 degrees egress. It was explained

for safety reasons, the traffic review team worried that vehicles might be directed into the wrong lane. Visibility was also a concern. Highland is a 2-way street. The developer said they will sign, stripe and have cameras there. If there are repeat offenders, they will take action.

Trustee Bertucci asked if the Village would consider making Highland one way south. Mr. Perkins explained that change would push more traffic onto St. James.

Trustee LaBedz inquired as to the staging plans for materials, and worker parking. Mr. Taylor said parking and staging will be coordinated and there is a lot of open space on Eastman. Mr. Perkins said prior to issuance of a permit, a detailed staging plan must be submitted with parking and timing specified. Private parking may be sought too. It has to be monitored and signed.

Trustee Tinaglia asked how tall would a building be in this zoning category if all the other criteria were followed. Mr. Perkins said it could be 90 feet, or 8-plus stories. It's also possible it could be up to 140 feet if the building had a density bonus. A zero lot-line is also allowed. This project exceeds all the setback requirements in a B-5 district. Trustee Tinaglia said the building could be taller and larger than what they are proposing. The current building is horrible and has been that way for quite a while, this architect and owner have put together a really attractive building. With the recent changes, the building is sensitive to the neighborhood and a nice building. The South side wins all the great developments, it is time for the North side to get a nice project. He is in support.

Trustee Bertucci said the developer has addressed the Northwest corner setbacks. This development will have 3 sides of business and only ½ of one side being subjected to the residents. It's going to look much better than what is there now. He is in favor.

(Author's note: the two motions were made at this point in the meeting, they are recorded at the end of the discussion.)

Trustee Tinaglia said he was concerned about the Red Flag Ordinance. For property owners, you are changing what they can do. We ought to be really careful, if we create a Red Flag Ordinance, it should be for any B-5 property directly across from R-2. The current scope is too narrow.

Mr. Passman said the motion, as was stated, means the Ordinance would come back and on a future agenda for adoption. That does not change the zoning, it would formally set in motion the process for possible amendments to the zoning map.

Trustee Wendy Dunnington moved to direct staff to draft an ordinance based on the Plan Commission's recommendations for 116-120 Eastman to include the proposed staff revisions. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

Trustee Robin LaBedz moved to direct staff to prepare a "Red Flag" Ordinance for consideration at a future meeting directing the Plan Commission to hold a public hearing concerning properties fronting St. James Street immediately adjacent to the proposed 116-120 Eastman Redevelopment site and along Northwest Highway to Walnut/Ridge. Such ordinance would identify that further study and evaluation of possible zoning, rezoning, overlay zoning and/or comprehensive plan changes may be considered for their properties. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley

Nays: Tinaglia

X. **CONSENT AGENDA**

CONSENT APPROVAL OF BIDS

Trustee Richard Baldino moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

- A. New Rescue Squad
- B. Vendor Expenses Over \$25,000 in Aggregate for
 Calendar Year 2024
- C. Ambulance Billing Contract - EMS|MC
- D. Superion/CentralSquare Agreement for Q1 2024

CONSENT NEW BUSINESS

- A. Cash Paid by Developers in Lieu of Land Approved

Dedication

Trustee Richard Baldino moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

CONSENT LEGAL

- A. Resolution - Employment Agreement Adjustment Approved
- Village Manager

Trustee Richard Baldino moved to approve R2023-37. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Full Circle Communities/Grace Terrace - 1519 S. Approved
Arlington Heights Rd. - PC#23-007
Rezoning, Planned Unit Development,
Comprehensive Plan Amendment, Plat of
Subdivision, Variations

Emma O'Connor-Brooks and Denise Reyes, project managers with Full Circle communities, presented the proposal for a 25 unit supportive housing development for veterans and those with disabilities. Full circle is a nonprofit affordable housing developer. Their units are 95% occupied they own 1628 units in three states. Their mission is to expand access to affordable housing. They are the owners as well as the developers.

The Housing Task Force approached them to look for a project in the Village for persons with disabilities. Heart's Place is fully leased with a waitlist. They mailed notification letters to homes within 1000 feet of the project, exceeding the requirement by 750 ft. The location is on South Arlington Heights Road near many amenities and sidewalks. Transit is

nearby with a Pace bus stop within walking distance. Pace also offers on demand rides for those with disabilities, with a pick-up location across the street. There will be landscaping to buffer the site lines of the lot. The setbacks are generous to allow for screening and privacy. The total distance from their building to the rear neighbor's home is 128 feet. The entrance is at the rear. Their funding is through the IHDA and grants. This is independent living for veterans and people with disabilities. They offer 100% rental assistance through Cook County.

