

PLANNING, ZONING & DEVELOPMENT COMMISSION
VILLAGE OF ORLAND HILLS, ILLINOIS

IN RE THE MATTER OF:)
)
9800 W. 167TH STREET)
ORLAND HILLS, ILLINOIS)

REPORT OF PROCEEDINGS had at the hearing of
the above-entitled cause before the Planning, Zoning &
Development Commission of the Village of Orland Hills,
Illinois, at the Orland Hills Village Hall, 16033 S.
94th Avenue, Orland Hills, Illinois, on the 29th day of
April, 2023, at the hour of 7:00 p.m.

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PRESENT:

- MS. ELAINE HALLAS, Chairman;
- MR. BILL PEREPECHKO, Member;
- MR. PATRICK O'CONNOR, Member;
- MR. JOSEPH COZZI, Member;
- MR. DAVID FIORE, Member;
- MR. KEVIN COTTER, Member;
- ODELSON, STERK, MURPHEY, FRAZIER & McGRATH, LTD.
 BY: MR. CARY HORVATH
 3318 W. 95th Street
 Evergreen Park, Illinois 60805
 Appeared on behalf of the Commission.

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ALSO PRESENT:

- MR. BRIAN O'NEILL, Village Administrator;
- MS. ANDREA CROWLEY and MS. CAROL RUZICH,
 Griffin & Gallagher, Applicant's Attorney;
- MR. ANDRE BLAKLEY, Richman Group/TRG Community
 Development;
- MR. THOMAS O'BRIEN, Henry Brothers Construction;
- MR. ERIC MARING, Hooker DeJong Architects;
- MR. THOMAS COSTELLO, Member of Public.

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1 CHAIR HALLAS: Call the meeting to order at
2 7:00 p.m.

3 Do you want to do roll call?

4 MR. O'NEILL: Chairman Hallas.

19:00:08 5 CHAIR HALLAS: Here.

6 MR. O'NEILL: Commissioner Perepechko.

7 MEMBER PEREPECHKO: Here.

8 MR. O'NEILL: Commissioner Elliott.

9 (No response.)

19:00:13 10 MR. O'NEILL: Commissioner O'Connor.

11 MEMBER O'CONNOR: Here.

12 MR. O'NEILL: Commissioner Cozzi.

13 MEMBER COZZI: Here.

14 MR. O'NEILL: Commissioner Fiore.

19:00:17 15 MEMBER FIORE: Here.

16 MR. O'NEILL: Commissioner Cotter.

17 MEMBER COTTER: Here.

18 MR. O'NEILL: Village Administer O'Neill is
19 present.

19:00:25 20 MR. HORVATH: And, for the record, my name
21 is Cary Horvath. I'm representing the Village of
22 Orland Hills Planning, Zoning, and Development

1 Commission this evening.

2 MR. O'NEILL: Do we need to go around the
3 room or --

4 THE REPORTER: No.

5 MR. O'NEILL: Okay.

6 THE REPORTER: Just as they come up to
7 speak.

8 MR. O'NEILL: Okay.

9 CHAIR HALLAS: Okay. I would like to make a
10 19:00:40 motion to approve -- excuse me. I'm asking for a
11 motion to approve the minutes of September 14th, 2022,
12 Planning, Zoning, Development Commission.

13 MR. O'NEILL: Is there a motion?

14 MEMBER COZZI: I motion.

15 19:00:56 MR. O'NEILL: Motion by Commissioner Cozzi.
16 Is there a second?

17 MEMBER O'CONNOR: Second.

18 MR. O'NEILL: Second by Commissioner
19 O'Connor.

20 19:01:04 Any discussion for the Board?

21 (No response.)

22 MR. O'NEILL: Roll call.

1 Chairman Hallas.

2 CHAIR HALLAS: Yes.

3 MR. O'NEILL: Commissioner Perepechko.

4 MEMBER PEREPECHKO: Yes.

19:00:10 5 MR. O'NEILL: Commissioner O'Connor.

6 MEMBER O'CONNOR: Yes.

7 MR. O'NEILL: Commissioner Cozzi.

8 MEMBER COZZI: Yes.

9 MR. O'NEILL: Commissioner Fiore.

19:00:17 10 MEMBER FIORE: Yes.

11 MR. O'NEILL: Commissioner Cotter.

12 MEMBER COTTER: Yes.

13 MR. O'NEILL: Motion passed.

14 CHAIR HALLAS: Would you have the honor of
15 reading this one? Thank you.

19:01:18

16 MR. O'NEILL: Item No. 2: The purpose of
17 this public hearing is to grant a Special Use or a
18 Planned Unit Development, including the variances
19 listed below, in order to allow the development of a
20 70-unit senior apartment building at approximately
21 9800 W. 167th Street, Orland Hills, Illinois.

