PLAN COMMISSION / ZONING BOARD OF APPEALS
MEETING MINUTES
May 2, 2024

1. **Call to Order & Roll Call** (6:11 p.m.)
   Chair Ochoa – Present
   Commissioner Hollingshead – Absent
   Commissioner Mercure – Absent
   Commissioner Wilson – Present
   Commissioner Kindred – Present
   Commissioner LaBelle – Present
   Commissioner Ash – Absent

   Also Present:
   Nimrod Warda, Community Development Director
   Larry Wells, Trustee – Building, Planning & Zoning Committee Chair
   Regina Miller, Trustee

2. **Pledge of Allegiance**

3. **Introduction of New Members**
   Nimrod Warda introduced new PC/ZBA members Jeff LaBelle (present) and Jeff Ash (absent) to the current Commissioners and public.

4. **Approval of Minutes January 4, 2024, Planning Commission and Zoning Board of Appeals Meeting**
   Chair Ochoa made a motion to approve the Plan Commission / Zoning Board of Appeals meeting minutes of January 4, 2024, seconded by Commissioner Wilson. All present members voted aye (4-0).

5. **Village Board Report – Trustee Larry Wells**
   Trustee Wells welcomed the new PC/ZBA members and public to the meeting.

6. **Public Hearing**

   a. 10450 W York House Rd, Beach Park, IL 60087 (PIN 08-04-200-001)

      Petitioner, Community Partners for Affordable Housing ("CPAH"), has filed a petition for Zoning Map Amendment and a petition for Conditional Use Permit with the Village of Beach Park for the property located at 10450 W York House Rd, Beach Park, IL 60087, PIN 08-04-200-001 ("Subject Property"). CPAH is requesting a Zoning Map Amendment from R-2 to R-3C as well as a Conditional Use Permit for Planned Development with associated zoning variations at the Subject Property. The petitions, if approved, would facilitate the development of a new 40-unit townhome community for Seniors (55 years of age and older).

      Chair Ochoa swears in all that will provide testimony related to the public hearing.

Commissioner Wilson made a motion to open the public hearing, seconded by Commissioner Kindred. All present members voted aye (4-0).

Nimrod Warda explains that legal notice was posted, and letters mailed for the public hearing.

Chase Morris, Vice President of Real Estate Development at Community Partners for Affordable Housing (CPAH), provided testimony by first introducing the project development team for Lake Plains Senior residences, followed by a PowerPoint presentation with the following outline: 1) CPAH Introduction, 2) Local Context & Priorities, 3) Development Vision, Goals & Outcomes, 4) Development Overview, and 5) Design Priorities & Variances Requested.

Chase Morris gives an overview of all the services provided by CPAH, followed by an explanation as to why they believe there is a need for senior housing based on demographic context and local priorities. Passages from Lake County Housing Analysis for Lake County Partners (2023) as well as the Village of Beach Park Action Plan: Homes for a Changing Region (2021) were referenced and utilized to showcase the demand for the type of housing being proposed by CPAH. Other items discussed were the proximity of the site to services and amenities, the current and proposed conditions of the site, a project vision with examples where CPAH developed or now manages townhomes or senior cottages, project goals and outcomes, as well as a development overview with a breakdown of the unit types.

Alina Tompert, Architect of Farr Associates, then provided the design priorities, with an emphasis on the development being: 1) Community-Oriented, 2) Environmentally Conscious, and 3) High Quality, Beautiful, and Accessible. Highlighted during the discussion were: open space, site amenities, a pediatrician scaled environment, wetland and stormwater management, maintaining existing foliage, utilizing native landscaping, certification through Enterprise Green Communities and ENERGYSTAR, as well as unit layout and amenities. Chase Morris adds that CPAH does like to provide higher end finishes, such as stainless-steel appliances, and ample storage for residents.

An unknown/unidentified audience member asks if the walking paths would only be for residents or also the public. Chase Morris stated that the paths would be available for members of the public as well. Commissioner Kindred then asked if that would lead to an impact on parking at the site. Nimrod Warda indicates to Commissioner Kindred that this will be addressed at a later point in the meeting.

Alina Tompert continues to discuss the overall building architecture, as well as unit accessibility and adaptability.

Throughout the presentation various variances requested were highlighted in context, but a comprehensive list was provided at the end of the presentation by Alina Tompert.

Nimrod Warda provides further context explaining the zoning map amendment from R-2 to R-3C is needed to permit townhomes, and the conditional use permit for a planned development is needed due to the unique layout of the development. During this he explained what the Comprehensive Plan envisioned for the subject site, including up to 45 single family homes

based on the acreage of the site. A comprehensive summary of the staff report was explained, including a correction as to what variance are needed from the Zoning Ordinance.

Commissioner Kindred asks why the conditional use permit is needed. Nimrod Warda explains that it is required to have a Planned Development. Commissioner Kindred follows by asking if they met all the requirements of R-3C, they wouldn't need the conditional use permit. Nimrod Warda explains that would then allow for considerably more units on the property, which we would likely not support. The conditional use permit is a mechanism for which we can hold the developer accountable, limiting the style of development and unit count.

An unknown/unidentified audience member interjects and asserts that she believes the Commission has already decided on the project "behind our backs". Nimrod Warda clarifies that this is the first time the Commissioners have heard this case and the presentation.

Chair Ochoa asks if we have received any responses from the public. Nimrod Warda suggests the Commission opens public comment, if they have no further questions at that time.

Commissioner Kindred made a motion to open public comment, seconded by Commissioner Wilson. All present members voted aye (4-0).

Nimrod Warda reads into the record nine public comments received prior to the public hearing. These comments came from the following individuals:

Donald Price wrote about his general opposition to the proposed development.

Adriana Amador wrote on behalf of her mother Vanesa Figueroa and her concerns regarding ambulances, traffic and noise.

Amber Rayniak wrote about her concerns with fire/recue services, the age of potential tenants, police services, lighting, road conditions, and the entrance location.

Jeff Lyons wrote about his questions/concerns with the impact of construction, services, utility and lighting improvements, wildlife, flora, stormwater, property management, resident incomes, preferences for locals, and any potential phase two for the development.

Edward and Joan Tomkowiak wrote about their concerns with traffic congestion and water runoff.

Szczepan Plonowski and Desiree Mathews wrote about their concerns with a potential increase in traffic and traffic noise, overall residential appeal and property value, and the environment.

Brian and Connie Wilber wrote about their concerns with accepting section 8 tenants and property management.

Matt Cass wrote that he is against the proposal of the 40-unit townhome community.

Diane Kotarsky wrote about her questions/concerns with who received the notice for the public hearing, how they were notified, impact on taxes, impact on roads, the entrance location, construction timeline, markings along North Avenue, ownership or rental, the area look after construction, affordable housing tax credits, vetting process for occupants, if there will be an HOA, were there other properties looked at, advantage and disadvantages to the Village, advantage and disadvantages to current area homeowners, Waukegan Township, how much of the site will be developed, potential outstanding taxes or liens, if the current owners have sold the property, as well as flooding during heavy storms and the cost to fix that problem.

Nimrod Warda helps answer some of the questions and corrects assumptions/assertions made within the public comments received prior to the public hearing. This included information regarding: notification procedures, a street light not being proposed, Lake County Division of Transportation (LCDOT) making improvements to York House Road, Village stormwater improvements on North Avenue, site entrance on Eastwood, tax credits and taxes are not known to the Village, ownership of the property is a private transaction, outstanding taxes or liens is a private property issue, stormwater standards will exceed Lake County requirements, noise and traffic complaints, Carillon at Heatherstone senior housing as an example.

Alina Tompert adds commentary clarifying that other than the entrance point on North Avenue, the proposal would not disturb the perimeter of the site. She further explains: the project would not create light pollution, they will preserve trees on the site, buildings will be designed at one story or one and half story.

Chase Morris adds that CPAH will be required to follow State requirements to maintain the natural environment as part of the certifications being pursued.

An unknown/unidentified audience member asks how large the entrance will be on North Avenue. Alina Tompert explains that it will be 24 feet wide plus the turn radius. She also explains that the project will involve modular construction, minimizing the impact of truck traffic to the site.

An unknown/unidentified audience member asks if the Village is paying for any of the improvements. Chase Morris clarifies that this will be a fully private development. He also clarifies that property taxes will in fact be paid.

Nimrod Warda starts the in-person comments.

Laura Olvera Yarza, 37930 W Harper Rd, voiced her support of the development and CPAH, as well as explained that her parents had to retire in Mexico because the cost for senior housing is unaffordable.

Kory Geisser, 10670 Marc Ct, voiced her concern with the proposed development based on stormwater issues, the electric grid, road deterioration and the number of cars per household.

Diane Kotarsky, 10515 Marc Ct, voiced her concern with the proposed development based on the public notifications, the electric grid, stormwater issues, trees, funding sources and tenant

selection. Chase Morris explains that if funding is not secured the project will not move forward. After it is built, rents will pay for operating expenses. CPAH owns its assets in perpetuity. CPAH has a property manager that will screen tenant applications, including background checks. The property cannot be for Beach Park residents only due to federal law, but based on their market study and advertising, most tenants will likely be from Beach Park.

Trustee Wells asks if the developers would be available for a second round of questions and comments, if need be. Chase Morris answers, yes.

An unknown/unidentified audience member asks if this property would only allow 40 units. Nimrod Warda answers, yes due to the conditional use permit.

Commissioner Kindred asks, how many buildings will there be? Alina Tompert stated that there will be 11 residential buildings plus one community building.

Diane Kotarsky asks about preserving the land and disturbing the deer and coyotes. Nimrod Warda explains that the property can be developed by right for up to 45 single family homes that would have a larger impact on the land, but there is currently no active interest in the site.

David Sandness, 10330 W York House Rd, is concerned with property values and unsure whether he supports or opposes the development.

Daniel Vera, 10566 W Hart Ave, is concerned with finances and security, asks whether the property is only 55 and over, questions the amount of property taxes to come in, and wonders whether the Village will pay for any of the development costs. Nimrod Warda explains that the developer will be required to pay for all development costs as well as provide a bond, and the only costs the Village would incur are for additional stormwater detention, if we want. Daniel Vera asks if the developer has ever spoken to area residents before the meeting. Nimrod Warda explains that this meeting is for that purpose. Daniel Vera questions the value of this development for the Village. Chase Morris explains that this development is not public housing, and that it will be owned by a non-profit with onsite management. Chase Morris further explains that the tenants will all be screened, all occupants must be 55 years of age or older, property taxes will be paid, and the operating expenses will come through rents.

Chris Morgan, 10736 W Fairbanks Ave, had complaints about unrelated traffic issues on Sheridan Road, and had concerns regarding parking if the trails are open to the public. Nimrod Warda clarifies that the trails are private, not public, but the property owner can allow whoever they wish to access their own private property. Rob Anthony, President of CPAH, also helped clarify that the trails are small and private, not intended to be large public trail such as in a forest preserve, but if neighbors want to walk to them, they will not object.

Trustee Wells asks if the residents would want a part two to the discussion. Nimrod Warda explained that we are already about halfway through comments and can continue.

Diane Hewitt, Lake County Board District 8, comments about stormwater needs related to the upcoming LCDOT roadway project on York House Road. Nimrod Warda explains that LCDOT has

not yet been engaged, but the Village is aware of the project and will have our engineer reach out to them once more is known about the proposed development. Diane Hewitt mentions that she serves on Public Works and Transportation as well as Stormwater Management. She further explains that unincorporated Lake County requires fire sprinklers, so she was wondering if sprinklers will be in any of the proposed buildings. Alina Tompert explains that the community building will have sprinklers, but the residents will not, as they will be fire separated instead. Nimrod Warda mentions that is permitted under the Internation Building Code (IBC). Alina Tompert also mentions that smoke detectors and carbon monoxide detectors will be installed. Diane Hewitt mentions that adding sprinklers adds 20 to 30 dollars per square foot, which inhibits homebuyers from being able to afford the home, which will not be applicable with this development. Diane Hewitt also asks if people 55 and older with section 8 will be allowed in the community. Chase Morris explains that they will, if passing the screening process.

Rick Hufnus, 10540 Marc Ct, thinks the proposed development is not a good opportunity for residents in the area, and he is concerned with traffic and transportation. He then asks the audience who is in support of the development. An unknown/unidentified audience member mentioned that he owns the most amount of frontage adjacent to the proposed development, and that he is more concerned with what could happen at the site if this development doesn't move forward. The unknown/unidentified audience member believes the proposal is better than what could happen at the site otherwise, where there is no control over the development.

Charlotte Duncan, 10418 W Bairstow Ave, asked how big are the units? Alina Tompert explains that the one-bedroom units are 780 sq. ft. and two-bedrooms are 1,140 sq. ft. Charlotte Duncan asks when would the proposed development be built? Chase Morris stated that contingent on funding, construction would tentatively start during the first quarter of 2025, and completion would take 12 to 15 months. Charlotte Duncan also mentions that another alternative development aside from housing could be commercial, like a gas station or strip mall. Nimrod Warda confirms that the Comprehensive Plan does show that an area close by could allow mixed use, so the proposed use is a lot less intensive in comparison. Charlotte Duncan confirmed that she would not want to see any commercial development at that location and encouraged others to think of alternatives. Nimrod Warda explains that as the property currently stands the property is zoned R-2 single family residential, which under the Comprehensive Plan would allow for up to 45 units, which would be permitted by right, but a map amendment could be applied for if someone would seek mixed use or commercial use.

Jill Lenihan, 37702 N Garnett Ave, states that she believes the development should only be for Beach Park residents and not allow Section 8. She asks, what will happen if they start the project and don't get all the funding? Nimrod Warda clarifies that all the funding is needed before the developer can start the project, and that federal law would prohibit discrimination of where someone is from to determine if they are allowed to occupy the proposed development. Commissioner Kindred also added that the same rule would apply to individuals with Section 8. Jill Lenihan complains that the Sheriff's Office provides insufficient coverage for the safety of the current residents, so she would be further concerned with the elderly. Jill Lenihan comments that the development being all electric would be expensive for the residents. Jill Lenihan then asks if there will be someone that stays on the property to monitor it. Chase Morris explains that they will have a property manager on site as well as a property maintenance tech. Jill

Lenihan asks if the trees on York House Road will stay. Chase Morris says, yes. Nimrod Warda further explains where all the trees will be maintained on the site. Jill Lenihan mentions that there may be a need for additional improvement to North Avenue and York House Road. Nimrod Warda explains that the Village will coordinate with LCDOT. Jill Lenihan asks if there will be basements. Nimrod Warda confirms that there will not be any basements.

Morgan Shepherd, 10720 W Eastwood Ave, is concerned with the entrance on Eastwood Ave, roadway deterioration, and speed along North Avenue. He would like to see the results of the traffic study before a decision is made, as he is worried about the senior coming in and out. Moreover, he is concerned for other nearby neighbors with kids, and a property that has experienced vehicles damaging their fence multiple times. He suggested that an additional entrance may be helpful.

Commissioner Kindred asked if the roads leading into the development would be one way. Nimrod Warda clarified that most of the internal roads would be one way, and that the Beach Park Fire Department has reviewed the plan and found no issues.

Nicole Thivierge, 10115 W Mawman Ave, is concerned property taxes may go up and property values may go down. She also had a question regarding managing the property for 30 years. Chase Morris clarified that it is the affordability period which is 30 years. Nicole Thivierge also mentioned that she believes the examples in Highland Park, Lake Forest and Libertyville are not comparable to Beach Park. Nimrod Warda clarified that they also have properties in Zion, Waukegan, North Chicago, Mundelein and Evanston. Nicole Thivierge asked what the affordable rent would be. Chase Morris explained it would be $900-$1,000 for a one-bedroom unit and $1,100 to $1,200 for a two-bedroom unit. Commissioner Kindred mentions that is low compared to the high market rents nowadays. Nicole Thivierge asked if the residents would get to vote on the development. Nimrod Warda clarified that since this is private property development it does not require a referendum, so the Board of Trustees would vote on the matter, and the residents can discuss the matter with their Trustees.