An interest list for potential residents will be opened and marketed locally. A site based resident list will be developed by HACC. Property managers do rigorous background checks. Veterans will have preference. Credit and criminal background checks are performed. Residents in their existing properties typically have a connection the community prior to residency. They abide by the ADA definition of disability and cannot discriminate against a specific disability.

Their staff plan includes 3 staff on site: a 9-5/Monday-Friday manager, a flexible service provider and a part time maintenance person. Ms. O'Conner-Brooks summarized the house rules which include: no sex offenders, zero drug use or possession, zero weapons & firearms, and no public consumption of alcohol. There is a strict visitor and guest policy. They also have security cameras which are monitored, key fob access and a 24/7 tenant hotline to reach management.

There was a traffic study, and it was confirmed it will be a low traffic generator. They are requesting a parking variance for less parking as they believe there will be low demand for parking on site. The building would be similar to Heart's Place which has not had trouble with their parking. They moved the parking lot to the rear to add a deep landscape buffer, account for concerns of being unsightly, and to minimize water runoff. Pedestrian traffic will most likely use the Arlington Heights Road sidewalks. Ms. O'Connor-Brooks said they will have the correct exterior lighting levels. They will have a dry bottom water detention and will ensure no water will flow onto other properties. They do not expect to have children living in the development and will pay \$50,000 in property taxes. Based on studies, they do not believe their project will negatively impact property values.

Mr. Perkins reviewed the zoning actions requested: a Preliminary Plat of Subdivision to subdivide the property into two lots, amending the Comprehensive Plan to reclassify lot 1 from Offices Only to Institutional, rezone lot 1 from O-T to Institutional, and PUD approval to allow a 25-unit permanent supportive housing facility. Variations are required for width, parking, and to omit a loading zone.

To the south is a memory care facility. The property to the north, is Office Transitional. Four projects have been approved for this property since 1987, two of them were not built. In 2013 the memory care facility was built next door. In 2016 a medical office came forward, but it was not built either. It is unlikely that the lot will be developed as an office use, as that

market is flat. It could be residential R-6 or R-5, but those are denser zoning classifications than this project.

There will be 67 evergreen trees planted along the rear property line, they will be 8 feet tall. It is 5.9' taller than the Comprehensive Plan recommends. There will be a 6-foot fence on the east.

Pearl Street Commons, the developer's 'like property' in McHenry has had 2.18 calls for service per unit, per year. Heart's Place, the most recent affordable housing building in the Village, has had 1.81 calls per service per unit, per year.

The Staff Development Committee recommended approval; the Plan Commission vote failed. Staff recommended more flexibility in the staffing hours than proposed. The petitioner must provide estimates for the minimum hours for review and approval by the Village. Staff also recommends that they be required to meet the Code parking requirements if it becomes necessary.

Mr. Passman explained that under state law, when a variation does not receive a positive vote from the Village's Plan Commission (the recommending body), the Board vote requires a 2/3 vote in the affirmative by the Trustees. This item requires a 6 of 8 Trustees to vote in the affirmative. The Mayor is not allowed to vote on the variations, but is allowed to participate in the conversation. This is a vote on the variations requested, not the ordinance.

President Hayes read all the emails he received and knows that all the Trustees prepared to consider this proposal. A question as to the Board's motive was made. It is clear to him, there is a dire need for supportive housing for individuals with disabilities and veterans. This kind of housing is consistent with the Board's strategic priorities. It would help solve the critical need for housing. The Village works hard to have affordable housing, not all communities do. Heart's Place just opened on Rand Road. The question today is if this is an appropriate location.

President Hayes was concerned that veteran's statuses were not being verified. People who receive dishonorable discharges no longer qualify as veterans. Joshua Wilmoth, President of Full Circle, said they follow the law, a dishonorably discharged person is not considered a veteran, and not qualified to live in this development.

Trustee Schwingbeck asked the role of the onsite property manager. Mr. Wilmoth said they are there to enforce the lease, build relationships, ensure rent payment and keep the building up to their standards. There are 2 people allowed per bedroom. In a two bedroom, they will allow up to 4, but typically there are 2-3 people. Residents are allowed to have guests, but they are held to the same standards. On the weekends, tenants police themselves. Residents can have weekend visitors, that does not violate the house rules. They may have alcohol in their rooms, but not in the public

spaces. Trustee Schwingbeck observed the proposed the landscaping will be much better than what is there now. Ms. O'Conner-Brooks said the fence is a PVC wood appearing material. The trees will be higher than the fence.