19:01:25

22 The property is legally described as

1 Lots 1, 2 and 3 and outlot B in South Hill Planned Unit
2 Development of part of the southwest quarter of the
3 southeast quarter of Section 21, Township 36 north,
4 Range 12, east of the third principal meridian in Cook
19:01:49 5 County, Illinois.

6 The following variances have been
7 requested and will be considered at the public hearing:

8 An increase in allowable height for the
9 building;

19:01:56 10 An increase in the allowable density to
11 allow the construction of 70 apartment units;

12 A decrease in the minimum square
13 footage requirements for one-bedroom units;

14 A decrease in the minimum required
19:02:07 15 parking spaces.

16 At this point in time I would suggest
17 that the petitioner might want to come up and present
18 his --

19 MR. HORVATH: May I just ask a question or
19:02:19 20 ask permission of the Chairman to address the Board for
21 just a moment?

22 CHAIR HALLAS: Absolutely.

1 MR. HORVATH: Because there are a number of
2 persons in the audience who may be coming forward to
3 present testimony, I would just ask if they identify
4 themselves for the record and if they could spell their
19:02:39 5 last name so the court reporter can get it accurately
6 into the record.

7 And, then, as witnesses are presented,
8 I don't know if your practice is to swear them in or
9 not, but because they are going to be giving testimony
19:02:51 10 and the court reporter can swear them in, if that is
11 your practice in these types of hearings --

12 MR. O'NEILL: It has not been our practice
13 but whatever you would advise.

14 MR. HORVATH: I would advise it in this
19:03:04 15 particular matter.

16 CHAIR HALLAS: Okay.

17 MR. O'NEILL: Very good.

18 MR. HORVATH: Okay.

19 MR. O'NEILL: So if the Richman Group would
19:03:11 20 like to --

21 MS. CROWLEY: Andrea Crowley, the Law Firm
22 of Griffin & Gallagher. Also Carol Ruzich is here as

1 well. We are here tonight on behalf of the Richman
2 Group, TRG Community Development as well.

3 Before you tonight we have a request
4 for a Special Use, as Mr. Horvath laid out, for a
19:03:31 5 Planned Unit Development with associated variances. We
6 also petitioned for a subdivision, in this case a
7 consolidation of our existing lots into one parcel, so
8 one tax parcel, and that would include the vacation of
9 a right-of-way that has been dedicated for over a
19:03:47 10 decade but never improved, also site plan approval of
11 the drawings and the structures that you saw in the
12 submittals.

13 The purpose would be to allow for the
14 construction of a four-story 70-unit senior center.
19:04:01 15 The property is located at approximately 9800 West
16 167th Street.

17 This parcel was previously approved for
18 an 87-unit senior structure. The last approval
19 ordinance is from 2016. There was also a prior one
19:04:12 20 approving an assisted living senior type center as
21 well. So this is not a new idea to the parcel. We
22 believe it's an improved engineering and better design.

1 state and spell your last name so the court reporter
2 has it correctly.

3 MR. BLAKLEY: Andre Blakley, A-n-d-r-e, last
4 name Blakley, B-l-a-k-l-e-y.

19:05:32

5 (Witness sworn.)

6 MR. BLAKLEY: I do. I have to hand out
7 materials. Is it okay to approach and hand these out?
8 And it feels thick, but we'll try to go through it
9 quickly. We just wanted to provide you with a little
10 bit of background about our company, what we do, how
11 long we have been doing it, and so forth.

19:05:48

12 May I? So good evening. I'm Andre
13 Blakley, president of TRG Community Development, a
14 subsidiary of the Richman Group of companies. First, I
15 would like to thank you -- I would like to say thank
16 you to the Village of Orland Hills Village Board
17 members and Village administration for the opportunity
18 to bring forth Orland Hills Senior Housing Development,
19 a proposed 70-unit development that will be located at
20 9800 West 167th Street.

19:06:39

21 We believe this will be an exciting
22 addition to the Village of Orland Hills, and this is

1 based on preliminary discussions that we've had with
2 local aging services and, in fact, we've even gotten
3 emails from residents -- a couple residents that reside
4 here in Orland Hills asking about the timing of our
19:07:01 5 development, when will units be available, which is
6 exciting but also very encouraging.

7 One other point that I'd like to
8 emphasize, and we'll talk about this when we detail the
9 programming and the timeline for this development, but
19:07:28 10 this project will feature a preference for local
11 residents, and I think that's very important. We want
12 to build for the communities that we're in and for the
13 residents that live in that community first. So as a
14 part of this process, and I know the folks at the local
19:07:46 15 aging services were excited to hear this, there will be
16 a first priority preference for residents that live
17 within the limits of the village and live within the
18 Village of Orland Hills. So I wanted to make sure I
19 pointed that out.