Ronald Thivierge, 10115 W Mawman Ave, claims that the Village has been grooming this development for years, chasing away businesses, and passing new ordinances for commercial parking. He goes on to state that he would rather have 80 homes that are paying taxes versus 40 homes that are not, that Beach Park's $9,000,000 revenue is all from donations, and that people will be attempting to change the Village Board and Mayor. He goes on to add that in his opinion the Village has been conducting back deal and handouts, that he plans to purchase more property, that the residents' Waukegan and Zion taxes are going to be raised, that he is not allowed to park his commercial van in his driveway, that he believes the low income seniors will complain about things, and that it will take a new Village Board to change things.

An unknown/unidentified audience member asks if the townships will change and what township is the site currently in. Nimrod Warda explains that the township will not change and that it is Waukegan Township.

Ociel Gomez, 10114 W Mawman Ave, is concerned with health emergencies, as he believes there are inadequate services currently in the community, with the closest hospitals being in

Lake Forest and Kenosha once the Waukegan facility is gone. He went on to state that he believes there is a need for more police and fire personnel and vehicles because he lost a baby due to not having enough.

An unknown/unidentified audience member asks where the modular component of the development would be built and inspected. Nimrod Warda explains that third party certification will be utilized for all components built off site. Chase Morris adds that CPAH has not made a commitment to a modular builder yet, but they have two companies for which they have built a relationship with based on previous projects elsewhere, one being in Illinois and the other in Stratford, Wisconsin. Nimrod Warda explains that he has seen firsthand two examples of CPAH doing modular housing in the City of North Chicago, where he was formerly employed.

An unknown/unidentified audience member asks if CPAH has done work with IHDA in the past. Chase Morris explains that they have. The unknown/unidentified audience member asks if CPAH did the new senior apartments in Mundelein. Chase Morris responds that they did not do that new development.

An unknown/unidentified audience member comments that if anyone is interested in researching the financial components of a nonprofit, they can visit propublica.org.

Commissioner Kindred made a motion to close public comment, seconded by Commissioner Wilson. All present members voted aye (4-0).

Commissioner Wilson made a motion to close the public hearing, seconded by Commissioner Kindred. All present members voted aye (4-0).

On behalf of Chair Ochoa, due to the room being loud with discussion amongst the public, Nimrod Warda reads an example motion recommending the approval of a zoning map amendment.

Chair Ochoa motions for an approval of the zoning map amendment from R-2 to R-3C, seconded by Commissioner Wilson. Ochoa voted aye, Wilson voted aye, Kindred voted nay, and LaBelle abstained.

On behalf of Chair Ochoa, due to the room being loud with discussion amongst the public, Nimrod Warda reads an example motion recommending the approval of a conditional use permit.

Chair Ochoa motions for an approval of the conditional use permit for planned development in substantial conformance with the presented plans, seconded by Commissioner Kindred. Ochoa voted aye, Wilson voted aye, Kindred voted aye, and LaBelle abstained.

Upon further dialog from all present Commissioners following the motion for the zoning map amendment and motion for the conditional use permit for planned development, a consensus was formed to rescind the preceding votes and to table both motions until a subsequent meeting following additional discussion and consideration.

Nimrod Warda explained to the public that all information submitted as part of the application is available for public viewing and can be shared upon receipt of a FOIA request.

Nimrod Warda also explained that the public hearing for said subjects will be at the next scheduled PC/ZBA meeting on June 6th, 2014, but if an alternative date for a special meeting is to be used a notice will be posted accordingly.

7. **Public Comment**
   Commissioner Kindred, in her capacity as a resident, commented that the fire station closest to her house is now unmanned, and how that was of interest and concern to her.

8. **Old Business** – None

9. **New Business** – None

10. **Adjournment**
    Commissioner Kindred made a motion to adjourn the meeting, seconded by Commissioner Wilson. All present members voted aye (4-0).

    The meeting adjourned at 8:57 p.m.