Trustee Schwingbeck expressed disappointment that we can't earmark the units for Arlington Heights residents, but he understands the law. He heard from neighbors that close proximity of the building to their homes will allow residents of the new units to be able to look out their windows into their houses. After walking the property, he believed his neighbors have a better chance of seeing into his house than this situation where the homes will be 100 feet away and have a landscape buffer.

Ms. O'Conner-Brooks said by marketing locally they can identify local residents who need this housing, and that is their intent.

Trustee Schwingbeck asked about the cul-de-sac at the end of Emerson Street. Mr. Perkins said the right of way is being dedicated, it will not be a full standard cul-de-sac. It will be offset to the north and constructed at a future date.

Trustee Dunnington said the house rules are much stricter than living in any other apartment complex as marijuana or other drugs are not allowed. The location has good access to transportation, shopping and parks. It makes sense to rezone it as office space is not in demand, whereas this housing is desperately needed.

Trustee Baldino said the need is well demonstrated. He noted the parking lot was moved to the back because of staff recommendations and requirements of the Fire Department. Seeing the calls for service was helpful, how do these facilities compare to regular apartment complexes? Mr. Recklaus said we don't have good comparative data. This type of use generates more calls for service than an office or a vacant piece of property.

Trustee Baldino said the facility is obligated to provide affordable housing for 30 years, but we still have as much control as we do any other property for safety and zoning. Regardless of who owns this, they would have to adhere to the residency requirement. He asked about their ratings online. There seems to be a disconnect from what was presented to what the residents have reported. Mr. Wilmoth said they are Gold rated in Guidestar and 4 out of 4 on Charity Navigator.

Trustee Bertucci asked why we cannot have parking and entry at the front. Mr. Perkins said you can, but you would have to add a drive aisle in the back for fire truck access, so there would be less green space and the building would shift further east. Trustee Bertucci said he would be interested in hearing what the lesser of two evils was for residents, would they rather have the entrance and parking moved, and have the building move closer to their homes? Mr. Recklaus said staff believed if the building moved to the east it would infringe on the landscape buffer to the homes.

Mr. Perkins said the other challenge is for turning onto AH Road, there is not enough room for stacking. Trustee Bertucci said if the orientation of the building is the real issue, it could be reversed. Mr. Perkins explained they would have to redesign the building. They are trying to have the office at the entrance for security reasons and an area to walk out from the community room. It doesn't make sense to have those on the AH Road side. Mr. Wilmoth said the setback would then be 50 feet, with a drive aisle, so reorienting the building might conflict with the landscaping. Mr. Recklaus said if that is something the Board wanted to pursue, it should withhold approval as they would need to redesign the building. Ms. O'Conner-Brooks said there is really a limited use of cars, they are anticipating 9 residents with cars.

Trustee Shirley said he thinks it's backwards; the entrance should be on the front. Putting activity in the back of the building doesn't make sense as that's where the homes are. The smokers will be at the entrance. Arlington Heights Road is a less sensitive neighbor. He doesn't understand how we have the back of the building facing the street. He asked if the restriction on the vacant office land is 2 floors. Mr. Perkins said yes, as it is currently Office Transitional zoning. Trustee Shirley said residents had a right to expect that nothing over 2 stories would be built there.

The issue of calls for service was raised. The calls for service at Heart's Place noted in the report were police calls, but some are Fire Department adjacent. There were 1.8 calls per unit at Hearts Place: 16 % were non crime related for things like wellbeing checks and lost wallets, 49% were for Fire Department/EMS calls, 19% were responsive potential criminal activity and 16% were for reporting of vehicles that did not belong.

Trustee LaBedz inquired about the home furnishings. Ms. O'Conner-Brooks said they are not furnished apartments, but staff might help residents identify resources for furniture through the Housing Task Force. Trustee LaBedz asked if the residents are walked through the house rules Mr. Wilmoth said yes, there is a pre application and post application review. They only have to re-sign the house rules if they change. Trustee LaBedz said having the back face AH Road provides an additional buffer for those homes to the east. She is supportive of the zoning change.

Trustee Tinaglia said 25 units is not super impactful. The third story is a little concerning. He concurred that there would be minimal traffic in the back, but if there were no traffic it would be better. If he could keep that really dense landscape intact and a slightly closer building and the fire lane, all the activity happens away from the homes, that might be more attractive. Getting rid of 36 feet of asphalt is worth looking at. For zoning variations, there can't be self-created hardship, it can't be financially motivated, and it can't negatively impact the area. There is fear of the unknown. How do we make it less scary for the neighbors? Mr. Wilmoth said the variations don't touch where the parking lot and entrance is. He said he was willing to work with staff on resetting the building.