19:08:04 20 Within this presentation, we'll go over
21 just quickly the Richman Group's background, my
22 background. I'll try to keep that to just a couple of

1 minutes. Please interrupt me at any point if you have
2 questions. And then we have, as it was mentioned, our
3 development team members here, our general contractor,
4 Henry Brothers. He'll come up and speak for just a
19:08:27 5 moment or two. And then we have a project architect
6 and our civil engineer who will be presenting the site
7 plan and talking through some of the technical aspects
8 that were -- some of which were mentioned in terms of
9 why we are here today.

19:08:42 10 So just a little bit of background on
11 the Richman Group. We are the seventh largest owner of
12 multi-family rental apartment units in the U.S. We've
13 been developing for over 30 plus years. We started
14 actually investing in these types of developments over
19:09:02 15 30 years ago and continue to do that, one of the
16 largest investors; but we also develop for our own
17 accord, and we've been doing that for the past 25
18 years. So, as you can imagine with that length of time
19 or resume, you accumulate a lot of information and,
19:09:18 20 simply put, you learn a lot. And we've learned a lot
21 about how to be experts -- we call ourselves experts --
22 in housing, and we've learned a lot over the last 30

1 years.

2 A few factoids about our company. As I
3 mentioned, we are over 30 years old, but we were
4 founded in 1986. We are a privately owned real estate
19:09:41 5 development investment property management and asset
6 management firm. And what that means is, in addition
7 to the investing in housing and real estate
8 development, we have a full service development arm and
9 that development arm is vertically integrated, meaning
19:09:58 10 we have in-house construction, we have in-house
11 architecture, property management, asset management,
12 all of the necessary disciplines that need to be at the
13 table day one when you are doing this type of work.

14 And, as I mentioned, we have local -- a
19:10:13 15 local contractor that we'll be working with. So we
16 don't intend to self perform. It's really just for
17 quality control purposes so we can watch the contractor
18 so that our property manager knows what we are
19 programming day one and they are not getting that
19:10:28 20 information at the eleventh hour when it is time to
21 lease up, specifically about our preference that I
22 mentioned. That's a very important detail. So we

1 bring all of those disciplines to the table day one,
2 and we feel that adds a tremendous value to the work
3 that we do.

4 We are headquartered in Greenwich,
19:10:48 5 Connecticut. I oversee our office here in Chicago in
6 the Midwest, which is a recent and new addition to the
7 Richman Group, who wanted to expand their presence
8 moreso in the Midwest and some other Southeast areas.
9 So I came on board about four years ago to do that and
19:11:08 10 start developing for the Richman Group.

11 But, as I mentioned, we have 12
12 regional offices active in the Northeast, Florida,
13 Midwest, Mid Atlantic, and California markets, also
14 Texas. That's not mentioned here. We are doing a lot
19:11:23 15 of work in Austin, the Austin area right now.

16 The Richman Asset Management, Inc.,
17 provides asset management to nearly 130 public,
18 private, and institutional real estate investment
19 funds, which owns 115,000 residential units serving
19:11:40 20 communities in 49 states as well as D.C., Puerto Rico,
21 the Virgin Islands, and Guam.

22 The next slide I think really

1 highlights what we are about and who we are. We build
2 all types of housing. We build high-end signature
3 market rate housing in the Keys to, you know, this type
4 of development which is -- you would say it's less
19:12:05 5 complex than developing in the Keys, but not
6 necessarily, because every deal has its own challenges.
7 There is just a wide gamut of product that we deliver
8 and execute on. I think that's a tremendous value you
9 add because you don't want to be able to look at the
19:12:23 10 housing and say, oh, a market rate developer built that
11 or, oh, an affordable builder built that. It should
12 all look the same; and that's what we really pride
13 ourselves on, is bringing that level of quality to the
14 table.

19:12:36 15 So a couple other factoids before I
16 move on. We own and manage all of our assets,
17 everything that we develop. So, you know, we don't
18 turnkey or helicopter in and then, as soon as it's
19 done, we are out. We manage everything for the long
19:12:54 20 term. Even our market rate products -- projects,
21 excuse me, we manage those long term as well. There
22 are certain instances where we have institutional

1 investors, they want to get out in seven, eight years,
2 but those are the only examples where we have
3 extricated ourselves or wound down a partnership on one
4 of these developments. It's very important to us and
19:13:17 5 very important to the owner.

6 I'll skip over a couple of pages here.
7 I did talk about our vertical integration. We've
8 raised over 14 billion in equity for investment in over
9 1,600 apartment projects, and we manage over 18,000
19:13:36 10 rental units currently across the country.

11 The next slide is our executive
12 leadership team. First you have Richard Richman, who
13 is the founder and chairman of the company, still
14 active, still participating in design. That seems to
19:13:52 15 be his go-to lately, is making sure that the
16 developments look high quality. So he's very active on
17 a day-to-day basis. Then we have Kristin Miller, who
18 is the president of the Richman Group Development
19 Corporation; David Salzman, who oversees our investment
19:14:11 20 side; and then you have myself.

21 Just a little bit of background about
22 myself. We do have a central office in downtown

1 Chicago. We don't really go to offices anymore, that's
2 changed since COVID quite a bit, but we do have a
3 physical office in downtown Chicago. I was the former
4 national director of public housing and real estate
19:14:35 5 development for Gorman & Company, a relatively large
6 Midwest-based development firm. I've completed over
7 250 million in real estate development over 23 years of
8 capital market and real estate development experience,
9 and currently we have 180 million in design for
19:14:53 10 projects.

11 I just want to emphasize our team
12 members, and we'll start -- We have some information
13 and some company information for Henry Brothers; but I
14 thought, Tom, if you wouldn't mind just coming up for a
19:15:15 15 bit and sharing --

16 MR. O'BRIEN: Sure. You can stay there.
17 I'll just stand here and get sworn in.

18 (Witness sworn.)

19 MR. O'BRIEN: I do.

19:15:27 20 MR. HORVATH: Could you just state your
21 name, sir.

22 MR. O'BRIEN: Yeah, Tom O'Brien, O

1 apostrophe b-r-i-e-n.

2 Thank you, Andre, for that
3 introduction, and thank you for making us part of the
4 team. I'll keep it brief.

19:15:43

5 Henry Brothers, locally owned and
6 operated, family owned and operated company, has been in
7 business well over a hundred years. For those of you
8 that know it, we are obviously teaming up with you to
9 build the expansion project for your recreation center.

19:16:02

10 Really excited about that. Seems to really be taking
11 shape.

12 Henry Brothers has completed well over
13 1,500 assignments during its hundred years in business.
14 We work in a variety of sectors: schools, churches,
15 commercial facilities, public municipal facilities like
16 the recreation center, and then, of course, one of our
17 key sectors is housing, more specifically, senior
18 housing.

19:16:17

19 Not to belabor it too much, but in the
20 last 25 years we've completed 40 housing projects of
21 all types, anything of what we call "a head and a bed
22 in it." So it's student housing, hotels, senior

19:16:36

1 housing, condos, apartments; and, more specifically, in
2 the last ten years we've completed 17 projects
3 consisting of some 1,200 units with a construction
4 value of \$200 million, and currently we have four
19:17:07 5 projects under construction valued at about 60 million.

6 The type of project that the Richman
7 Group is proposing here is exactly, or very close to,
8 what we build a lot, maximum quality for the dollars
9 available; and we are looking forward to and excited
19:17:26 10 about the potential to work with everybody on the team
11 to make this a reality. Thank you.

12 MR. BLAKLEY: Thank you, Tom.

13 And then also joined with us today we
14 have our architect, Hooker DeJong, and our civil
19:17:40 15 engineer Kevin Chapin with KPC Consultants. You'll be
16 hearing from them in just a second when we talk about
17 the site plan and, specifically, the engineering.

18 Just a few more slides I'd like to get
19 through, and then we'll dive right into the site plan.

19:17:58 20 As I mentioned, on the property
21 management side, we will manage this asset. We manage
22 everything that we build because we provide the

1 guarantees for it; and so we want to make sure it
2 operates correctly and it's performing, it's doing
3 everything we said it would do when we asked that
4 lender to come to the table. So we manage all of our
5 sites.

6 We do hire locally in terms of our site
7 staff. Most of our property management staff are
8 located in Tampa, Florida. That's where our property
9 management office is headquartered. So we will have a
10 regional director -- we have a regional director that
11 oversees this area, but we'll hire locally for site
12 staff. There will be on-site property management, an
13 on-site leasing office as well, and that will all be
14 local.

15 I touched on this already so I won't
16 belabor this, but, again, the value of our construction
17 admin services, I think it saves us quite a bit in
18 terms of just containing cost, making sure we watch the
19 contractors, change orders, everything that's needed to
20 get a deal completed; and so we provide those services
21 inhouse, and we have those disciplines inhouse. We are
22 a part of the design process. As we are producing

1 construction documents, we are a part of that input
2 process, as we should be as the owner, but we are
3 involved in every aspect of it.

4 I do have some of our signature
19:19:34 5 developments. I won't go through them because I know
6 my time is almost up, but I just wanted to include
7 those for you. You can also find those on our website.
8 It really talks about how we view kind of the open
9 spaces, our clubhouse room, which I think there is a
19:19:53 10 great picture of that on one of these slides, our
11 fitness area, how that's typically equipped. This is,
12 and I love to show this photo, and they say a photo is
13 worth -- a picture is worth a thousand words, but
14 that's an example of our clubhouse. We want it to be
19:20:10 15 well lit, bright. We want it to be active for the
16 seniors and the residents that will be living there.
17 So you have some examples of those common area
18 amenities, a coffee bar space, internet cafe and so
19 forth; and we have all of that planned for Orland Hills
19:20:31 20 Senior Development.

21 There is also a couple of slides that
22 really demonstrate our approach to just the floor plans

1 and making sure there is natural light exposure,
2 maximizing views, and really just, bottom line,
3 investing in the quality of life. So please feel free
4 to browse through those again. We have brand new pages
19:20:58 5 for all of our developments set up on our website.
6 It's very helpful. You can click on it and read about
7 the attributes or the programming for a particular
8 development along with looking at some really nice
9 photos and renderings.

19:21:14 10 So on to the site plan, and before I
11 bring Eric -- invite Eric up and Kevin -- Eric Maring
12 and Kevin Chapin up, I just want to talk a little bit
13 about the programming, common area amenities, some of
14 which I've talked about already, and then our timeline,
19:21:33 15 and then we'll hand it over to Eric and team.

16 So this is a proposed 70 total units.
17 We have 56 one-bedroom units, 14 two-bedroom units.
18 The average unit size is 650 and 875 respectively, and
19 this will be restricted to households 55 and over. The
19:21:54 20 leasing preference, as I mentioned in my intro, will be
21 for local residents first. And then some of our common
22 area amenities include a clubhouse with a reception

1 concierge area; a fitness center; cardio and aerobics
2 area; internet cafe with a coffee bar; most of our
3 developments feature free WIFI, that's become a
4 standard and expectation, at least in the market; a
19:22:22 5 full business center; leasing and management office;
6 and then a mailroom for collecting packages. That's
7 becoming more and more important with the Amazon
8 deliveries that happen -- seem to happen 24/7.

9 As far as our timeline, we are hoping
19:22:37 10 to complete the planning and zoning review process in
11 May or June of this year, if possible, and target a
12 closing for October of this year. The estimated
13 construction schedule is approximately 14 to 16 months,
14 which means that we would start lease-up in February or
19:22:58 15 March of 2025, just to give you a sense for when the
16 actual building will be constructed and folks will
17 start moving in.

18 Unless there are questions, I'm going
19 to hand it over to Eric and team.

19:23:30 20 MR. MARING: Good evening. I'm Eric Maring
21 with Hooker DeJong Architects and Engineers, last name
22 is M-a-r-i-n-g.

1 (Witness sworn.)

2 MR. MARING: I do. I can give you kind of a
3 high-level overview if you haven't had a chance to
4 review the plans. I did include in this presentation,
19:23:54 5 I don't know if you are familiar with it or not, but
6 the previously approved plan. Again, I don't know -- I
7 think it's been a couple years since that was approved,
8 so just to kind of give you an understanding of kind of
9 how we looked at it.

19:24:09 10 Originally we did kind of look at
11 trying to mimic the same kind of design and
12 configuration of it. As we kind of got further into
13 it, you know, we were just really fighting with there
14 is some existing wetlands on the site, there is an
19:24:27 15 existing flood plain that kind of makes its way in
16 here, and so we pivoted at one point and tried to say,
17 okay, how can we avoid these areas, obviously they are
18 natural habitats, so we kind of pivoted our design to
19 try to avoid those as much as we could or we are
19:24:47 20 avoiding them.

21 You can see here, you know, we shifted
22 from the building being here to flipping it to a

1 building being on the east side there. So our concept
2 is an L-shaped building, entry drive here where the
3 existing curb cut is, you know, parking up front, and
4 then having a lane that snakes around the back to the
5 lower end of the site. We have a -- it's a three-story
6 building from the front and then, as you go back, that
7 site drops off. So we are utilizing that drop-off, and
8 then in the back leg is a four-story building. So,
9 again, trying to use that grade a little bit more than
10 just building up and clear cutting the whole property.

11 We have some kind of common space up
12 front here, as you'll see. Again, here is that wetland
13 and that flood plain that we are avoiding. We will put
14 a little detention in in the spot where we can fit it
15 as well.

16 Yeah, again, I think our list of --
17 I'll show you the elevations too. We are proposing a
18 hundred percent brick on the elevation per the
19 ordinance. So we did kind of start with a couple
20 different tones of brick. I know the condo building
21 next to it kind of has the more traditional red brick,
22 so we are trying to do more of a tan and gray brick

1 just to differentiate from what's there now.

2 You can see this is our front elevation
3 here. So we've got, again, a three-story with pitched
4 roof, entry drop-off canopy, and then also we have a
19:26:33 5 little bit of outdoor space, you know, a trellis
6 element that would be located kind of off our community
7 room to give some outdoor space to the residents.

8 So we are looking to utilize Type V-B
9 construction, which is combustible construction. I
19:26:58 10 know that varies from the city code now. We wanted to
11 just make sure you guys understood that that's what we
12 are looking at or wanted to have that for discussion
13 tonight or with the city.

14 Again, our variances, just to go over
19:27:14 15 those, was the density to go up to 70 units. I think
16 55 is the R-4 density for this site. The parking,
17 there is really no -- we've developed in municipalities
18 that have a separate parking requirement for senior
19 developments. I think this falls under the multi
19:27:36 20 family, which is two and a half spaces, which I think
21 Andre can attest, that it's just -- you are just going
22 to create a sea of parking that's just hardly used. We

1 are a little bit over figuring one space per unit plus
2 some extra space for management or visitors we feel
3 like is sufficient.

4 Our building height is going up a
19:27:59 5 little over 40 feet at the front, at the street level,
6 which the ordinance is 35 feet, so that's another one.

7 Our one-bedroom units are a little bit
8 smaller than the minimum, which is 700 square feet.
9 Again, we are looking at seniors, senior housing here,
19:28:13 10 so we don't feel like the big, you know, larger units
11 are going to be required. This is based on units we
12 used in other past projects that have been successful.

13 Any questions at this point?

14 Andre went through some of our amenity
19:28:32 15 spaces that we are looking at. We are looking at two
16 elevators. Since we have a three-story portion and
17 four-story portion, we are looking at two elevators.
18 Again, being a senior unit, it's always good to have
19 one elevator that functions in case one goes down. Due
19:28:48 20 to the funding, we will have to commit to like a LEED
21 or green certification. So we will have an energy
22 efficient building here as well, another highlight.

1 Is there any questions at this point
2 that I can help or Kevin can help?

3 MS. CROWLEY: I just want to clarify that
4 while we are asking for some deviations in terms of
19:29:19 5 upgrading the density, it is actually less dense than
6 the 2016 ordinance. It's a technical deviation from
7 your code but less than the 2016 approval, and that
8 includes parking as well. So we are asking for a
9 deviation from the R-4, but there was a PUD approved in
19:29:37 10 '16, and what we are asking for is less than what was
11 approved in 2016. So it's a technical deviation but
12 not more than what's already out there.

13 MR. MARING: Yeah, that was a four-story
14 building with 87 units and I think around the same
19:29:53 15 ratio parking, around one to one.

16 MR. O'NEILL: Is there anyone else that
17 would like to present before the Commission?

18 MR. HORVATH: Is your presentation
19 completed?

19:30:21 20 MR. BLAKLEY: Yes, sir, and thank you for
21 the time.

22 CHAIR HALLAS: Thank you.

1 MR. COSTELLO: My name is Thomas Costello,
2 C-o-s-t-e-l-l-o.

3 (Witness sworn.)

4 THE WITNESS: Absolutely. Yes.

19:30:44 5 Hello, everybody. I'm a manager for
6 the LLC that owns the property directly to the east of
7 this property between 165th Street and 167th. We
8 acquired our property late last year and immediately,
9 within a couple of days of acquiring our property, I
19:31:02 10 contacted all the neighbors, including the seller --
11 there is an attorney out of New York that was selling
12 to the group that's here, gave him my name, my phone
13 number, I said we want to be good neighbors, we are
14 going to develop a site plan for our property that's
19:31:16 15 compatible with the surrounding properties. We talked
16 about road alignments, sewer and water alignments,
17 landscaping alignments, that sort of thing. I reached
18 out to Ms. Reagan, who is on the east of us behind
19 American Sales, I reached out to Mr. Petric, who was
19:31:34 20 constructing cell towers to the north, and I reached
21 out to the people who are selling to the folks that are
22 here today and to the Village. Nobody ever called us

1 back.

2 So eventually we developed a site plan,
3 we had our engineer create one, and we submitted a
4 petition for approvals like you are doing today back in
19:31:52 5 January. Well, we asked everybody involved what's up
6 with the road alignment. There is a street stub on the
7 2016 approved plans that you are being asked to vacate
8 that allowed access to our property; and it shows on
9 those plans, which were developed by KPC, the same
19:32:09 10 engineer that's here today, water, sewer, pavement, and
11 sidewalks going up to our property line, which would
12 allow our property to have access to the public
13 streets. Of course, I'm 167th, but there was a turn
14 lane that was developed back in the early 2000s that
19:32:25 15 was paid for as part of the PUD, planned unit
16 development, that includes our property. There is
17 actually special assessment impact fees that we have to
18 pay when our property gets developed and pay for that
19 road and use that road.

19:32:40 20 Now we are being told, I just learned
21 today, I happened to call the Village and ask what's
22 going on with our petition that was submitted in

1 January and I said can we get a date for a public
2 hearing before your Commission, and the front staff
3 said, "oh, the hearing is tonight." I said, "oh, my
4 gosh, tonight, we weren't even told about that." Well,
19:32:59 5 it turns out they were talking about this hearing.

6 There is no public notice sign that's
7 up there. I would have had no idea if I hadn't called.
8 I get the plan about six hours ago, and I see the
9 roadway that's of public record, already recorded down
19:33:11 10 at the recorder's office, there is a right-of-way
11 recorded up to our property line, is -- they are
12 proposing to vacate on these plans, which would leave
13 us landlocked.

14 We were asking to build three ten-unit
19:33:21 15 buildings on the plans we submitted in January, two of
16 them on the north of Marley Creek -- one is on the
17 north of Marley Creek and two is on the south, but they
18 rely on that roadway. I'm told that, because we are
19 only 200 feet away from the existing turn lane that's
19:33:35 20 there, it is not practical engineering to ask the Cook
21 County Highway Department for another curb cut because
22 of the interference of traffic and people turning and

1 safety issues and that kind of thing.

2 We wish our neighbors the best. We
3 want to be good neighbors. We want to see them
4 succeed. They have high quality people here, Henry
19:33:52 5 Brothers and KPC and so forth, but we would just like
6 to see this meeting continued until a site plan can be
7 presented that doesn't leave us landlocked, that
8 presents a method for us to have a road right-of-way
9 access as we do with what's currently recorded.

19:34:08 10 I would also like to ask a question.
11 They made some comments about their project being
12 market or not market and the funding and all that.
13 What's that all about? Who is paying for the project?
14 It seems like they didn't really enlighten us about
19:34:23 15 that.

16 MR. O'NEILL: Tom, you and Mark Sterk and
17 Lynn met a couple months ago --

18 MR. COSTELLO: We met in February, and I
19 actually brought up this road alignment. I didn't
19:34:40 20 realize you already had plans submitted. You didn't
21 say, "hey, Tom, this is what they're doing." That's
22 all we wanted, was to cooperate with the neighbors and

1 be good neighbors and coordinate a global plan. This
2 plan cuts us out. We don't have access to the road.

3 MR. O'NEILL: Well, nothing, of course, has
4 been approved either by the Commission or, of course,
19:34:59 5 by the Board.

6 MR. COSTELLO: That's all we are asking for.
7 We wish your people the best and want you to go
8 forward, but we need to have some sort of way to drive
9 cars on and off the property.

10 MR. O'NEILL: This is something that, you
11 know, Mark Sterk, and I think when we met Mark
12 basically -- he takes the lead in a lot of this stuff
13 for us. So he left his firm about ten days ago, and
14 Cary has been kind of thrown into the fire here.

15 MR. COSTELLO: We had some conversations
16 with him, and he said, "well, we really don't want to
17 have any public roads that the city will have to
18 maintain," and I said, "oh, would this be like a
19 driveway going up to the right-of-way that's there,"
19:35:34 20 you know, "I said do you want a turn lane for a fire
21 truck to turn around," that kind of thing, and we just
22 got no response from him.

1 We spent tens of thousands of dollars
2 having engineering work on our plan, and just six hours
3 ago we found out that the road right-of-way that we
4 thought we were supposed to be using may not be there
19:35:55 5 if you approve everything here. We think that's not
6 equitable and not fair to us.

7 MR. O'NEILL: I would not disagree with that
8 at all. In light of this, and in light of all the
9 information that has been presented today, it would be
19:36:10 10 my recommendation to the Commission, you know, that
11 there not be a vote taken on this. There is a lot of
12 information that was presented, and I think we need to
13 get some clarification from our legal team about, you
14 know, some of these issues that Mr. Costello has
19:36:27 15 brought up and how the two projects --

16 MR. COSTELLO: I'm very available. We can
17 meet with the interested parties and have an informal
18 meeting. We have worked actually with Kevin before.
19 He has done work for us in years past. He is familiar
19:36:40 20 with them, he is familiar with us, so we can just sit
21 down and work out something where we have a driveway.
22 That's all we need.

1 MR. HORVATH: That's perfectly fine. We can
2 sit down and figure something out.

3 MR. COSTELLO: Thank you.

4 MR. HORVATH: Is there any other information
5 or testimony to be presented this evening by anybody?

6 (No response.)

7 MR. HORVATH: Members of the Commission, my
8 suggestion would be that, because of the amount of
9 material presented, along with the comments of
10 Mr. Costello, that rather than move forward with any
11 type of decision making this evening, that we have an
12 opportunity to review the materials presented; if
13 necessary, possibly sit down with the parties that have
14 presented this evening; and then reconvene at a future
15 date for you to go through the findings that are
16 necessary and consider some of the requests that have
17 been presented by the applicant this night -- this
18 evening.

19 There are four specific variances that
20 they have requested. I will tell the applicant, as far
21 as the reduction -- the increase in the building
22 height, I don't know if the Zoning Board has that

1 authority to grant --

2 MS. CROWLEY: Mark had just asked that we
3 include it, and he made the ultimate decision as to
4 what he put on there.

19:38:11 5 MR. HORVATH: They have some latitude with
6 respect to the -- possibly the parking and the density,
7 but I'm not so sure on construction materials or what
8 you can construct, that that is within the purview of
9 the authority that they have.

19:38:31 10 MS. CROWLEY: We understand that.

11 MR. HORVATH: Anything else?

12 MR. O'NEILL: No.

13 MR. HORVATH: Members of the Board, do you
14 have any other -- do you have any questions or comments
19:38:40 15 that you would like to enter into the record this
16 evening? You certainly are not prevented from doing
17 that.

18 CHAIR HALLAS: I don't specifically have any
19 questions. I guess the last comments brought up more
19:38:56 20 questions than I had originally. I want to go back to
21 my notes from 2016 and compare this to what was
22 approved back then.

1 I would prefer to make a motion to
2 table this until we can look at the whole thing
3 globally because there is a lot more moving parts than
4 what it seemed originally. That is my motion.

19:39:18 5 MR. HORVATH: Is there a second to the
6 motion?

7 MEMBER COZZI: Second.

8 MR. HORVATH: Can we get a roll call on
9 that, please.

19:00:07 10 MR. O'NEILL: Commissioner Hallas.

11 CHAIR HALLAS: Yes.

12 MR. O'NEILL: Commissioner Perepechko.

13 MEMBER PEREPECHKO: Yes.

14 MR. O'NEILL: Commissioner O'Connor.

19:00:14 15 MEMBER O'CONNOR: Yes.

16 MR. O'NEILL: Commissioner Cozzi.

17 MEMBER COZZI: Yes.

18 MR. O'NEILL: Commissioner Fiore.

19 MEMBER FIORE: Yes.

19:00:20 20 MR. O'NEILL: Commissioner Cotter.

21 MEMBER COTTER: Yes.

22 MR. O'NEILL: Motion passes.

1 MR. HORVATH: Is there any other business to
2 be discussed this evening?

3 (No response.)

4 MR. HORVATH: You can make a motion to
19:39:45 5 adjourn, and then I believe what Mr. O'Neill will do is
6 indicate to you when we should have another meeting to
7 further discuss this depending on what the next steps
8 are taken with respect to meeting with either the
9 applicant and/or Mr. Costello to see if we can't get
19:40:10 10 some more additional information to present to you. Is
11 that acceptable?

12 CHAIR HALLAS: I'll make a motion to adjourn
13 at 7:42.

14 MR. O'NEILL: Motioned by Commissioner
19:40:22 15 Hallas. Is there a second?

16 MR. FIORE: I'll second.

17 MR. O'NEILL: Second by Commissioner Fiore.
18 Roll call.

19 Commissioner Hallas.

19:00:08 20 CHAIR HALLAS: Yes.

21 MR. O'NEILL: Commissioner Perepechko.

22 MEMBER PEREPECHKO: Yes.

1 MR. O'NEILL: Commissioner O'Connor.

2 MEMBER O'CONNOR: Yes.

3 MR. O'NEILL: Commissioner Cozzi.

4 MEMBER COZZI: Yes.

19:00:17 5 MR. O'NEILL: Commissioner Fiore.

6 MEMBER FIORE: Yes.

7 MR. O'NEILL: Commissioner Cotter.

8 MEMBER COTTER: Yes.

9 MR. O'NEILL: Motion passes. We are

19:40:37 10 adjourned.

11 (Which were all the proceedings
12 had in the above-entitled
13 cause.)
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