Trustee Grasse asked if the 6-foot fence was standard and if the trees are only 8'. It was explained by architect Therese Thompson that the trees will mature at different rates based on the variety. Many of the plantings are expected to grow to 45'-60'. The trees will provide screening and privacy. Trustee Grasse noted residents were concerned about the third story, but there are many homes in neighborhoods that are 3 stories in the midst of ranch homes. Because of the position and the landscaped privacy, that is less of a concern. The service calls don't concern her as those with disabilities have different needs. She appreciates that alcohol is not allowed in public places. Smoking is always outside these days. If we move the parking, the building will be closer to the homes. If there are issues with lights and privacy, how can it be addressed? Mr. Wilmoth said they are a long term owner operator, they will be here for 30 years at a minimum. He said they would work with the neighbors to find a way to cover or lens the light, they will seek resolutions. Trustee Grasse quoted Willie Nelson, "The world is getting smaller, and everyone in it belongs."

President Hayes said he liked the design the way it is, it is consistent with the memory care facility which rarely has cars there. He would not want the building closer to the residents and didn't anticipate many disruptions from lights and doors.

President Hayes asked the Board if they wished to continue as it was 11:00 p.m., the consensus was to move forward.

Public Comment

The following residents spoke in support of the project: Kim Lawson, Hugh Brady, Dan Wertz, Carina Santa Maria, Keith Moens, Susie Piasecki, Linda Waycie, Kim Hogan, Briain Harrison, Lori Grainawi, Arlen Gould, Janice Phares, and Christina Crusius.

They cited the desperate need for affordable housing, the good reputation of the developer, the difficulty in finding available lots the village, the Board's goals, the success of other like projects, and the community support.

The following resident spoke against the project: Dave Dupree, David Kostich, Joe Giolli, Phyllis Giolli, Kendall Schafer, Matthew Saffad, Michella Schoot, Dom Buccini, Sarah Kokosoulis, Linda Dustin, Jim Thompson, Mayur Shah, Zdravko Gavranovic, Smilyka Gavranovic, Celina Micko, Mark Marshall, Rudy Jacques, Josh Schoot, James Kokosoulis, Wendy Kelly, Peter Gayed, Andreas Papdakis, Gabe Bodnar, Anjil Yousif, and David DiVito.

Their reasons were: lack of notice, zoning change is not appropriate, building is too tall/too many stories, access for residents of the project is not close enough to services-stores-transportation, light pollution, traffic, lack of careful selection of residents, concern about drug dealers, safety, will reduce property values, ugly design, increased crime, backwards siting

of building, percentage of veterans served will be low, too close to high value homes, the neighborhood is/will be surrounded by large developments, could turn into no income housing, exclusion for criminal convictions "may" be enforced-but not required. Some residents asked for the Board to take more time to study the project to make sure it was fully vetted. One noted that there is a lot of development in the area planned, and it seemed too much for one part of town to take all at once.

Mr. Recklaus said residents can sign up for email blasts regarding this project at communications@vah.com. Details, meeting minutes and agendas are currently on the Planning Department's page on the website. He will also move the project to the front page.

Trustee Grasse said she was willing to see if staff could increase the notification reach to ensure the public is properly notified as it does not seem Public Notices are working.

Trustee Grasse moved to concur with the staff development report. Trustee Dunnington seconded the motion.

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck

Nayes: Bertucci, Shirley, Tinaglia

After the vote, Mr. Recklaus said there were not enough votes for the variations to be approved by Ordinance.

Trustee Tinaglia said he voted no because the project hasn't been vetted properly to convince him it is the right place and the right building. It is different than Heart's Place which isn't in a residential neighborhood all the way around. He also was skeptical of the building's orientation with the front facing the neighbors.

Trustee Bertucci agreed saying he had concerns about the orientation of building. He thought 2 floors might work better. His no vote had nothing to do with the nature of the building

Trustee Shirley said he would not vote for anything over 2 stories and didn't like that the building was flipped.

Mr. Passman said the motion was a direction to staff to draft the documents. The sum of those documents would not be approved unless one or more members changed their mind. Therefore, no ordinance will be brought forward for a vote based on this proposal.

Trustee Nicolle Grasse moved to direct staff to discern if a two story building is feasible, if the building's orientation could be moved so it faces Arlington Heights Road and bring the project back at a future date. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Richard Baldino moved to adjourn at 12:50 a.m.. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia