

PLAN AND ZONING

\_\_\_\_\_ REPORT OF THE PROCEEDINGS OF A MEETING  
\_\_\_\_\_ BEFORE THE VILLAGE OF NORTHFIELD  
\_\_\_\_\_ PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of  
Northfield Plan and Zoning Commission taken at the Northfield  
Village Hall, Board Room, Northfield, Illinois on the 5th day  
of September, 2017, at the hour of 6:31 p.m.

MEMBERS PRESENT:

BILL VASELOPULOS, Chairman  
THOMAS BOLLING  
DAN deLOYS  
TODD BERLINGHOF  
KATHY ESTABROOKE  
TRACEY MENDREK  
STEVEN HIRSCH  
CONNIE BERMAN

MEMBERS ABSENT:

E. LEONARD RUBIN

ALSO PRESENT:

STEVE GUTIERREZ, Community Development Director  
MICHAEL MARRS, Village Attorney

1                   CHAIRMAN VASELOPULOS: Okay, ladies and gentlemen, I'd  
2 like to have your attention please. I know that may be a little  
3 difficult with so many folks in the room. Folks, for those of you  
4 that haven't found seats, there are some of them over on this side  
5 here, a couple of open seats. If not, we apologize. They brought  
6 in plenty of extra chairs tonight. So, please sign in and then  
7 grab a chair wherever you can. Thank you very much.

8                   Okay, good evening, everyone. I'd like to call  
9 to order the Plan & Zoning Commission. My name is Bill  
10 Vaselopulos, I'm the Chairman of this Commission.

11                  AUDIENCE MEMBER: Could you speak louder? We can't  
12 hear you.

13                  CHAIRMAN VASELOPULOS: Microphone not on? It's on.  
14 You can't hear me at all?

15                  AUDIENCE MEMBER: Now we can.

16                  CHAIRMAN VASELOPULOS: Okay, I will raise my voice so  
17 that everyone can hear me. Good evening. I'd like to call to  
18 order the Plan & Zoning Commission. My name is Bill Vaselopulos.  
19 I'm the Chairman of Commission tonight.

20                  I'd first like to say in acknowledgment of Chris Broccolo who  
21 is a long-time member of this Commission, he stepped down because  
22 of work conflicts. So, we didn't get a chance at the last meeting  
23 to thank him for his service. He did a wonderful job over the

1 years that he was on this Commission.

2 His replacement is Connie Berman, and we would like to thank  
3 her for her service tonight and for the future. So, we appreciate  
4 you being with us this evening.

5 At this time, I'd like all the Commissioners to introduce  
6 themselves starting with Connie.

7 COMMISSIONER BERMAN: I am Connie Berman.

8 COMMISSIONER BOLLING: Tom Bolling.

9 COMMISSIONER HIRSCH: Steven Hirsch.

10 COMMISSIONER ESTABROOKE: Kathy Estabrooke.

11 COMMISSIONER BERLINGHOF: Todd Berlinghof.

12 COMMISSIONER MENDREK: Tracey Mendrek.

13 COMMISSIONER deLOYS: Dan deLoys.

14 CHAIRMAN VASELOPULOS: Thank you very much. The purpose of  
15 tonight's meeting is to conduct a public hearing and to discuss  
16 these requests for approval of special use permits located at: 225  
17 Old Farm Road, Petitioner's name is James Challenger; 225 Maple  
18 Row, Petitioner's name is Lewis Porter, Jr. and Sherryanne De La  
19 Boise; and 1725 Winnetka Road, Petitioner's name is Edward R. James  
20 Partners.

21 The public hearing format will provide an  
22 overview of these proposals and a forum for public comment and  
23 input. This Commission is a recommending body only and we will

1 forward our recommendation to the President and Board of Trustees  
2 for final determination on whether or not to grant these items  
3 before us today. The Board will then consider these items being  
4 discussed this evening at the next Board meeting which will be  
5 scheduled to occur on September 17th, 2017, at 7:00 p.m. right here  
6 in this Board Room.

7                   The Commission meeting requires that all persons  
8 wishing to be heard and enter testimony must be sworn in. This  
9 includes all petitioners, individuals with the petitioners, and any  
10 interested parties or other property owners. Following the  
11 Petitioner's presentation and after the Commission has had an  
12 opportunity to ask questions and discuss amongst ourselves, then  
13 all other interested parties will be given an opportunity to speak.

14 Prior to speaking, we request that all parties step forward to the  
15 microphone and be sworn in, provide their name, address and  
16 interest in this matter for the record. These proceedings are  
17 being recorded and that is why we request you to speak at the  
18 podium only where the microphone is located.

19                   Our first order of business is to pass the  
20 minutes from our last meeting of July 17th, 2017. Is there a  
21 motion?

22                   COMMISSIONER HIRSCH: I'll make a motion that we  
23 approve the minutes.

1 COMMISSIONER BERLINGHOF: Second.

2 CHAIRMAN VASELOPULOS: All those in favor?

3 (Chorus of ayes.)

4 CHAIRMAN VASELOPULOS: All opposed?

5 COMMISSIONER BERLINGHOF: I abstain.

6 CHAIRMAN VASELOPULOS: Todd?

7 COMMISSIONER BERLINGHOF: I wasn't here.

8 CHAIRMAN VASELOPULOS: Todd abstained because he wasn't  
9 here. The motion passes.

10 Before the first petitioner steps to the  
11 microphone, Steve, would you like to introduce the item and add  
12 your comments please?

13 MR. GUTIERREZ: The first item on the agenda is a  
14 subdivision consolidation of the property, the two lots at the  
15 property at --

16 AUDIENCE MEMBER: Can't hear you.

17 MR. GUTIERREZ: The first item on the agenda is a  
18 preliminary final plat of subdivision for the property at 225 Old  
19 Farm Road. The Petitioner, James Challenger, is a trustee of James  
20 E. Challenger, Jr. Revocable Trust who is the owner of the property  
21 at 225 Old Farm Road.

22 The Petitioner is seeking approval to consolidate  
23 the two lots that were recently subdivided at this property.

1 Earlier this year, the previous owners of the property subdivided  
2 this lot into two lots. The request would reverse this previous  
3 subdivision.

4 The Petitioner has sold the north 25 feet of the  
5 property at 225 Old Farm Road to the owners of 225 Maple Row, the  
6 property immediately to the north of the subject property. This  
7 will also require a consolidation and subdivision for that property  
8 which has been applied for independently and which is the next item  
9 on the agenda.

10 The proposed plat of subdivision meets all of the  
11 zoning code requirements as well as the subdivision code  
12 requirements. Those are outlined in the memo that you received, I  
13 won't go into that level of detail, and that concludes Staff's  
14 comments.

15 CHAIRMAN VASELOPULOS: Okay, thank you, Steve. Would  
16 the Petitioner like to step forward? State your name and please be  
17 sworn in.

18 MR. CHALLENGER: James E. Challenger.

19 MR. DENKEWALTER: Kim R. Denkwalter, Mr. Challenger's  
20 attorney.

21 CHAIRMAN VASELOPULOS: Thank you. Steve, would you  
22 like to swear them in please?

23 (Witnesses sworn.)

1                   MR. DENKEWALTER: Mr. Chairman and board, basically  
2 everything is as Steve laid out. We are trying to, we are  
3 attempting to reconsolidate what had been the Patterson property.  
4 It was subdivided and effective in January of this year. We are  
5 merely trying to reconsolidate it.

6                   Mr. Challenger bought the property in August, and  
7 we're looking to redo the home that is on there and we are selling  
8 off the 25 north feet to the neighbor. If there's any questions,  
9 I'm happy to address them.

10                  CHAIRMAN VASELOPULOS: When you say redo the home,  
11 you're planning on tearing down and rebuilding?

12                  MR. DENKEWALTER: Yes.

13                  CHAIRMAN VASELOPULOS: Or remodel?

14                  MR. CHALLENGER: Tearing down and rebuilding.

15                  CHAIRMAN VASELOPULOS: This property is familiar to us,  
16 as you alluded to the fact that we've had a series of meetings  
17 subdividing the property up. Now, to recap, you have bought it,  
18 you want to consolidate it back together and you want to sell the  
19 northern 25 feet or 45 feet?

20                  MR. CHALLENGER: 45 feet.

21                  MR. DENKEWALTER: 45 feet, I'm sorry.

22                  CHAIRMAN VASELOPULOS: Which is the next item on the  
23 agenda.

1 MR. DENKEWALTER: Right.

2 CHAIRMAN VASELOPULOS: So, I don't have any further  
3 questions. Does anyone else have any other questions?

4 COMMISSIONER BERLINGHOF: No, I'd like to make a  
5 motion.

6 CHAIRMAN VASELOPULOS: Please go ahead.

7 **A motion to recommend to the Village Board: Approval of a**  
8 **preliminary and final plat of subdivision (Challenger Subdivision)**  
9 **in accordance with the Petitioner's Application and Supporting**  
10 **Materials, date stamped August 10, 2017, subject to the following**  
11 **conditions:**

12 1. The representations made in the application and  
13 supporting documents are binding upon the Petitioners.

14 There shall be no additional uses permitted beyond  
15 those specifically enumerated herein or permitted by  
16 the Village of Northfield's Zoning Ordinance.

17 2. The Village of Northfield Health, Fire, and Building  
18 Officials shall be granted access to the subject  
19 property at any reasonable time for purposes of  
20 conducting inspections for compliance with Village  
21 Codes and Ordinances.

22 3. An approval pursuant to any requested review by a  
23 Village consultant, Village Staff member, Village

1 Commission or Village Board Committee shall be an  
2 approval only those items specified in any motion,  
3 resolution, ordinance, or written report. Such an  
4 approval shall be deemed to be an approval of any  
5 matter which is within the jurisdiction of any other  
6 Village consultant, Village Staff member, Village Board  
7 Committee or Village Commission that has not issued a  
8 report or given its approval. Neither shall such  
9 approval be deemed the approval of any County, State or  
10 Federal Agency. Under no circumstances shall the  
11 approval be deemed to be an approval of any matter not  
12 included in this ordinance by virtue of the fact that  
13 such a matter appeared on a supporting document which  
14 is not attached as an exhibit to this ordinance or  
15 incorporated as an exhibit as part of this ordinance.

16 4. The Petitioner shall comply in all other respects with  
17 the ordinances of the Village of Northfield and nothing  
18 in this approval shall be construed as a waiver of any  
19 of those requirements.

20 5. Violation of any condition of this approval shall be  
21 cause to revoke said approval by the Corporate  
22 Authorities upon 10 days proper notice to the  
23 Petitioner. Alternatively, the Village Manager shall

1           have the right to assess fines, not to exceed \$750 per  
2           violation for such violation. Such assessment of fines  
3           may be appealed to the Corporate Authorities by filing  
4           written notice of appeal within three days of the  
5           assessment.

6           6.    Changes in the project may only be made as follows:

7           A.    Minor Field Changes.  Minor changes in locations  
8                   or sizes shown on exhibits may be approved, in  
9                   writing, by the Director of Community  
10                  Development.  Typically a minor field change will  
11                  not involve a percentage change greater than  
12                  three percent.  However, not all changes of less  
13                  than three percent shall necessarily be deemed to  
14                  be minor.  The determination of the Director of  
15                  Community Development as to whether a change is a  
16                  minor field change shall be final.

17           B.    Village Board Approved Changes.  The Village  
18                   Board may approve, without referral to the Plan  
19                   and Zoning Commission, such other changes as it  
20                   believes are in the best interest of the Village  
21                   and which do not involve changes in numbers found  
22                   in the text of the Ordinance and which do not  
23                   have a substantial, direct impact on adjacent

1 change should be referred to the Plan and Zoning  
2 Commission shall be final.

3 C. Changes Requiring a Public Hearing. Any change  
4 involving a size, quantity or other numerical  
5 value found in the text of the Ordinance or any  
6 change having substantial, direct impact on  
7 adjacent properties shall not be made except  
8 after a public hearing before the Plan and Zoning  
9 Commission. Additionally, the Village Board or  
10 the Director of Community Development may refer  
11 any requested change to the Plan and Zoning  
12 Commission for public hearing when either  
13 believes it would be in the best interest of the  
14 Village to do so.

15 COMMISSIONER deLOYS: Second.

16 CHAIRMAN VASELOPULOS: Dan deLoys seconds. All those  
17 in favor?

18 (Chorus of ayes.)

19 CHAIRMAN VASELOPULOS: All opposed?

20 (No response.)

21 CHAIRMAN VASELOPULOS: Motion carries.

22 Congratulations.

23 MR. DENKEWALTER: Thank you very much.

1 MR. CHALLENGER: Thank you very much.

2 CHAIRMAN VASELOPULOS: Steve, do you want to introduce  
3 the next item please?

4 MR. GUTIERREZ: The next item is the plat of  
5 subdivision and resubdivision from the Petitioners Lewis Porter,  
6 Jr. and Sherryanne De La Boise, owners of the property at 225 Maple  
7 Row. Again, this is the property to the north of the property just  
8 discussed. They are acquiring the north 45 feet of the 225 Old  
9 Farm Road, and this subdivision and resubdivision will consolidate  
10 that 45 feet into their lot into one single lot. That wraps that  
11 up.

12 CHAIRMAN VASELOPULOS: Thank you. Would the  
13 Petitioners like to step forward please?

14 MR. PORTER: Good evening.

15 CHAIRMAN VASELOPULOS: Please state your name, raise  
16 your right hand and be sworn in.

17 MR. PORTER: Yes. Lewis M. Porter, Jr., Petitioner.

18 MR. FRANK: Hal Frank, the attorney for Mr. Porter and  
19 his wife.

20 (Witnesses sworn.)

21 MR. FRANK: Very briefly, Mr. Chairman and members of  
22 the Commission, following up on the case you just heard, Mr. Porter  
23 and Sherryanne De La Boise purchased the 45 feet north of the lot

1 you just discussed. The purpose of this application is just to  
2 consolidate that into the land they have owned for 40 --

3 MR. PORTER: 43 years.

4 MR. FRANK: So that it's a single lot of record on  
5 Maple Row. No new construction is planned because of this. No  
6 nonconformities are created. All the conditions in the Staff memo  
7 are acceptable to the Petitioners.

8 CHAIRMAN VASELOPULOS: Great, and I know it will  
9 clarify and satisfy I think some of the other owners on Maple Row  
10 their concerns about what would happen with that portion of the  
11 land as it abuts up against Maple Row.

12 MR. FRANK: Correct.

13 CHAIRMAN VASELOPULOS: I don't have any questions.

14 COMMISSIONER BOLLING: Great solution.

15 COMMISSIONER BERLINGHOF: Make a motion.

16 CHAIRMAN VASELOPULOS: Go ahead.

17 **A motion to recommend to the Village Board: Approval of a**  
18 **preliminary and final plat of subdivision (Porter Subdivision) in**  
19 **accordance with the Petitioner's Application and Supporting**  
20 **Materials, date stamped August 10, 2017, and supplemental materials**  
21 **date stamped August 15, 2017, subject to the following conditions:**

22 1. **The representations made in the application and**  
23 **supporting documents are binding upon the Petitioners.**

1           There shall be no additional uses permitted beyond  
2           those specifically enumerated herein or permitted by  
3           the Village of Northfield's Zoning Ordinance.

4           2.    The Village of Northfield Health, Fire, and Building  
5           Officials shall be granted access to the subject  
6           property at any reasonable time for purposes of  
7           conducting inspections for compliance with Village  
8           Codes and Ordinances.

9           3.    An approval pursuant to any requested review by a  
10          Village consultant, Village Staff member, Village  
11          Commission or Village Board Committee shall be an  
12          approval only those items specified in any motion,  
13          resolution, ordinance, or written report.  Such an  
14          approval shall be deemed to be an approval of any  
15          matter which is within the jurisdiction of any other  
16          Village consultant, Village Staff member, Village Board  
17          Committee or Village Commission that has not issued a  
18          report or given its approval.  Neither shall such  
19          approval be deemed the approval of any County, State or  
20          Federal Agency.  Under no circumstances shall the  
21          approval be deemed to be an approval of any matter not  
22          included in this ordinance by virtue of the fact that  
23          such a matter appeared on a supporting document which

- 1 is not attached as an exhibit to this ordinance or  
2 incorporated as an exhibit as part of this ordinance.
- 3 4. The Petitioner shall comply in all other respects with  
4 the ordinances of the Village of Northfield and nothing  
5 in this approval shall be construed as a waiver of any  
6 of those requirements.
- 7 5. Violation of any condition of this approval shall be  
8 cause to revoke said approval by the Corporate  
9 Authorities upon 10 days proper notice to the  
10 Petitioner. Alternatively, the Village Manager shall  
11 have the right to assess fines, not to exceed \$750 per  
12 violation for such violation. Such assessment of fines  
13 may be appealed to the Corporate Authorities by filing  
14 written notice of appeal within three days of the  
15 assessment.
- 16 6. Changes in the project may only be made as follows:
- 17 A. Minor Field Changes. Minor changes in locations  
18 or sizes shown on exhibits may be approved, in  
19 writing, by the Director of Community  
20 Development. Typically a minor field change will  
21 not involve a percentage change greater than  
22 three percent. However, not all changes of less  
23 than three percent shall necessarily be deemed to

1           be minor. The determination of the Director of  
2           Community Development as to whether a change is a  
3           minor field change shall be final.

4           B. Village Board Approved Changes. The Village  
5           Board may approve, without referral to the Plan  
6           and Zoning Commission, such other changes as it  
7           believes are in the best interest of the Village  
8           and which do not involve changes in numbers found  
9           in the text of the Ordinance and which do not  
10          have a substantial, direct impact on adjacent  
11          change should be referred to the Plan and Zoning  
12          Commission shall be final.

13          C. Changes Requiring a Public Hearing. Any change  
14          involving a size, quantity or other numerical  
15          value found in the text of the Ordinance or any  
16          change having substantial, direct impact on  
17          adjacent properties shall not be made except  
18          after a public hearing before the Plan and Zoning  
19          Commission. Additionally, the Village Board or  
20          the Director of Community Development may refer  
21          any requested change to the Plan and Zoning  
22          Commission for public hearing when either  
23          believes it would be in the best interest of the

1                   **Village to do so.**

2                   COMMISSIONER HIRSCH: I'll second it.

3                   CHAIRMAN VASELOPULOS: All those in favor?

4                   (Chorus of ayes.)

5                   CHAIRMAN VASELOPULOS: All opposed?

6                   (No response.)

7                   CHAIRMAN VASELOPULOS: The motion carries.

8                   Congratulations and good luck.

9                   MR. PORTER: Thank you very much.

10                  MR. FRANK: Thank you.

11                  CHAIRMAN VASELOPULOS: For the third item on our  
12 agenda, let me pull out my agenda, just a minute please. At 1725  
13 Winnetka Road, Petitioner is Edward R. James Partners.

14                   I want to make a couple of comments before we  
15 hear from Steve and then the Petitioner. As many of you know, this  
16 has been going on for, this petition and this project has been  
17 circulating, being discussed in the community for many weeks if not  
18 months, maybe up to a year or longer I guess in certain forms.  
19 There have been some I think misunderstandings as to what it's  
20 going to be, and tonight we have the opportunity to hear from the  
21 Petitioner exactly what he is proposing, so I think that's a very  
22 good thing.

23                   We have also heard from many folks in the

1 community and neighbors in particular that they have not been  
2 afforded the opportunity to review all the materials that are being  
3 presented tonight ahead of tonight's meeting and feel that they are  
4 ill-prepared to ask proper questions or comments. Also, there has  
5 been a FOIA request for information as it relates to this, and the  
6 Village has met that FOIA request as it relates to communications  
7 regarding this meeting, but the FOIA request extended well beyond  
8 the communications of this meeting, going back months prior to this  
9 meeting.

10                   Consequently, in fairness for transparency, in  
11 fairness to the Petitioner, and most really important in fairness  
12 to the public so they are properly prepared to be informed and have  
13 the advantage of hearing the presentation and formulating their  
14 thoughts, what we are proposing to do tonight is to have Steve  
15 introduce it, hear from the Petitioner, and I anticipate it's going  
16 to be a very lengthy and detailed presentation, and then have the  
17 Commission ask questions as it relates to the proposal. At that  
18 moment, because we want everyone to be prepared, and because we  
19 also anticipate this being continued anyways because of issues that  
20 haven't been addressed yet, we are going to, after the Petitioner  
21 has made its presentation, after the Commission has asked  
22 questions, we're going to continue this to the next board meeting.  
23

1                   That would allow everyone in the audience to hear  
2 what's going on tonight, prepare your questions thoughtfully,  
3 prepare your comments thoughtfully, and come back at the next board  
4 meeting when this is going to be reassigned if that's what  
5 ultimately happens, and we will have the entire meeting available  
6 for the public to ask all the questions. Only Northfield residents  
7 can ask questions of the Petitioner, directly cross examine the  
8 Petitioner. But all people, whether you're a Northfield resident  
9 or not, has the opportunity to comment on the proposal.

10                   So, that is the plan this evening. I know some  
11 of you, that may not, it's not what you initially expected coming  
12 in here, but we think that's the fairest way to address concerns  
13 that we received from the public, and to make it as transparent a  
14 process as possible.

15                   MR. MURRAY: Mr. Chairman, my name is James Murray.

16                   CHAIRMAN VASELOPULOS: James? James, that's fine, hang  
17 on.

18                   MR. MURRAY: Wait a second.

19                   CHAIRMAN VASELOPULOS: Sir, you're not at the  
20 microphone and no one can hear you, so just a second. Step to the  
21 microphone and I will entertain your thoughts. But let me tell  
22 you, I'm not going to entertain anyone else. I know this is a big  
23 issue, but this is how we're going to proceed.

1 MR. MURRAY: My name is James Murray.

2 CHAIRMAN VASELOPULOS: If you would please be sworn in?

3 MR. GUTIERREZ: Do you solemnly swear or affirm that  
4 you'll give true testimony relative to the matters before this Plan  
5 & Zoning Commission?

6 MR. MURRAY: Well, I mean I'm not going to testify  
7 right now. I'm just going to ask for a request. My request is  
8 that I filed twice now a request to file an appearance which is a  
9 necessary prerequisite before I could present my views on this  
10 particular project. What I'm asking the board, the Commission, is  
11 to enter and continue and allow me to have my appearance forum  
12 stand for the next hearing date so I don't have to file another one  
13 five days before the next hearing.

14 CHAIRMAN VASELOPULOS: That is fine.

15 MR. MURRAY: Thank you. That's all I want.

16 CHAIRMAN VASELOPULOS: You have applied for this  
17 meeting.

18 MR. MURRAY: Yes.

19 CHAIRMAN VASELOPULOS: If this meeting gets continued,  
20 that application will carry over to whatever the next meeting is --

21 MR. MURRAY: Mr. Gutierrez can tell you that I applied.

22 MR. GUTIERREZ: Yes, yes.

23 CHAIRMAN VASELOPULOS: That's fine. Thank you very

1 much. Steve, would you like to introduce this item?

2 AUDIENCE MEMBER: When is the next meeting?

3 CHAIRMAN VASELOPULOS: The next meeting is, just a  
4 minute. October 2nd is the next meeting for Plan & Zoning, but  
5 October 2nd is loaded with a very large meeting for the development  
6 of Willow Road Property just east of Bracken Lane. We will not be  
7 able to entertain both this one and that one on October 2nd. We  
8 are going to forward this one to November 6th. Is that right,  
9 Steve?

10 MR. GUTIERREZ: Correct.

11 CHAIRMAN VASELOPULOS: Monday, November 6th. We meet  
12 on the first Monday of every month. Steve?

13 MR. GUTIERREZ: Okay, just one other note. Mr.  
14 Chairman, if you mentioned this and I didn't catch it, I apologize.  
15 If anybody is here related to the proposed subdivision on Willow  
16 Road between Bracken and Wagner, that meeting was put off until  
17 October as he just mentioned. But I just want to make sure, if  
18 anyone is in the audience here tonight hoping to hear about that,  
19 that development proposal will be not discussed this evening.

20 CHAIRMAN VASELOPULOS: Thank you, Steve.

21 MR. GUTIERREZ: With that, the Petitioner before you  
22 now is Edward R. James Partners, LLC on behalf of 1725 Winnetka  
23 Avenue, LLC. The Petitioner is proposing to build 34 rental

1 townhome units on the parcel located at 1725 Winnetka Road.

2                   This parcel is currently zoned M-1 Light  
3 Manufacturing, and the Petitioner is seeking to rezone this parcel  
4 to R-6 Multiple Family Residential. They are also seeking a  
5 special use permit in the form of a planned unit development as  
6 well as relief from zoning code requirements related to minimum lot  
7 area per dwelling unit, maximum dwelling units per acre, minimum  
8 front yard setback, maximum floor area ratio, maximum lot coverage,  
9 and maximum building height. I'll describe these in more detail as  
10 we get further along.

11                   The existing conditions on the site, this is a  
12 2.16 acre site. It had previously been used by Illinois Bell and  
13 AT&T as a service facility from 1959 through 2016. The site also  
14 contains a large surface parking lot, storage shed, and underground  
15 vault housing fiber optic equipment. The site was acquired by  
16 Petitioner in January of 2016.

17                   The site is bounded to the west by Commonwealth  
18 Edison right of way on which there are overhead power lines to the  
19 north by light manufacturing buildings and three single family  
20 residences; to the east by the Landmark residential complex and a  
21 seven-unit rental complex; and to the south, Winnetka Road, the  
22 Meadowlake Condominium Complex. The North Shore Senior Center and  
23 Mosquito Abatement District parcels are just west of the ComEd

1 right of way opposite the subject site. The Northfield Fire Rescue  
2 Station and Public Works facility is just southwest of the site on  
3 the south side of Winnetka Road.

4 The Petitioner is seeking, as I indicated before,  
5 variations including to the codes minimum lot area per dwelling  
6 unit which is 5,000 square feet per dwelling unit. They are  
7 proposing 2,770 square feet per dwelling unit.

8 They're also seeking a variation to the maximum  
9 dwelling units per acre. The code requires, or allows up to eight  
10 dwelling units per acre. The Petitioner is proposing 15.73  
11 dwelling units per acre.

12 The code requires a minimum front yard of 30  
13 feet. The developer is, Petitioner is seeking a front yard setback  
14 of 25 feet off of Winnetka Road.

15 The code allows a maximum floor area ratio of  
16 0.35, or it's actually 35 percent. The developer is proposing a  
17 floor area ratio of .86. The floor area ratio is the calculation  
18 of the land area divided by the floor area of the homes.

19 Maximum lot coverage, they are seeking a  
20 variation to as well. The code requires, allows up to 50 percent  
21 of lot coverage. The Petitioner is proposing 62 percent.

22 AUDIENCE MEMBER: What?

23 MR. GUTIERREZ: Maximum building -- did you not hear

1 that? I'm sorry.

2 AUDIENCE MEMBER: No, I didn't.

3 MR. GUTIERREZ: Okay, the code allows up to 50 percent  
4 lot coverage. The proposed application is seeking 62 percent lot  
5 coverage.

6 Finally, the maximum building height that the  
7 code allows is 35 feet and/or two-and-a-half stories. The  
8 Applicant is proposing 41 feet six inches and three stories. The  
9 building, or excuse me, the zoning code allows 35 feet in height  
10 and two-and-a-half stories. The Applicant is proposing 41 feet six  
11 inches and three stories.

12 Those are the variations that are being sought.  
13 These are also outlined in the application itself.

14 The proposed plans were routed to the various  
15 departments in the Village as well as to our Engineering  
16 consultant, Gewalt Hamilton Associates. You have the attached  
17 reports from the Village's Building, Planning, Fire Prevention,  
18 Public Works, and Police Department as well as our Village  
19 Engineer. They did not have, in these reports, concerns regarding  
20 the proposed development. The Village Engineer points out that the  
21 proposed plan will improve the existing stormwater conditions by  
22 decreasing the amount of impervious surface area on the site and  
23 through the installation of a stormwater management plan that meets

1 our current requirements. They will also provide compensatory  
2 storage to replace the volume of stormwater being displaced by the  
3 filling of areas below the base flood elevation on a 1.12 to 1  
4 ratio.

5 There are additional technical details that would  
6 be required if and when the project gets to the building permit  
7 stage.

8 The Village's stormwater management ordinance  
9 provides credit for existing impervious surfaces on the site under  
10 the following circumstances:

- 11 1. The total site area is less than three acres.
- 12 2. There is no existing stormwater detention facility on  
13 the site.
- 14 3. There must be a net decrease in the volume and rate of  
15 the stormwater runoff from the site.
- 16 4. There must be extenuating circumstances which limit the  
17 ability to provide the required stormwater detention.
- 18 5. There must be some public benefit provided such as  
19 enhanced site improvements.
- 20 6. The development must demonstrate the need for the  
21 requested level of credit for existing impervious  
22 areas.
- 23 7. Lastly, the development must be in keeping with the

1 Village's Comprehensive Plan.

2 The Village Engineer has confirmed that the  
3 proposed plan meets the first three requirements. It is up to the  
4 Plan & Zoning Commission to determine if they met the requirements  
5 four through seven. The Petitioner actually has addressed how they  
6 believe they have met those requirements in their application.

7 Gewalt Hamilton Associates again is the Village's  
8 consulting engineer. Mr. Pat Glen with Gewalt Hamilton is here to  
9 present his report on the stormwater. Pat, if you don't mind?

10 MR. GLEN: My name is Patrick Glen, I'm with Gewalt  
11 Hamilton Associates.

12 AUDIENCE MEMBER: We can't hear you.

13 MR. GLEN: Is this thing on? No. My name is Patrick  
14 Glen, I'm with Gewalt Hamilton Associates.

15 AUDIENCE MEMBER: We can't hear you.

16 AUDIENCE MEMBER: Could you speak slower and louder?

17 CHAIRMAN VASELOPULOS: Try the other microphone then.

18 MR. GLEN: How are we doing now?

19 AUDIENCE MEMBER: Better.

20 MR. GLEN: Great, I apologize. My name is Patrick  
21 Glen. I'm an engineer with Gewalt Hamilton Associates. My firm  
22 regularly assists Greg Kramer, the Village Engineer, and Village  
23 Staff in reviewing proposed developments for the Village. In this

1 case, we reviewed the stormwater plan in conjunction with Greg, and  
2 Steve lined out his findings with the stormwater detention and the  
3 stormwater management for the site. Then also, my traffic staff  
4 reviewed the KLOA study prepared by the developer.

5 AUDIENCE MEMBER: What study?

6 MR. GLEN: I'm sorry. It was prepared by KLOA, it's  
7 the firm that actually prepared it. I'm sure that somebody here is  
8 going to cover that study for the developer.

9 I don't want to step on anybody's toes over here.  
10 We generally agree with most of what they presented from a  
11 technical perspective. We have some issues with regard to, for  
12 instance, the proposed parking on Winnetka Road we don't think is a  
13 good idea. We've got some concerns about access at the far  
14 northwest corner of the site that are in the Staff memo. Also, I  
15 think along with Chief Lustig, we'd like to see a little more about  
16 the proposal to have some off-site parking for guest parking and  
17 other events that they may have. But I don't know if I want to get  
18 too far ahead of the developer's presentation on this.

19 CHAIRMAN VASELOPULOS: Thank you, Pat.

20 MR. GUTIERREZ: Thank you, Pat. The Petitioner is  
21 seeking to build at a density of 15.7 units per acre versus the  
22 eight units per acre allowed under the requested R-6 zoning for a  
23 total of 34 units versus 16. They are providing the required

1 roadway dimension sidewalks and adequate guest parking spaces. The  
2 proposal has a density 26 percent greater than that of the Landmark  
3 complex, six percent greater than the Meadowlake complex, and 10  
4 percent less than the units at 1695 to 1699 Winnetka Road just  
5 immediately west, excuse me, east of the proposed site.

6                   One of the criteria for allowing a greater  
7 density under a PUD is that the proposed plan would be no less than  
8 official to the homeowners in and around the proposed site than  
9 what would be allowed under the R-6 standards. The re-occupancy of  
10 the existing site with many of the uses allowed under the M-1  
11 zoning would have a negative impact on the surrounding residential  
12 properties.

13                   The second criterion for allowing more density is  
14 to provide the required R-6 setbacks along the boundaries of the  
15 development. The Petitioner is providing the required rear and  
16 side yard setback, but is seeking a variation, as I mentioned  
17 earlier, for the front yard setback of five feet. In order to  
18 qualify for that variation on that density, Staff is suggesting the  
19 Petitioner should work to find a way to meet that required front  
20 yard setback.

21                   Finally, on September 11th, the Architectural  
22 Commission will be reviewing the application. The Architectural  
23 Commission is charged with reviewing the architectural design,

1 building materials, signage, fencing, and landscaping and any hard  
2 scapes. So, those issues won't be deliberated upon by the Plan &  
3 Zoning Commission during this hearing process. The Architectural  
4 Commission will start their discussion and review on September  
5 11th, next week. That concludes Staff's remarks.

6 CHAIRMAN VASELOPULOS: Thank you, Steve. Would the  
7 Petitioner like to step forward and state your name and be sworn in  
8 please?

9 MR. JAMES: Yes. Good evening, my name is Jerry James.  
10 I happen to be a principal with the Edward R. James Companies. I  
11 live at 140 Appletree Road in Winnetka.

12 CHAIRMAN VASELOPULOS: Steve, if you could swear him  
13 in? And maybe --

14 MR. GUTIERREZ: The whole team?

15 CHAIRMAN VASELOPULOS: Yes.

16 MR. GUTIERREZ: Yes.

17 CHAIRMAN VASELOPULOS: If anyone else connected to the  
18 James property is going to be speaking tonight, if you could all  
19 stand up, be sworn in now. When you do come to the microphone to  
20 speak, just state your name at that time.

21 (Witnesses sworn.)

22 MR. JAMES: Mr. Chairman, members of the Commission,  
23 Staff, and members of the public and neighbors. My name is Jerry

1 James and I appreciate the opportunity to speak to you tonight to  
2 present the plan for the otherwise known AT&T property.

3 Steve has given you an overview, and tonight I am  
4 going to try and do an in-depth dive of what we're proposing. I'm  
5 going to start with a little background on us, very brief because I  
6 think you know who we are but some may not, and I think it's  
7 important that you know that.

8 AUDIENCE MEMBER: We can't hear you.

9 AUDIENCE MEMBER: Louder. Turn it up.

10 MR. JAMES: That's about as loud as I can get here. Is  
11 that better?

12 AUDIENCE MEMBER: Yes.

13 MR. JAMES: Okay. All right.

14 CHAIRMAN VASELOPULOS: We'll see if we can increase the  
15 volume.

16 MR. JAMES: I'll remind myself, and if you need to  
17 remind me, go ahead and do it, okay?

18 As I said, I want to give a little overview of  
19 who we are for context. I then want to go to the plan itself and  
20 explain it for you so that you know what we're talking about. Then  
21 I want to take a step backwards and help you understand how we got  
22 here. Then finally, what I'd like to do is address, if I may, some  
23 of the concerns that we've heard expressed by our neighbors because

1 we are very concerned about that as we are always.

2 Now, with that, let me dive in, okay, because  
3 there's a fair amount of ground to cover, and I apologize if some  
4 of the slides that I'm going to present tonight are a lot of text.

5 I know you don't do that but I'm going to do it tonight because I  
6 feel it's extremely important that the information get out into the  
7 public. I think there's been some information communicated that  
8 perhaps is a misunderstanding. So, my goal and our goal tonight is  
9 to, a couple of things: one, have you understand what we're  
10 proposing and make sure you understand it clearly; two is to  
11 clearly understand why, all right; and three is to appreciate the  
12 fact that while we may not address all of your concerns, we hope we  
13 will, and if not that, at least you will know that we're sincere  
14 and we do care about this community.

15 That's a segue. Who are we? Well, I am a  
16 resident officially of Winnetka, but I live on your doorstep at 140  
17 Appletree Road, just outside of Hibbard Road. My offices are in  
18 Winnetka Avenue. So, what does that mean to you? It means that I  
19 traverse this road Winnetka Avenue where you live everyday at least  
20 twice, and probably a lot more than that when I consider the trips  
21 that I use to go and patronize the downtown.

22 So, I'm very familiar with it. I grew up on  
23 Hibbard Road. So, through all my 58 years I've been pretty much in

1 this area. That might say something about me but don't go there,  
2 all right. But I like this area, that's what it says to me. I  
3 think that because I like it, we've done a lot here.

4 In fact, let's see if I can get this to work.  
5 Can you click that please? Okay. We've invested over the years,  
6 oh, I don't know, maybe \$60 million in the community. We consider  
7 that a privilege because Northfield is a wonderful place. You'll  
8 see some pictures of what we've done and you've familiar with it.  
9 To the left is Fox Meadow, and in fact all of these are Fox Meadow.  
10 That was the first project that we did here. I actually lived  
11 there for two years and had many friends, and today I think it  
12 operates well and we're proud of that. Again, a privilege to work  
13 there. Next slide.

14 Okay, our most recent project is Hibbard Gardens.  
15 Relevant to this is the fact off to the left you'll see the  
16 existing before, and off to the right you'll see the after. The  
17 far right home is my folks' home. He might not want me to tell you  
18 that but he's here tonight, so Dad, I just told them where you  
19 live. If they don't like it, go talk to him.

20 Kidding aside, that was a property that had that  
21 condition. Similarly to what we're talking about tonight is the  
22 site that you're going to see in the next slide, presents some of  
23 the same concerns. Now, before I get there, this is an example

1 again of what I looked at, what we all looked at at that  
2 intersection looking west there on the left, and then what it looks  
3 like today. That is the same standard, different view, all right.

4 My aspiration for this property is to repeat what  
5 we've done with these two developments in terms of improving,  
6 enhancing, adding value to the community, not creating problems but  
7 perhaps solving problems for our neighbors while creating a good  
8 project for the people that live in there. Next slide.

9 Okay, so I start with this slide, and this is the  
10 existing site. What I want you to notice, the star is the  
11 property, it's about a little over two acres, all right. What's  
12 very unique about this is the fact that it's surrounded by so many  
13 different uses and conditions. I'll start from the left, and  
14 you'll see the ComEd and railroad easements that form our western  
15 boundary. Then to the west of that, or to the north you have the  
16 North Shore Senior Center, another great investment in our  
17 community. If we go clockwise, you'll see the M-1 Light  
18 Industrial. I'll show you a little bit more about that, but that  
19 and those uses are what this property is zoned for today.

20 If you circle around, then we have single family  
21 there and just to the corner there. We swing around and we have  
22 the Landmark which is multifamily townhomes, all right. Then if  
23 you come down below, you'll see the multifamily townhomes, the

1 little grey shaded area there. That is rental townhomes that have  
2 been there for a long time. Then if we swing around, you'll see  
3 Meadowlake, a wonderful community here that was formerly Mr. Tate,  
4 I can remember doing my pole vault here -- as a student and  
5 whiffing that stuff and thinking I'm not going to make it over the  
6 bar. But suffice to say this is your community, many of you. Then  
7 we have a fire -- here, we have a municipal use here, and the Fire  
8 Department.

9                   So, when we looked at this property, we realized  
10 that it presented some very, very unique challenges, some of which  
11 you don't see, which is some flood plain in the corner, and then  
12 the obvious, that, you know, it's an eyesore, and I don't know how  
13 to say it better. You might try to look through these things,  
14 you've seen it, probably seen it too much. Pavement, ostensibly  
15 all pavement, with the exception of just a brief sliver off to the  
16 east. Keep going. There are some conditions here that are not  
17 pretty to look at.

18                   When we looked at this property, we said what  
19 could we do here? How could we develop it in a way that would be  
20 enticing for people to live here, but at the same time contend with  
21 some uses that frankly aren't going away right away and we have to  
22 deal with them? Now, some of them are lovely across the street to  
23 the south and to the east, but the stuff immediately to the north

1 is tough. This is an example of it. What you see here, too, is  
2 some water that's ponding.

3                   One of the things that we frequently do when we  
4 build is to come in and we end up confronting existing conditions.

5 Our goal is to not only do a good job on our property but to  
6 perhaps solve some problems that preexist to our coming to the  
7 property. This is one of them, and when we're done, we expect you  
8 will not see that. In fact, I spoke to one of the neighbors just  
9 today and there was a complaint about the mosquitoes. We said our  
10 plan contemplates a swale on that area and that will be one of the  
11 benefits.

12                   Of course, this is what our Meadowlake neighbors  
13 see when they look north, when they leave their community, that's a  
14 picture of it. So, perhaps you're all familiar with this but I  
15 just wanted to show it to give some idea of what it is and then  
16 what it could be. Next slide.

17                   Now, this is an illustration, okay, but it's a  
18 live one. I mean I say live, it's depicted based upon the actual  
19 plans. We'll get more into detail on this, but this is directly  
20 opposite the Meadowlake, looking onto it. What I want you to  
21 notice here is the level of detail including, not just the  
22 architecture, but the landscaping and the hard scape and some of  
23 the wrought iron, I say wrought iron, it's black aluminum but it

1 emulates wrought iron. The stone columns here, we're looking at  
2 the eastern entrance, there's one of them here. There's two  
3 entrances, you'll see that in a moment.

4                   Again, the architecture, but that architecture is  
5 every bit as rich in terms of the materials we're going to use as  
6 would and have used at the Hibbard Gardens with the exception of  
7 cedar roofs which we are not doing here. But ostensibly, it's  
8 something that you can rent or you can sell, okay. The intent here  
9 is to do a very high quality community that's complementary of  
10 Northfield and our neighbors. Next slide.

11                   That's another image of it, different  
12 perspective, but it gives you a better, clearer feel. We asked  
13 them to take some of the landscape down so it's not identical but  
14 the architecture is. I think if you look at our prior projects,  
15 you'll realize that we tend to, I wouldn't say go overboard, but we  
16 like to embellish our landscape and our hard scape because we think  
17 that creates, that mirrors the architecture of the land. It brings  
18 things together.

19                   You see some spaces out in front here, and as I  
20 will present later tonight, we're going to take those off the plan  
21 because we heard you and we heard the Village. So, that's not  
22 going to be part of our plan.

23                   This is the view looking west. Now, you've seen

1 the slides, you've all driven, coming to and fro off Winnetka, and  
2 this is what you'll see looking, if you were coming eastbound on  
3 Winnetka Avenue. This is the depiction. You'll see more  
4 landscaping than this, and the reason why you don't see them in  
5 this image is that because we want to show you the architecture, to  
6 give you a flavor for what it looks like. I'll get into more of  
7 that detail later. Next slide.

8                   The plan will show an internal courtyard, okay.  
9 This is internal to the site. It's greens space, it's about 45  
10 feet wide, and gives people a chance to have some air and green to  
11 this community.

12                   I'm going to talk a little about the orientation  
13 of these homes because I think it's very important for you to  
14 understand the planning philosophy behind it. We'll get to that in  
15 the site plan. Next slide please.

16                   Okay, before I go to the site plan, let's talk  
17 about what the current zoning is. Maybe you know this, but  
18 pictures say a thousand words. So, what we did is we said what are  
19 the permitted uses pursuant to Section 15.2 of the Northfield Code  
20 in the M-1 Light Manufacturing District, which is what this is  
21 zoned right now. This is what exists today to the north of us,  
22 okay, and you'll see that, you know, amongst other things, that's  
23 an auto storage area here, there's a printing and a variety of uses

1 here. Then there is a printing plant north of here. You'll notice  
2 the delivery UPS truck here, you've got a stored ambulance, you've  
3 got piping for ventilation, I can go on and I will go on. Next  
4 slide.

5 More pictures, but you can see this is what's  
6 next to us, okay and, you know, they're businesses. There is a  
7 construction firm there and they've got their trucks they store and  
8 they store some other stuff, right? Not them but them, and more  
9 trucks and so on. The uses are automotive repair, cabinet sales,  
10 catalog sales, fabricating, manufacturing, municipal use office,  
11 printing establishment, research laboratory, retail sales and  
12 merchandise and warehouse storage. So, while the AT&T side sits  
13 here today, I had a phone call for instance from an automobile  
14 dealer saying we'd love to store cars there. I said, you know, I'm  
15 not so sure I want to do that. Then we have a contractor that's  
16 storing trucks inside that building right now.

17 I only mention that because one of the benefits  
18 of what we're proposing is to offer certainty to the Village as to  
19 how this property will be developed and it will be developed by  
20 somebody who is a community resident, who has a vested interest in  
21 this property long term, and cares about what gets done there, all  
22 right. That may not square, it may not be something you want to  
23 see, but at least you know what it is. In the real estate

1 business, when you have certainty next to you, it oftentimes helps  
2 things and not hurts them. Of course, knowing that it's not going  
3 to be one of these things is also presumptively a good thing.

4 Let's go to the next slide.

5                   So, what is it that we're asking for? Steve has  
6 already enunciated that it's an M-1 zoning, Light Manufacturing  
7 that we're asking to change to R-6. We're asking also for a special  
8 use permit to permit a planned unit development. Now, it's  
9 interesting and I think it should be known that, and you wouldn't  
10 necessarily know it if you were a lay person but I believe the  
11 Commissioners do, that our zoning code, I say our because I feel  
12 like Northfield is part of us, only has R-6. That's the only,  
13 that's the highest density permitted in the Village.

14                   Now, it's not unusual for villages, whether it's  
15 Northfield or somebody else, to zone a property say R-1, that's  
16 what, for instance Fox Meadow because that was acre zoning, okay,  
17 and they do that because they say, listen, if you want to come  
18 develop this, you have to come ask us, you have to do a planned  
19 development. When you do a planned development, you don't get to  
20 do it of right. You have to actually present all the details of  
21 the plan, and all of these Commissioners and the Appearance  
22 Commission have to review the details and you have to put on paper  
23 and in writing exactly what you're going to do before they say yes.

1 That's the benefit that they get.

2 So, the only thing we could work with was an R-6  
3 zoning ordinance. We said okay, we'll change it from M-1 to R-6  
4 and then we need a special use permit. Steve said the conditions  
5 we need to meet, and we'll get into those. But that's how this  
6 works.

7 I might also add, and I would ask that you keep  
8 this in mind, that when you look at the surrounding immediate  
9 multifamily properties, none of it except for Landmark is zoned R-  
10 6, believe it or not. The one to the immediately east is M-1, and  
11 the Meadowlake development is O-R. So, that's not even zoned  
12 residential in our code, all right. But it got build because  
13 presumptively a developer came in and asked for a planned unit  
14 development.

15 Interestingly, in going back and looking at your  
16 ordinance, I noticed that as a special use, residential is  
17 permitted in R-6, okay. Of course it is, a planned development is  
18 permitted, a residential planned development. But when I looked at  
19 the special uses in O-R, there is no residential. None, none, and  
20 yet it exists today.

21 So, my point in saying that is that the Village  
22 and you as the Commission and the members of the Board and the  
23 Appearance Commission, the people in this community, have the

1 prerogative to look at proposals, to look at them in the context of  
2 time, and to look at them in the context of evolving uses and  
3 needs, and to make changes and decisions to permit things like  
4 this, but not without knowing all of the information. So, there is  
5 precedent to this request, okay. The R-6 zoning, and I heard some  
6 yawns about the variances. Yes, of course there are variances, but  
7 that's precisely because the R-6 is a very narrow set of permitted  
8 uses and standards that does not contemplate, frankly, any of the  
9 existing developments that are multifamily surrounding the site.  
10 They don't. They don't because they are all, and I will show you  
11 this later, all in violation if you will of the permitted  
12 densities. Yet they have them, okay. So, I think that's something  
13 to keep in mind before leaping to the conclusion that somehow this  
14 is nefarious or this way, way out and beyond what already exists  
15 today in your own neighborhood.

16                   Okay, now let me finish. Maybe you read it  
17 already. 34 townhomes, eight buildings, each of these residences  
18 is three bedrooms. They range from 1,926 feet to 1964. All have  
19 two-car attached garages and there are two onsite, not the five  
20 off-site but 12 guest spaces onsite. The roads and utilities will  
21 not be burdened, or taxpayers will not be burdened with any of the  
22 maintenance. They will be privately installed and privately  
23 maintained, the roads and utilities.

1                   The ownership, we intend to own this and we  
2 intend to be local so that we can manage it. I told you that my  
3 office I think is on Waukegan Road about five minutes from this  
4 site.

5                   Our projected rents are expensive, there is no  
6 question about it. That reflects the cost of this development, the  
7 quality of it, the location and the community. These are renters  
8 by choice. Could they buy? Yes, but they've chosen to make a  
9 decision to rent for a variety of reasons which we can discuss  
10 later.

11                   The construction, natural stone, okay, and  
12 stucco, natural stucco, not EFIS, and hardy board trim which is a  
13 very, very durable material in itself. We've used it in larger  
14 developments now and it's a great material.

15                   Timing, the nice thing about this community as a  
16 luxury rental is that we can do it once, we get it done, and get  
17 out. It's not a protracted sellout and we're not on your doorstep  
18 doing this overtime. We try and get it done within 12 months. If  
19 things go as we currently plan, the leasing occurs over a six to  
20 nine-month period. Next slide.

21                   This is the site. Now, we ask that, we've put  
22 this in context for you so that you can get a feel as to what's  
23 going on. I don't need to belabor the point because I think you've

1 seen it already, all right. Meadowlake to here, easements here,  
2 we've got M-1, you've got some residential here, and you've got the  
3 multifamily here, all right. You've got the North Shore Senior  
4 Center and the Fire Department.

5                   So, let's go over that slide. Okay, so what  
6 informed the site planning? As I'll get into the background, let  
7 me just tell you that the surrounding uses, some of them are lovely  
8 but some of them are not. So, we tried to ask ourselves, if people  
9 are going to live here, where would they want to position their  
10 outdoor space? For the neighbors, what would they want to look at?

11                   Knowing that it's rental and so on, I think it should be fine, but  
12 suffice to say we wanted to create an outward facing product. I  
13 apologize for turning around, I don't mean to do that. But we  
14 wanted the buildings to be facing outward so you see front doors.  
15 We did not want to see parking garages, and I didn't want balconies  
16 with anything, whether it's a grill or whatever, facing outward,  
17 okay.

18                   So, that's for the neighbors and that's for the  
19 community so that when you see this from the outside, how many  
20 units are you going to see? Well, one, six, seven, 13 units.  
21 That's what you see from the perimeter. Anybody driving by, that's  
22 all you are going to see. Okay, now, you might get a peek-a-boo  
23 here and a peek-a-boo here, but my point in telling you this is,

1 and I don't mean to belittle this but we'll get into this, it's an  
2 eight-foot fence, okay, and so there's going to be some things that  
3 block that.

4                   But the important things are we wanted to create  
5 an elegant frontage for our neighbors to see. We wanted the  
6 private spaces to be eternal. Now, that's a benefit, too, to the  
7 people that live here because we know that traffic comes and goes  
8 around here. So, if you want to enjoy some peace and quite, you've  
9 got a balcony off of here, a balcony here, there's an inward little  
10 place to walk dogs, okay, you walk dogs here. You have balconies  
11 here and you have balconies here.

12                   The front doors are here. We have sidewalks go  
13 in there. We're going to landscape this so it's an attractive  
14 area. We're going to have some lights, low lights that is, so that  
15 people feel safe and comfortable here. We have a sidewalk that  
16 connects to this area here, okay, and that sidewalk takes you over  
17 here, okay, so there's a connection to the community.

18                   But that's the gist of it is to create a very  
19 attractive, uninvasive presentation to the community, and then  
20 private spaces for the people inside, and last but not least, and  
21 this is important, I wanted the people, our neighbors to the east  
22 to notice this, a couple of things. One, in the prior development  
23 plan, and even in the corridor plan, it was contemplated that you

1 have some type of multistory building. You've got the high-tension  
2 wires here, and so we have to contend with that, and this plan  
3 lines them up vertical here. There's a flood plain detention here  
4 that's been mitigated, okay, that's taken care of that. There's  
5 swales, you can't see, that's in the engineering.

6 But in this corridor here, you'll notice I've got  
7 one, two, three, four units that adjoin these neighbors. We've  
8 increased the separation through a drainage swale here and we've  
9 got our roadway here. So, we've really, really worked to offer  
10 maximum light coming through to our neighbors, minimum disruption,  
11 three stories only. Incidentally, the height here is about the  
12 same height as Meadowlake, believe it or not. Hard to believe but  
13 true, and we're only a skosh over to these buildings right here,  
14 but we'll get to that.

15 My point though in telling you this is for the  
16 Landmark people, we were very excited about coming up with the road  
17 network which would push these things away because they're the ones  
18 probably the most immediately impacted, at least the most of them.

19 I'm not dismissing these three here, but certainly these, and  
20 these two, they'll all benefit by virtue of the townhome plan.  
21 Okay, so hold those thoughts when we get to how we got here. Next  
22 slide.

23 Steve has already recited this, okay. These are

1 our proposed numbers, they were in the presentation. Incidentally,  
2 this presentation will go online and you will have a chance to go  
3 through this and tear it apart, come up with questions, and we'll  
4 have to answer them, okay. We'll do the best we can, but it's all  
5 there. None of what Steve has said is inconsistent with this.  
6 This is in fact right out of his report. Let's go to the next  
7 slide.

8 I said a moment ago this is the architecture.  
9 It's three-story in nature. You come in the ground floor, you go  
10 up to your main level, and then you have your bedrooms up here.  
11 Now, it's 41.5 feet and I'll tell you why, because we decided to  
12 spend more on the roofline to elevate it and create tower peaks,  
13 okay, so that it looks more elegant. You know, typical townhomes  
14 can be very flat, and shallow peaks, they don't look very nice. I  
15 shouldn't say that, they look the way they look. But we think if  
16 you go into some of the higher end communities, the steeper the  
17 pitch, generally the more elegant and more expensive the design  
18 becomes.

19 All of this is real stucco in here, this is real  
20 stone in here, then you have aluminum panels in here. That's the  
21 gist of it. It's all designed to create a very rich elegant look.  
22 It is monothematic in terms of its style and we'll get into that  
23 with the Architectural Commission, but it's designed to create an

1 image. You'll only see 13 of these, but the bottom line is they're  
2 designed to create a very attractive screen scape. All right,  
3 let's go to the next one.

4                   Now, I talked about the outdoor spaces. This is  
5 what the people on the other side that you don't see look at.  
6 That's their balcony. They've got balconies that span their length  
7 pretty much, not quite but they're nice-sized balconies. They have  
8 a chance to come out here and to enjoy the outdoors and the quiet  
9 frankly, because what we're trying to do is create a little enclave  
10 inside. You know, if you want to go running and go to a park, you  
11 just go down the street to the forest preserve and you go on the  
12 trail. So, we're not advertising a park here, but we are  
13 advertising that if you want to get a breath of fresh air, you can  
14 open your doors, sit out on your balcony and enjoy it, okay.

15                   There you have the garages there. So, those  
16 garage doors, they do not face outwards, they're inwards. Go  
17 ahead.

18                   Okay, this is just the height exhibit. A little  
19 hard to see but it gives you some comparison here. I think this is  
20 38.5, 38.2, okay, there, and that's 41.5 I think to to our very  
21 peak. Could we flatten it? Yes, we could. I mean it wouldn't be  
22 this elegant but, you know, that's my opinion, and the  
23 Architectural Commission and the Plan Commission, you can weigh in.

1                   These are the floor plans. I won't get into  
2 these, we've got a lot of room to cover. But you can see how they  
3 lay out, they're open layouts, okay, and two different plans for  
4 people. They're roughly the same size, one of them smaller than  
5 the other. But they all offer that two-car parking, and you come  
6 in with a bonus room down below, nice living area, dining area, and  
7 then you go up your three bedrooms here, okay.

8                   Landscaping, I've talked about this. I'm not  
9 going to spend a ton of time on this but I would like to just  
10 highlight what I've said before, and that is that, you know, we're  
11 going to do a combination of deciduous and coniferous plants. It's  
12 not just that, but the stone in the front is going to be something  
13 that we're going to bring to it. Forget about this slide, that's  
14 got a prior version. That pork chop is no longer, okay, that gets  
15 out.

16                   But it's going to be a beautifully landscaped  
17 project and, you know, there hasn't been a time when we haven't  
18 spent more on landscaping than we were asked to do because,  
19 frankly, it's my joy to hear people appreciate these projects and  
20 to say how much they enjoy them. You know, I'm proud of what we  
21 do. I drive my kids by it, and I want people to say, you know,  
22 that's my work, that's my dad's work, and we're pleased with it.  
23 Most importantly, I want our neighbors to say, you know what, thank

1 you. It means more to me or as much as making a living. Okay,  
2 let's keep going.

3 Another example. One thing to point out, this is  
4 the fence that we're talking about. Board-on-board, it's eight  
5 feet around in here, okay. The retaining wall, we're talking about  
6 a 2.5 foot retaining wall which creates a plinth so that we can  
7 build this and create the swales for drainage around the perimeter.  
8 As I said, I showed you previously some drainage problems, and that  
9 swale now will take care of some of that, get it out there, remove  
10 the mosquitoes. To do that, we have to elevate about 2.5 feet,  
11 that's an exaggeration, that's not 2.5 feet, but it's the same type  
12 of material that we're looking at.

13 These are the stone columns with some of the  
14 detailing and then the fencing. You'll recall, this is similar to  
15 what you see at Landmark, by the way, and that's one thing. Then  
16 you also see it picks up on the theme that the North Shore Senior  
17 Center has put together. So, we're trying to be, let me say that  
18 we're trying to finish what somebody else has already done a nice  
19 job starting, okay. Continue.

20 Another example, you've seen this one before I  
21 think. But this is kind of what we aspire to, something where, you  
22 know, yes, there are buildings there but you're going to see some  
23 trees and some of them grow over time. But when you drive by, I

1 mean if you've driven by Hibbard you'll see what that looks like.  
2 I'm not saying we're going to have it wall off of anything, but no,  
3 landscaping will be there. You're not just going to see these  
4 buildings rising up like, you know, toothpicks in the desert.  
5 Okay, keep going.

6                   This is the courtyard. You know, there's a  
7 precedent for this to a certain extent in our Landmark development,  
8 and we thought this was important here. But there's another aspect  
9 to this courtyard, and that is that in this courtyard lies an  
10 underground stone vault. That frankly, ladies and gentlemen, is  
11 not an inexpensive improvement to the site, but it's a material  
12 improvement. It's an improvement to the site, it is an improvement  
13 to the neighborhood because it will hold water and then has to be  
14 pumped out but a controlled release so that we manage our storm  
15 detention. That is an underground vault, you won't see it because  
16 it's going to be landscaped over. But it's something that is very  
17 functional in addition to providing some relief and separation here  
18 in the interior, okay.

19                   We talked about the northern perimeter and the  
20 eight-foot high fence, the sidewalk here, and some of the  
21 landscaping along this area here. Keep going. It's all right, got  
22 to press it twice, okay.

23                   These are some of the details that you saw in the

1 elevation, the stone walls. Again, this will all be online, you  
2 can go back and study it if you'd like. You know, there's always  
3 things that we can tweak and so forth, but this is an expression of  
4 our intent, okay.

5                   This is our neighbor to the east. There's a  
6 fence here, and we'll get into it with that fence and the wall in  
7 our property there sitting in an easement. I made a note of  
8 getting rid of the pork chop pursuant to the request of our traffic  
9 people. That we expect to keep, okay. Now, the small section of  
10 chain link that we're going to replace down here, that's not very  
11 sightly, but that's going to remain. We're not touching that. We  
12 are going to relocate a storm sewer within that easement, that's  
13 our property, and we can do so without any interruption. The only  
14 benefit is that they get a new storm sewer at our expense.

15                   Again, more landscaping detail. I talked earlier  
16 about this flood plain. Yes, there is flood plain and we have to  
17 compensate for it at a ratio greater than one to one, which means  
18 we're actually enhancing the amount of storage from what exists  
19 there today, in addition to the storm detention, in addition to the  
20 swales.

21                   So, these are all elements, you'll see sidewalks,  
22 okay, along in here and the front. So, you're seeing the front  
23 door facing this area. So, as you come along, you see the nice

1 front doors here, okay.

2 I know in the corridor plan there is some  
3 discussion about creating some type of pedestrian linkage to the  
4 downtown. In forward thinking, we tried to create, we could have  
5 easily turned our back doors here, but what we thought would be  
6 cool is if we had front doors here so that if we ever do get that  
7 pedestrian linkage, it ties right into that, you know. It's a  
8 start, it's a start, but it's something that is consistent with  
9 your corridor plan, okay.

10 The lighting, this isn't the exact picture, but  
11 we will have lighting standards. They will be architectural.  
12 We'll work with the Commission and the Architectural Commission to  
13 figure out what's best. But we'll take special caution to make sure  
14 that whatever fixtures would go in there would be such that they  
15 would not be interruptive or disturbing to our neighbors to the  
16 north or to the east.

17 Ownership management. We expect to own and  
18 manage, this is a luxury rental community. Our initial lease-up  
19 will be onsite. We'll have a model home. But after that, we'll  
20 relocate, because we're so close to this, we'll be able to manage  
21 it and lease it out of our offices which are, you know, five  
22 minutes away.

23 Somebody asked about move-ins, move-ins will be

1 scheduled with the reserved onsite parking so that we'll reserve,  
2 we know when people are moving in, we're going to set aside those  
3 spaces so that we can have the trucks there and they can move in  
4 from within the courtyard, all right.

5 Delivery vehicles, similar situation there  
6 because we'll have dedicated short-term spaces, okay, for delivery  
7 vehicles. They're not going to be there all the time, and so we'll  
8 dedicate one or two spaces so they can come in, park their car,  
9 make their delivery and get out.

10 Snow removal plan. These stars represent the  
11 areas where we can put the snow. Okay, now why are these things  
12 relevant? You might think, well, you're getting into a little  
13 minutia; but no, it's not minutia, it's real. When you have a  
14 tight site like this, it requires a lot of forethought. So, our  
15 planners have come to us with this and to show you where the snow  
16 can be piled or stored. We have a company that we work with, so if  
17 we ever had a massive snow, well, we do what other people do, we  
18 truck it out. I mean we own it, okay.

19 This is the engineering. I'm not going to on it,  
20 we have our engineer here tonight, Brett Duffy from SPACECO. Every  
21 time we changed this plan, we had to reengineer it, which is why it  
22 took us nearly two years to get here because you just can't change,  
23 it's like a watch, you change one part and then suddenly you're at

1 odds with something else. So, every time we changed something, we  
2 had to go back and check it for the engineering. Well, we finally  
3 got to this configuration, and I've already highlighted some of the  
4 things, but keep going.

5 This is the overview, key points.

- 6 1. The plan will improve the existing stormwater  
7 management conditions by one, providing compensatory  
8 storage at a ratio of greater than one to one to the  
9 existing flood plain in the northwest corner.
- 10 2. It will reduce the existing impervious surface by more  
11 than 20 percent.
- 12 3. It will add perimeter swales for stormwater runoff.
- 13 4. It will add underground detention wall.

14 It will be a significant improvement to the  
15 stormwater management with respect to the area. Subject to the  
16 credits that Steve mentioned, too, we will comply with the  
17 ordinance. Either way, it's an improvement.

18 Fire truck turn movements, this is the  
19 recitation. You all alerted us to some of the concerns, and we  
20 have responded to those to show in the exhibits as to how these  
21 turning movements work. We've also worked on turning radii for the  
22 fire truck, they comply. Keep going.

23 Proposed on-street -- response, we're taking off

1 those spaces, okay. We've complied with the requirements of the  
2 code. In fact, we exceed them. It says, you know, we'll work with  
3 the Village. If they want them out, we'll do it. I mean part of  
4 our thrust here was not only to add some parking but we saw people  
5 parking already, only it's on dirt. It's just nasty right of way.  
6 It just doesn't look pretty and we said, hey, listen, if they're  
7 using it, let's improve it and make it look nice. That's all we  
8 were presenting. But if the county says no, then we might all work  
9 together to go to the county and say, hey, how about cleaning it up  
10 a bit then, okay, for us? But we'll see how that goes, all right.

11 This is just an exhibit for fire safety. I won't  
12 go on it except to say that it's there for you to review. This is  
13 to prove that one can make these turns, they can make those turns.  
14 Another mic please, thank you.

15 More exhibits on the fire safety, okay, keep  
16 going.

17 All right, Engineering asked us to do a turning  
18 radius diagram, so we did two for them to show how people can  
19 access this to get in and come out, okay. So, again you can read  
20 that.

21 Now, this is hard to see but it's in your  
22 submittal. If it's not, we'll get it to you, but it's here tonight  
23 as part of public record. There has been some confusion, I think

1 it's confusion, I don't know, maybe misunderstanding. But there  
2 exists an easement on this property on the east side here, and it's  
3 our property, okay, make no mistake. I mentioned before that there  
4 is a fence, and it's the fence that's been installed by our  
5 neighbors, the Landmark, and there is a stormwater line that goes  
6 down here. As part of our development, in order to create the  
7 swale, okay, and get this thing to work, we're relocating that 12-  
8 inch storm line, we're moving it to the east but we're keeping it  
9 within the easement. We're not touching the wall and there's going  
10 to be no interruption if you will of their service whatsoever.

11                   So, I've been in touch with Mr. Spath, he's aware  
12 of this. He's aware of this. We're going to memorialize the fact  
13 that there is going to be no cost expense or burden or no change in  
14 service whatsoever. If we do that, then legally we have this right  
15 to do it and it's just simply an acknowledgment and my pledge to  
16 him as to the circumstances under which we are going to do this.  
17 So, that's the nature. We don't need an easement, and legally we  
18 don't need the approval. But we do need to alert them and we do  
19 need to substantiate that we're not going to do those things I've  
20 just mentioned, interruption, cost and so forth, okay. So, that  
21 was one of the first things we looked at and that's what we're  
22 doing. Let's keep going.

23                   More illustrations, okay. We don't intend to

1 touch these structures. Okay, there you could see more of this.  
2 Okay, it's a 2.5 foot knee wall, I talked about that, to establish  
3 the swale. All right, keep going.

4 Now, why is all this detail up there? Why,  
5 because when I said a PUD, you've got to pledge, you've got to do  
6 what you say, you've got to do what's in writing. You have it in  
7 writing, ladies and gentlemen. That's what we're planning to do  
8 and that's what you can hold us to, okay. So, there is no Mickey  
9 Mouse here. That's the swale, keep going.

10 This is the engineering. I'd like to, for the  
11 sake of time, go past this. I've already talked about the  
12 conditions. We can come back to it, but I think it's all in your  
13 submittal. There's nothing new to it.

14 This talks about the basis for the credit  
15 request. I would note to the Commission that we are completing a  
16 fiscal impact study. It's not here tonight, but we will provide  
17 you with data on some of the fiscal benefits to the taxing  
18 districts as part of our case, also the costs of development of  
19 this and the necessity to not only plan for the number of units but  
20 also the credit involved in the stormwater. Keep in mind that this  
21 credit is simply, it's allowed for. Secondly, we are going to be  
22 improving the stormwater in any case. If not for that fact, we  
23 couldn't qualify for the credit. In fact, impervious surface has

1 to be at least 20 percent less than what it is today and that's  
2 what we're proposing. So, that's that, okay.

3 So, the zoning. Steve has already talked about  
4 we're requesting, he already said it, it's a zoning map amendment  
5 to put it formally, and then a planned development within that R-6  
6 District. So, we're changing from M-1 to R-6. These are the  
7 zoning standards, we've already seen that. You can come back to  
8 that, you can question me on it.

9 Now, I'm going to ask, Mr. Chairman, if you would  
10 like us to go through our responses to these criteria for the  
11 zoning change, or we can come back to it. It's tedious. It's  
12 somewhat, it's up to you. There's a story here. We can come back  
13 to it, but I think the background on how we got here is something  
14 that the audience may appreciate as opposed to this. But I'm happy  
15 to go through this right now.

16 CHAIRMAN VASELOPULOS: I'd like to hear it.

17 MR. JAMES: Okay.

18 CHAIRMAN VASELOPULOS: Yes, please.

19 MR. JAMES: Very well, have at it, okay. The planned  
20 development purpose. The planned unit development shall provide  
21 amenities not otherwise required in this Appendix A and establish  
22 facilities and open space greater than the minimum otherwise  
23 required. Okay, the proposed development provides a logical

1 planning response to the specific characteristics of this "infill"  
2 site, including public utilities on the west, flood plain at the  
3 northwest portion of the site, light manufacturing uses to the  
4 north, single family residential along the northeast, and attached  
5 single family along the east. The disparate nature of these  
6 adjacent uses presents challenges to the development of the site  
7 that can best be addressed with a planned development approach. As  
8 proposed, the number and orientation of buildings and the resulting  
9 unit count establishing an internal courtyard and a cohesive  
10 perimeter effectively address these adjacent influences while  
11 providing a residential enclave that is aesthetically pleasing from  
12 the outside as well as within the courtyard.

13                   You know, I'm not going to fudge that this is a  
14 site that's a tight site. But it's a site that has a lot of things  
15 going on and we're creating a perimeter that we think is  
16 attractive. We're creating a unit count that is necessary to  
17 address the characteristics of this site and this location  
18 including the stormwater, okay. So, that's that answer.

19                   As a condition for approval, each planned unit  
20 development must be compatible with the character and objectives of  
21 the zoning district within it, within which is located each planned  
22 unit development shall be consistent with the objectives of the  
23 Village's Comprehensive Plan. The proposed plan is compatible with

1 the adjoined R-6 neighborhood immediately adjacent and east of the  
2 property and offers a continuation of structures that are similar  
3 in height and scale along the visible frontage of the property. In  
4 addition, the proposed zoning change to R-6 is consistent with the  
5 recommendations set forth in the Northfield North Corridor Plan  
6 adopted by the Village in March 2016.

7 A residential planned unit shall:

8 1. Offer residential settings that promote appropriate  
9 architecture features that encourage the placement of  
10 structures in proper relationship to the natural  
11 characteristics of the site. As explained in prior  
12 sections, the type, number and orientation of the  
13 buildings establish an internal courtyard and cohesive  
14 perimeter that effectively and coherently address the  
15 site-specific conditions including the flood plain and  
16 AT&T easement, as well as the adjacent influences.  
17 That AT&T easement, by the way, is a fiber optic vault  
18 in the far southwest corner of the property. We can  
19 remove it, but I think a number of you would be unhappy  
20 with me if we did that.

21 AUDIENCE MEMBER: I didn't hear what you said.

22 MR. JAMES: It was a funny but I'm not very good at  
23 being funny. It was that the AT&T vault is at the southwest

1 corner, it's a fiber optic vault and it's part of the sale of the  
2 property. They said, you know, we've got to have that underground,  
3 and so we have to work that in your plan. I just said I'm not  
4 going to take that away or you'd be unhappy with me.

5 2. Preserve natural environmental areas that achieve a  
6 sense of spaciousness and counteract the effects of  
7 urban monotony, congestion, fading. The site accounts  
8 for the flood plain and offers a configuration that  
9 substantially illuminates garage views and the majority  
10 of the paved areas while providing an internal  
11 courtyard for occupancy so outdoor areas are oriented  
12 to this area.

13 3. When located within an established neighborhood,  
14 provide a harmonious architecture and site design at a  
15 scale, character and density that are appropriate to  
16 the site and surrounding uses. The architecture, site  
17 design, density and scale will be entirely harmonious  
18 with the adjoining residential uses.

19 AUDIENCE MEMBER: We're losing you.

20 MR. JAMES: Okay, hang on. Hear that?

21 AUDIENCE MEMBER: Yes.

22 MR. JAMES: Okay, sorry. All right. The architecture,  
23 site design, density and scale will be entirely harmonious with the

1 adjoining residential uses. Each unit and building plays a material  
2 role in establishing the courtyard and/or buffering adverse  
3 influences. These perimeter units account for 24 of the 34  
4 proposed. There are only 10 units that will be visible to the  
5 neighboring properties -- excuse me, 13, I guess we omitted that.  
6 The remaining 10 units are essential to making this lower density  
7 plan and use feasible. I say lower because when we originally  
8 started this, I'm coming to next part of the presentation, we were  
9 contemplating a four-story building with 60-80 units, okay. This  
10 is less than half that, okay. So, each of these units helps us do  
11 the things necessary for the site to get built, okay. All right,  
12 well, that's all right.

13 Standards for consideration:

14 Site Design. A planned unit development shall be  
15 laid out and developed with an integrated overall design concept.  
16 The design shall provide for the safe, efficient, convenient and  
17 harmonious grouping structures, uses and facilities. The design of  
18 both interior and exterior space shall be appropriate to the  
19 intended uses and the community. Some of these are done but it's  
20 here.

21 As explained previously, the proposed plan  
22 reflects more than a year of planning, actually two, and numerous  
23 studies to achieve a harmonious and complementary integration of

1 the new homes with the adjoining properties. You saw the hard  
2 scape, you saw the townhomes, you see the townhomes, you see the  
3 townhomes, okay. The hard scape over the North Shore Senior  
4 Center, the hard scape here, the hard scape here. So, we tried to  
5 blend in. It's certainly not the only multistory in this town, so  
6 there is some, we believe anyways, complementary and harmonious  
7 aspects to it.

8                   Access and circulation within the community and  
9 onto Winnetka Road will reduce the number of curb cuts from three  
10 to two and will promote the efficient and safe means of ingress and  
11 egress. One of the things that we looked at initially, you haven't  
12 seen it, is a single access point that comes into the center, okay.  
13 That means everyone of these traffic cars comes out at the same  
14 place and goes in the same place. Instead of that, we said let's  
15 try and do two, all right. That means that if there is queuing or  
16 there's something going on at the intersection and people want to  
17 get out, they just take a right turn.

18                   I'll come to this, ladies and gentlemen, but I  
19 think it's very important to understand that I appreciate the  
20 concerns and the headaches that residents of Meadowlake deal with,  
21 with respect to traffic during those peak times, principally when  
22 New Trier is opening up in the morning and going to bed at night,  
23 in the afternoon. What's really interesting to me, maybe not to

1 you, but at least what I'm pointing out is that like a lot of  
2 things in life, when you're on the opposite side, it's  
3 diametrically opposite, okay. What I mean by that is that for you  
4 to get out, you have to take a left turn into this traffic, okay.

5                   For somebody here to get out, because they're on  
6 the other side of the road, they just take a right turn. If  
7 there's something going on here, they're not going here, they're  
8 going here and they're going out. They're not even dealing with  
9 this intersection, they're just going out and it's a right turn.  
10 Furthermore, if there is something going on here, they can go to  
11 this Winnetka-Northfield Road which operates at A/B level and take  
12 another right turn, and then take another right turn and go right  
13 out onto Willow. Peak hour, it's usually light, so you're going to  
14 be right out as you go.

15                   So, my point being is that people are smart, and  
16 because this property is situated on the north side and not your  
17 side, it has advantages that are just inherent to the fact that  
18 it's got a right turn and you've got left. Same thing on Happ,  
19 you've got to take a left. You know, it's just one of those things  
20 that is the nature of the beast when you're on the southwest corner  
21 which is not the case over here, a material difference. But the  
22 point I'm making is that there are two access points which allow us  
23 to break things up, what little traffic there is, at least you're

1 going to have two ways to come and go.

2                   Open Space. Common open space in the planned  
3 unit development shall be integrated into overall design. Such  
4 space shall have a direct functional or visual relationship to the  
5 main buildings and not be isolated either spatially or in  
6 character. The following shall not be deemed to be common open  
7 space for purposes of this standard: areas reserved for the  
8 exclusive use or benefit of an individual tenant or owner;  
9 dedicated streets, alleys or other public rights of way; vehicular  
10 drives, parking, loading and storage area; or strips of land that  
11 are unusable because of their narrowness or irregular shape.

12                   We did incorporate this internal courtyard. It  
13 is not huge, but you wouldn't expect it to be huge in this area or  
14 in this site. We provide a sense of gathering there that can do  
15 that, and that's it. They have their balconies and that's the  
16 nature of this type of development.

17                   I think that my answer pretty much says that.  
18 The size, location, and site conditions inherent to this infill  
19 parcel impose limitations on the amount of open space that can be  
20 provided while addressing other requirements including stormwater  
21 management. That said, the proposed plan incorporates a central  
22 courtyard green area between buildings F and G accessible to all  
23 occupants. The plan will also provide for landscaped and hard

1   scape perimeter buffers to create an aesthetically pleasing  
2   integration of the buildings with the surrounding areas. All  
3   together, the proposed plan will substantially enhance the area  
4   when compared with current site conditions.

5                   I'm not going to try and weave around this fact  
6   that this site presents many different challenges and  
7   considerations. When we looked at it, we said we could go high, if  
8   we go high we can create more open space. If we go low and do  
9   townhomes, I remove the impact to my neighbors to the east, the  
10  most immediately affected because they're immediately on our  
11  boundary, okay, but I don't have as much open space, okay. Then I  
12  also had this stormwater which I have to deal with, and I had the  
13  flood plain to deal with.

14                   So, all these things come in to the mix, it's up  
15  to us to figure out the balance between these issues and still make  
16  it work, and make it work in a way where it's not detrimental to  
17  our neighbors. I think in the scheme of things, we felt the  
18  townhome program, knowing what we know about how people live at  
19  townhomes, knowing what we know about the abundance of open space  
20  immediately around, you're literally walking distance to New Trier,  
21  you have the forest preserve down the way, and then there's plenty  
22  of places for these people to go. We do have a dog walking area,  
23  okay, where you can walk your dog.

1                   But my point being is that this is very  
2 characteristic of an infill parcel, okay. We've done other infill  
3 in other communities. But this is not unusual. Keep going.

4                   So, now we get into the back story. I think I've  
5 gone through the best we can some of the criteria. Now I would  
6 like to talk about the back story, and I think this is important.

7                   What's the rationale for the proposed use? Well,  
8 you know, we have a series of uses that are economically  
9 obsolescent. I think that's part and parcel why this Village took  
10 proactive action if you will to engage consultants and engage the  
11 community to study the Northfield Road and to also study AT&T as  
12 part of it. I think that was in effort to address the fact that  
13 times change and that these properties no longer perhaps are  
14 economically competitive in their current condition, and so the  
15 Northfield Corridor Plan which we'll get into.

16                   I've already talked about the transitional  
17 location, the adjacent uses.

18                   Number four, I'm not expecting anybody, none of  
19 my neighbors, to compromise their quality of life just because the  
20 market values property, not at all. But I am going to tell you a  
21 fact that that property will not get developed unless it's  
22 economically feasible. It requires financing, anybody can do it,  
23 and requires capital but we will invest. That will not happen,

1 that site will not get built unless the property can function.

2 We didn't create the situation. We're simply  
3 responding to it. I take you back, you know, I'll get you -- hold  
4 on to that thought, we didn't create the situation but we're  
5 responding to it. I'm a local resident, I care about people. I  
6 have friends who are your neighbors, and I do what I say. I'm  
7 going to live here and I'm not going to want to walk around town  
8 with my head down or feel like I've compromised you, hurt you,  
9 okay, or created ill will. I wouldn't do that. I think we have  
10 done a fairly good job on our two projects, and I don't want to get  
11 up there unless I was a fan and strike out. That's why it's taken  
12 us so long to get here.

13 So, that being said, we'll get to this. Now, the  
14 best plan for our neighbors, I already said it took us about two  
15 years to get here. The final thing which I've said before, it's an  
16 opportunity and the capacity to enhance this community, okay. Keep  
17 going.

18 Now, this slide slipped in but I'm going to go at  
19 it. A lot of slides, ladies and gentlemen, forgive me, okay. You  
20 don't have to forgive me, I'm just going to go ahead.

21 Functional and mechanical features. Storage  
22 areas, trash and garbage retainers, mechanical equipment, service  
23 areas, loading areas, utility buildings, and similar accessory

1 areas and structures shall be specifically accounted for in the  
2 design of the planned development. These shall be designed with  
3 special planting or other screening methods to ensure that they are  
4 unobtrusive and blend seamlessly with the project and surrounding  
5 properties.

6 Response. Parking, trash, and other such  
7 functional and mechanical features will be located internal to the  
8 site and/o appropriately screened by landscaping. That was the  
9 essence of this plan was to turn everything into the outside and  
10 look as pretty as we can make it.

11 Number four, visual and acoustical privacy. The  
12 planned development shall provide for reasonable visual and  
13 acoustical privacy. Fences, insulation, walks, barriers and  
14 landscaping shall be used to reduce noise, enhance aesthetics,  
15 provide privacy to occupants and to screen objectionable views.

16 Response. The site plan will incorporate fences  
17 along the north and east boundaries, in addition to the existing  
18 vegetation and supplemental landscaping and hardscape. Landscaping  
19 will be used to establish the boundaries and buffers along the  
20 western and southern perimeters. Next slide.

21 Environmental conservation. The planned unit  
22 development shall conserve and enhance special landscape features  
23 on site such as trees, streams, ponds, wetlands, groves and animal

1 habitat.

2 Well, the urban infill nature of the site does  
3 not entail any substantive natural features. the plan will,  
4 however, seek to protect mature trees if possible, and will address  
5 the flood plain in the northwest quadrant of the property. Okay,  
6 that's flood plain, there's no controls on it, there's no nothing.

7 It's just when water hits, it goes, all right. So, we saw some of  
8 the ponding in the north and northeast corners, and this plan will  
9 mitigate that.

10 Number six, drives, parking and circulation.  
11 Vehicular and pedestrian circulation shall in each instance be the  
12 subject of a separately drawn and titled architectural or  
13 engineering plan. You saw that tonight. Special attention shall  
14 be given to the location and number of access points to the public  
15 streets and the width and access points of interior drives. This  
16 shall include general interior circulation patterns, separation of  
17 pedestrian and vehicular traffic, adequate provision for service by  
18 emergency vehicles and arrangement of parking areas that are safe,  
19 convenient and aesthetically pleasing both on site and off site.  
20 Designs which integrate improvements in parking, vehicular traffic  
21 and pedestrian movements within the area are strongly encouraged.

22 Our response. The plan consolidates three curb  
23 cuts into two, and employs a circular internal drive to provide

1 efficient internal circulation and access for fire safety vehicles.

2 Guest parking is provided within the courtyard, strike this, and  
3 along the southern perimeter in the right of way along Winnetka  
4 Road. Unless the Village says they want the plan to improve it,  
5 otherwise we've heard the neighbors and we can take it off. The  
6 plan incorporates sidewalks including one walkway that extends  
7 along the western perimeter and connects to the existing sidewalk  
8 along Winnetka Road.

9                               Surface water drainage. Special attention shall  
10 be given to surface drainage to ensure that removal of surface  
11 waters will not adversely affect neighboring properties or the  
12 public storm drainage system. Systems which improve the general  
13 drainage, quality of water runoff and/or detention capacity within  
14 a watershed are strongly encouraged.

15                              Our response. Currently, a substantial portion  
16 of the site is paved impervious surface with no designated  
17 detention improvements. The proposed plan will offer an  
18 underground detention vault and the engineering will be designed to  
19 protect neighboring properties from uncontrolled runoff. All of  
20 these changes include compensatory storage and a ratio greater than  
21 one to one will improve stormwater management in the area.

22                              Comprehensive Plan. The planned development  
23 shall conform with the planning policies, goals and objectives

1 stated within the Village's Comprehensive Plan.

2 Our response. As noted previously, the proposed  
3 plan complies with the recommendations set forth in the Village's  
4 adopted Northfield Road Corridor study, which recommends a change  
5 to R-6 Multifamily Residential. The study suggests two four-story  
6 buildings or, in the alternative, a townhome development. The  
7 proposed plan contemplates the latter.

8 Finally, personal to the Petitioner. Unless  
9 specifically stated otherwise, each planned unit development shall  
10 be personal and limited to the Petitioner. Upon a change in or  
11 transfer of ownership, the planned unit development shall lapse.  
12 For purposes of this section, change in ownership shall occur when  
13 the person, and it goes on. We understand and agree.

14 Mandatory findings. Is this a repeat? Is it? I  
15 can't tell. Okay, we'll keep going just to make sure it's on the  
16 record. Thank you very much, Mr. Berlinghof, okay.

17 Section 17.5, Mandatory findings. In order for  
18 the Plan & Zoning Commission to make a positive recommendation, and  
19 for the corporate authorities to approve an application for a  
20 planned unit development, an affirmative finding must be made with  
21 respect to each of the following matters:

22 1. The establishment, maintenance and operation of the  
23 planned unit development will not be detrimental to or

1           endanger the public health, safety, morals, comfort or  
2           general welfare. Response: The proposed plan entails  
3           a use, configuration, and massing that will comply with  
4           the above standard. It is the intention of the  
5           Petitioner to own and manage the property as a long-  
6           term investment and to assure that it is maintained as  
7           an attractive luxury rental community.

8           2. The planned unit development will not be injurious to  
9           the use and enjoyment of other property in the  
10          immediate vicinity, nor diminish or impair property  
11          values within the neighborhood. Response: The  
12          proposed development, with the change from M-1 zoning  
13          to R-6 will protect and improve the values of the  
14          adjoining residential properties over and above the  
15          current and possible new light manufacturing uses that  
16          would differ substantially from the adjoining  
17          residential uses.

18          3. The planned unit development will not impede the normal  
19          and orderly development and improvement of surrounding  
20          property for those uses that are specifically permitted  
21          in the district. Response: The proposed development  
22          will neither impede nor adversely impact the normal and  
23          orderly development and improvement of surrounding

1 property. To the contrary, the proposed development  
2 will offer a substantial improvement to the existing  
3 conditions with a residential use that is entirely  
4 compatible with the neighborhood. I will show you what  
5 I mean by that statement in the illustrations. I've  
6 already done so but we'll get to that.

7 4. Adequate utilities, access roads, drainage and other  
8 necessary facilities have been or are being provided.

9 Response: The proposed plan and the engineering will  
10 improve the current conditions and comply with the  
11 above requirements.

12 5. Ingress and egress either has been or pursuant to  
13 mandatory conditions shall be designed to minimize  
14 traffic congestion in the public streets. Response:  
15 We'll come to traffic. The traffic study confirms that  
16 the proposed development will have no adverse impact on  
17 the traffic congestion or safe operation of the public  
18 streets.

19 AUDIENCE MEMBER: We don't agree.

20 CHAIRMAN VASELOPULOS: Ladies and gentlemen, I know  
21 this is kind of a long presentation. We appreciate your patience  
22 please.

23 MR. JAMES: As do I, thank you very much.

- 1           6.     The planned unit development conforms in all respects  
2                   to the applicable regulations of the district in which  
3                   it is located except as such regulations may in each  
4                   instance be modified by the corporate authorities after  
5                   considering the recommendations of the Plan & Zoning  
6                   Commission.    Response:   The proposed plan will meet  
7                   this requirement, that is our hope.
- 8           7.     Provisions or penalties are in place to ensure that the  
9                   planned unit development is maintained in strict  
10                  compliance with the minimum standards established by  
11                  the planned unit development ordinance.   This shall be  
12                  the requirements of an ongoing legal entity such as a  
13                  homeowners association, owner or management entity  
14                  whose responsibilities for the planned unit development  
15                  requirements run with the land.   Response:   As noted  
16                  above, it is the intention of the Applicant to own,  
17                  operate and maintain the development as a long-term  
18                  investment that will be properly maintained as a luxury  
19                  rental community.   The owner/operator will offer the  
20                  community a single point of contact to address any  
21                  community issues or concerns.
- 22                                Area regulation variations.   In the case of any  
23   planned unit development, the Plan & Zoning Commission may

1 recommend and the Village Board may authorize any exceptions to the  
2 applicable area regulations of this Appendix A that they deem  
3 appropriate within the boundaries of such planned unit development,  
4 provided that:

5           1.     The exception shall be solely for the purpose of  
6                   promoting an integrated site plan that is no less  
7                   beneficial to the occupants of such development and  
8                   neighboring properties than would be obtained under the  
9                   bulk regulations of this Appendix A for buildings  
10                  developed on discrete zoning lots. The plan with its  
11                  configuration and unit count, is my response, will not  
12                  impose any hardships or detriment to the occupants or  
13                  the neighboring properties. Conversely, the proposed  
14                  use and configuration will offer a superior improvement  
15                  to the current and possible future uses, were the  
16                  property to remain in its current condition or  
17                  redeveloped for an M-1 permitted use.

18           2.     All setbacks and yards shall be provided as required by  
19                   the regulations of the underlying district in which the  
20                   development is located along the boundaries of the  
21                   planned unit development. Response: The plan provides  
22                   setbacks that substantially exceed the minimum required  
23                   along the eastern perimeter where the majority of the

1 adjoining residential units are located. I explained  
2 how we focused on that because those people immediately  
3 adjacent to us, there is no road separating them, at  
4 least not now. The setback proposed for along the  
5 north, where the remaining residential units are  
6 located, exceeds the minimum required, 29 versus 25  
7 feet. The same is true along the west. So, we  
8 actually not met but exceeded the setbacks on all but  
9 the front, and that's along Winnetka Avenue. In there,  
10 we vary it by five feet. The only variation to  
11 perimeter setbacks is along Winnetka along the south,  
12 where the proposed setback is 25 versus 30 feet per the  
13 ordinance. This variation results from the goal to  
14 provide a central stormwater detention vault. Notably,  
15 the proposed southern perimeter setback is  
16 substantially greater than the setback of buildings  
17 Winnetka Road and Happ at the Landmark community. It  
18 is acknowledged that this stems from the fact that the  
19 Landmark is a corner lot, and as such its frontage  
20 along Winnetka is considered a side yard where the  
21 minimum setback is six feet. Now, Landmark is about 11  
22 feet off Winnetka Avenue, all right, just for the  
23 record. Importantly, the impact of the five-foot

1 variation along the south is mitigated by the fact that  
2 the proposed six-unit building is located 40 feet from  
3 the eastern property line, more than six times the  
4 required distance. Thus, there is no impact on any  
5 views, nor any shadows or other adverse consequences of  
6 this variation to the neighboring property.

7 What I'm trying to get at there is that if you,  
8 in a line of houses in let's say a typical subdivision, had your  
9 house prominently up towards the roadway and your neighbor had it  
10 next to you but set back, what would that neighbor next to you  
11 who's encroaching do? He'd be basically blocking your view because  
12 he's, you know, he's just next door to you. That's not the  
13 condition here, okay. The condition here is such that we've got a  
14 lot of room between us and our neighbors to the east, such that the  
15 angular view of five feet is nothing because there is no impedance  
16 whatsoever.

17 There is precedent, Landmark as I mentioned,  
18 because that's tied up. It is owner -- but in terms of force and  
19 effect, actually looking at what's going on here, there's virtually  
20 nothing toward the west. So, in terms of harm and foul, I look at  
21 that and I say if you're going to bury something in order to get a  
22 better benefit like the stormwater, this is the area to do it in.  
23 The other ones, we've exceeded them, okay, because they have some

1 real impacts to our neighbors.

2                   Okay, that's the slide that kept some of it, keep  
3 going. So, this is the back story, and we're getting to the end,  
4 so thank you for your patience. But this is kind of getting into  
5 our heads as to how we got here and why. I want you to understand  
6 what we are doing. You may not agree with it, but hopefully at the  
7 end of the night you'll understand why, okay.

8                   So, I've already said to you in many ways that  
9 it's a transitional area. This slide is simply meant to show you  
10 just how transitional it is. You know, you've got public utilities  
11 going on in here, you've got institutional uses in here, you've got  
12 residential in here, you've got industrial here, you've got  
13 residential here, you've got institutional here. A lot going on,  
14 and recreation, okay, I'm calling it recreation, and you've got a  
15 forest preserve right here.

16                   So, you know, the good news is that the site is  
17 located in proximity to these other amenities so that you can walk  
18 to these things including any people using New Trier west, they can  
19 walk, okay, that's good news. But when we present our fiscal  
20 impact, we'll show the population and I think it will be  
21 underwhelming in terms of school age. But the market forces  
22 affecting the immediate area, quality schools is one. Frankly,  
23 ladies and gentlemen, the traffic that we all experience, I

1 experience it, too, in fact I experience it going across my front  
2 door going, you know, east and to New Trier. So, for me, you know,  
3 I deal with it. Sometimes I go out the backdoor and go up to  
4 Willow quite frankly.

5 But my point being is that as much as we may  
6 lament the traffic, New Trier has been here for a long time. It's  
7 preceded frankly everything else that's on that right there, with  
8 the exception maybe of those little townhomes next to us. But it's  
9 been there. While it does create traffic, fortunately short term,  
10 and secondly quite frankly, as an owner of residential communities,  
11 the number one factor that drives our home values is the schools.  
12 So, you know, it comes with --

13 AUDIENCE MEMBER: You're whispering.

14 MR. JAMES: Sorry. The number one factor that  
15 influences the housing stock that we all live in is the quality of  
16 our schools. New Trier being one of the number one schools in the  
17 country is one of those things that drives our values. So, with  
18 that we get traffic. I understand it, but as I said before, that  
19 school landed there before any of these things were built.

20 So, you know, it is what it is, but before we  
21 curse it and the traffic, understand that to take it away is to  
22 potentially, you know, undermine some of the values that really  
23 underpin Northfield, Winnetka, all those people in the district.

1 So, I just point that out. I say it that way because I'm a  
2 residential person and I follow these things. But I'm telling you  
3 from my mouth to your ears that that is the number one factor here.

4                   The retail volume is changing. Ecommerce is  
5 undermining these downtown uses. You've seen our retail in  
6 Northfield. A lot of communities undergo change, fortunately I  
7 think Northfield is staying ahead of the curve. But we have to  
8 continue staying ahead of the curve because it is changing. Those  
9 things don't survive in the black and your tax is going up because,  
10 really our only taxes, the majority of taxes go to schools as we  
11 all know. So, what do they get, they get sales tax and, you know,  
12 I mean sales tax comes from commerce, commerce comes from the  
13 retail establishments.

14                   We have to plan ahead and, yes, there are going  
15 to be people here, but those people will be walking distance to the  
16 downtown, okay, and they can patronize these shops. They're not  
17 going to turn things around but they're part of the overall plan to  
18 create that type of activity. Yes, traffic is no fun, but going to  
19 a restaurant is pretty nice, going to Happ Inn is nice, okay, going  
20 to some of the other restaurants over there that we patronize, Taco  
21 Nano, whatever, the kids love that. But those things thrive by  
22 people being there, and that environment is changing. So, we  
23 really need to I think be forward-thinking. That's the -- of the

1 plan in my view.

2                   Evolving consumer housing preferences, this is  
3 rental, it's luxury rental. It's new. None of the stock there  
4 around us is less than 25 years old. We do believe that there are  
5 people that are in transition or they just simply choose not to own  
6 anymore and they've got another home somewhere else. They'd love  
7 to stay and keep their roots in the community, but you know, they'd  
8 rather have the flexibility of a rental situation. They could rent  
9 there for a long time but they just want to do that, and we're  
10 seeing that happen more and more. Next slide.

11                   Okay, the corridor plan. In 2015, the Village  
12 initiates the Northfield Road Corridor Plan study. As part of that  
13 study, they had extensive community outreach and engagement efforts  
14 including project website, 10 stakeholder meetings from July 15 and  
15 16, three advisory committee meetings, okay, that spanned from July  
16 to October, one public open house, and one community workshop.  
17 Those efforts culminated in March of 2016 with the Northfield Road  
18 Corridor Plan being adopted by the Village. That was an intensive  
19 effort that involved many different parties, not only but  
20 consultants as well. Keep going.

21                   Now, as pertains to this property, the  
22 recommendations are found in recommendation number three. You can  
23 find this, I believe it's online, Steve? Keep going.

1                   Okay, recommendation number three. It's  
2 important, and again tedious but important for me to get this out  
3 on the record because I think it really underpins some of the  
4 rationale here.

- 5           1.    A multifamily development would integrate with adjacent  
6                   uses and would provide more variety in housing stock to  
7                   the area.
- 8           2.    One possible concept has two four-story buildings with  
9                   48 total units.
- 10          3.    While greater than allowed under current residential  
11                   zoning, a higher intensity of development is required  
12                   to address the unique development conditions of the  
13                   site.
- 14          4.    The October 2015 report from Gruen, Gruen & Associates  
15                   confirms that a higher density as suggested with this  
16                   recommendation is necessary for a financially feasible  
17                   project.
- 18          5.    Beyond fiscal concerns, a somewhat more intensive  
19                   development on this site merits consideration given the  
20                   multifamily character of uses to the south, the higher  
21                   traffic volumes on Winnetka Road, and proximity to the  
22                   ComEd utility lines to the west.

23                   Next slide. Okay, so that's the recommendation

1 to give you a little history.

2 In late 2014-15, I personally, because I drive by  
3 this site, said you know, that's been sitting there for sometime,  
4 doesn't seem like much is going on, I'm going to try and find out,  
5 you know, who owns it, who's in control. So, I started inquiring,  
6 and it took me a while. I finally found the person, AT&T. No  
7 sooner did I reach this person than I found a sign going up on the  
8 property saying it's for sale with Jones -- being the broker. That  
9 enlisted multiple offers on this site for all sorts of uses, some  
10 of which would have significantly more units. The fact of the  
11 matter is we were successful perhaps because of some of the earlier  
12 legwork that we did, perhaps because we have a track record here.  
13 But one way or another, we secured the contract in November.

14 Now, we appeared as part of that, you know,  
15 obviously we started late 2014-early 2015 thinking about these  
16 things. So, we had some ideas as to what we thought might work,  
17 and we put those together on paper and we said can we take  
18 advantage of the allowed provision in the code which allows a  
19 developer to come in on an informal basis, you call it a  
20 preliminary plan review committee meeting. That occurred I believe  
21 in November, I can't remember the exact date but it was November  
22 2015. I'll show you what we presented. Go ahead.

23 This is what we presented, a four-story building

1 with enclosed parking below grade, units with balconies, okay, and  
2 some odd. Luxury interior finishes. The lower right-hand diagram  
3 is how it's shaped.

4                   Now, I told you before that that site plan, you  
5 know, there's a market for this. There is a market for this type  
6 of housing, don't get me wrong. The plan speaks to that and the  
7 corridor study speaks to it. But I said early on that we need to  
8 look at a townhome development because that plan as a concept could  
9 be problematic to some of our neighbors. The question is can we  
10 find a plan that as an alternative would work given all the  
11 constraints and the considerations and the costs and so forth that  
12 we have to deal with?

13                   It took me about a year, over a year to figure  
14 out the Rubik's cube that we presented to you tonight. But it's  
15 vastly superior, in my opinion, in terms of how it addresses our  
16 neighbors here and how it addresses the neighbors here. It is  
17 vastly improved in terms of the total parking, okay. I'm not going  
18 to suggest that use -- streets because I wouldn't have brought it  
19 in if I did, but I will tell you that what we're proposing is  
20 certainly better, okay. So, I just want to put that out there.

21                   That's what was presented, and let's be clear.  
22 We weren't given approval that night. That's not the purpose of  
23 that meeting. The purpose of that meeting though is to say you are

1 either in the right direction or you're completely off base and you  
2 should go home and redo it. We got the you're in the right  
3 direction, okay.

4                   So, we didn't take that as approval but we took  
5 that as the right direction, and we ended up, go ahead, acquiring  
6 the property in January '16. We started doing our planning and  
7 costing early summer-spring. We determined that with all the  
8 requirements and constraints, it was going to be very hard to  
9 achieve the Village's goals for stormwater and do the underground  
10 parking and get the ratios that we felt were appropriate and so on.

11 So, we just said, you know what, let's look at a five-story plan.

12                   You know, this is a very particular property.  
13 It's special to all of us because of your proximity to it. It's a  
14 once in a lifetime opportunity to do something and by the way it's  
15 in our backyard, so we've got to get it right. So, we started  
16 looking at the townhomes at the same as a five-story.

17                   Now, this next plan will show you what that shape  
18 really looks like because we got them and now we're ready to go in  
19 September of last year. Believe it or not, last year, and we  
20 didn't care, we might have just thrust forward and said, well,  
21 we'll see where we land. I'm not going to tell you that I'm not  
22 proud of that building and what it looks like because I think it's  
23 a nice building. I think it's elegant and it's quality. There's

1 open spaces, terraces, and so forth.

2                   But you know, I looked at it and there are some  
3 things that you don't see which we kind of plop it into an aerial  
4 to see how it reads with everybody else. I said, you know, if I'm  
5 driving from the west, am I going to want to see that? I will tell  
6 you, there's precedent for five-story buildings in downtowns now,  
7 they're going up all over. Not all over but they're going up.  
8 Winnetka just passed one, Wilmette passed one, I think Lake Forest  
9 passed one.

10                   So, ladies and gentlemen, I told you about  
11 changes in housing preferences and the ecommerce threat to our  
12 retail bases. In response to those, villages are rethinking their  
13 codes and their height requirements and considering things like  
14 this. But I said as long as I could come up with and get approval  
15 for something that will work, then let's go for that and really try  
16 it, because I don't want to have to confront my neighbors or have  
17 people mad at me if there's a better way, okay. That's what took  
18 us a year to get to, and I'm not just saying that. Keep going.

19                   By the way, we spent, well, you won't care but a  
20 lot of time and a ton of money to get that thing built. We were  
21 ready to go and then I caught some vibes that this wasn't going to  
22 be something good. That's when we said let's go full bore -- see  
23 if we can make it. So, this kind of recaps what I said. It took

1 us, well, more than 18 months really, it really did, and about two  
2 years here to get to tonight. So, that's the back story.

3 Now to you, well, I'm addressing the members of  
4 the Plan Commission, so with all due respect, I also wanted to come  
5 tonight to have you hear our expression of response to some of the  
6 concerns that have been enunciated to us. We have had two meetings  
7 with members of one association. I've had phone calls and a  
8 meeting with another association, both of these are the  
9 associations on our boundaries.

10 The concerns, next click, are twofold. Traffic,  
11 by the way, this is a little joke, that's not New Trier, okay. If  
12 you ever go to Kathmandu, it looks like that, okay, I've been to  
13 Kathmandu, you don't want to go, well, whatever. That's probably  
14 Manhattan, that's not what we're proposing. But these tend to be  
15 the two things that people are concerned about. I know the people  
16 here are concerned about it, and I'm not showing pictures to make  
17 light of the concerns whatsoever. Keep going.

18 Here's the traffic, and you're probably saying  
19 why didn't you just get to this at the outset. Well, I need to  
20 have your understanding of context. Here is what the numbers say.

21 AUDIENCE MEMBER: You're dropping your mic.

22 MR. JAMES: Okay, better?

23 AUDIENCE MEMBER: Yes.

1 MR. JAMES: I'm getting tired.

2 AUDIENCE MEMBER: We all are.

3 MR. JAMES: I know you are. Traffic. Now, we hired  
4 KLOA who is a well respected consultant to use what they call the  
5 ITE trip generation rates. These are accepted, these are studied,  
6 and they represent many studies about what types of development  
7 generate what type of traffic. Then they go out and they look at  
8 the way the traffic is distributed and flows in these various  
9 locations, and then they assign directional flows. Then they come  
10 to what they call peak hour a.m. and peak hour p.m.

11 The study has been submitted to you, you've seen  
12 it. If you haven't, it's there and I'd be happy to get copies if  
13 we have it. But what it shows you is that this development on the  
14 a.m. peak will generate a total of 22 trips in the a.m. peak which  
15 is 7:30 to 8:30. Luay, is that correct?

16 MR. ABOONA: Yes.

17 MR. JAMES: Yes. Then in the weekday p.m., the peak  
18 hour is 25, okay, 25 trips. You can see the ins and the outs, all  
19 right, they roughly correlate. Don't ask me to explain the  
20 difference.

21 But my point in telling you this is that, yes,  
22 there are 80 spaces but they're not all coming in and going at the  
23 same time, any more than your traffic is coming and going all at

1 the same time across the street. So, there's a distribution of  
2 traffic and this is what the trip generation rates show. What does  
3 that mean? It says that during the a.m., on average, one car is  
4 coming out of there every 3.3 minutes. If you've got a stopwatch,  
5 time it, you just figure out how long that is. P.m. peak on  
6 average, one car would enter every 3.5 minutes.

7                   Now, last is to say, okay, let's just say that  
8 you think this is too dense or we think this is too dense. If we  
9 took a 20 percent reduction in density, okay, we reduce the a.m.  
10 and p.m. peak traffic by anywhere from 4.5 to five cars per hour.  
11 What does that mean? It means one car every 12 minutes. So, a 20  
12 percent reduction, that would be taking seven units off this plan  
13 to get in the 20's. You're not going to do anything to this  
14 traffic, zip in terms of meaningful changes to the traffic, in  
15 terms of where it's going, what's happening at that intersection.  
16 Ladies and gentlemen, the reason is what we all know, the traffic  
17 primarily on the intersection is a function of your trip. Get the  
18 next slide.

19                   These are some of the diagrams that they do.  
20 They're in the report. This first point really kind of drives home  
21 what I'm saying which is these are the distributions of traffic at  
22 Winnetka Road. Some of the information is available for Northfield  
23 Road and for your lane coming out, Arbor Lane, thank you, Arbor

1 Lane and Winnetka. But this is for Happ and Winnetka Road, you  
2 know, we all get caught at times. What it shows is that the  
3 traffic generated out of here in the a.m. peak represents about one  
4 percent of the existing traffic. It's like this.

5                   Now, a decrease, I said here, let's just say we  
6 take 10 units off this, all right, for the 24 units, we'd have a  
7 potential reduction of approximately 4.7 cars in the a.m. and 5.5  
8 cars in the p.m. spread out over an hour. That's a restatement of  
9 what I've already said, but in essence there is no change here. On  
10 the other hand, if you drop 10 units out of this thing, it falls  
11 apart. We can't do it. Something else has to happen on whether  
12 it's a multistory building, you know, or otherwise, or it's an  
13 office building. Hold that thought.

14                   The last point, what this means is an 29 percent  
15 reduction in density will result on average of five less cars  
16 during the peak hours, the equivalent to about 0.35 percent change  
17 in the average peak hour volume using Winnetka Road and Happ Road.

18 Ladies and gentlemen, the problem isn't going to be development at  
19 least as it's proposed, at least not with the proposed use of  
20 number of units. Even the reduction of almost 30 percent isn't  
21 going to move the yield one iota, okay. That's just the hard  
22 reality that sometimes seems impossible to get your mind around,  
23 but it is backed up not only by KLOA and their professional

1 opinion, but it is also backed up by the Village's own traffic  
2 consultant. Move to next slide.

3 This graph just simply shows you despite the  
4 annoyance if you will of that traffic, the good news is that it's  
5 pretty temporary. It peaks up, you can see it here in the a.m.,  
6 that it spikes here and then goes down, okay. We all know when it  
7 happens, I don't have to tell you that. But it's not a constant  
8 and that's the good news. Keep going, and it's also not year  
9 round, at least not at the level that this gets operational.

10 Now, the KLOA findings are these, and I had to  
11 put them in writing because it's important for the Commission to  
12 understand what the consultant is saying. It's important for the  
13 neighbors to hear this because I think there's fact and there's  
14 fiction. There's fear and there's reality. What I'm concerned  
15 about is that there has been some misstatements,  
16 misrepresentations, or maybe just innocuous misunderstandings. But  
17 what the consultant's understanding is the following.

18 This intersection currently operates at a level  
19 of service, I'm talking about Winnetka Road and Happ, D during the  
20 weekday morning peak, and level C during the weekday evening peak,  
21 okay. Under the year 2023 projections, this intersection is  
22 overall projected to continue operating at the existing level of  
23 service with increases in delay of approximately four seconds or

1 less. They have a model to show how that's projected.

2                   The eastbound approach currently operates at a  
3 level of service E during the weekday morning peak and is projected  
4 to continue operating at a level of service E at LOS under year  
5 2023 projections. The 95 percentile queues for the eastbound  
6 approach are projected to be approximately 250 feet which is  
7 approximately one car-length longer than existing 95 percentile  
8 queues. Now, this is a projection. Additionally, these queues do  
9 not extend to Arbor Lane or the location of the proposed easterly  
10 full movement access drive.

11                   Finally, the increases in delay at this  
12 intersection are mostly attributed to the background growth as the  
13 development traffic will result in approximately one percent  
14 increase in the traffic traversing the intersection. As such, this  
15 is underlined, the proposed development traffic will have a limited  
16 impact on the operations of this intersection, and no roadway or  
17 traffic control improvements will be required. Let's go to the  
18 next slide.

19                   Okay, I'm not even going to get into this because  
20 you can read this. This is Arbor Lane. There are no impacts that  
21 are going to be negative here. Just for the sake of time, let's  
22 keep going, unless you'd like me to read them. Okay, all right,  
23 let's keep going. Keep going.

1                   Going through, excuse me, don't worry about that.  
2       Northfield Road I said is A and a B, okay, so the real primary  
3       issue is at Winnetka and Happ and we talked about that. So,  
4       comparing traffic volumes with apartments and permitted uses, now,  
5       we asked ourselves, okay, let's look at what this property could be  
6       developed for under the permitted use, and let's look at what the  
7       traffic might have been or could be if we did say the apartments,  
8       okay, and we could argue on the number of units, but in this case  
9       we chose 70 because we proposed 60 to 80. Economically, you can't  
10      do apartments really at 48, it's very hard to do, certainly on this  
11      site.

12                   So, we looked at townhomes, you can see there  
13      we've got the traffic here, and then you see the traffic for  
14      apartments, 548 total, it's not all coming out at once. Then  
15      office, if I wanted office, office is a permitted use in the M-1  
16      District. We didn't conjure up 80,000 feet or 120,000 feet. We  
17      didn't conjure up a 15,000 foot footprint, three stories, complies  
18      with the height, 25,000 feet total. We can get the parking in and  
19      you get 716 trips. Now, there are some other calculations we did  
20      in manufacturing and so, but we could go nuts on that. That's not  
21      what we're proposing, but it is to give you some relative sense of  
22      what could happen. The bottom line is the proposed plan generates  
23      less than 50 percent of traffic from these alternative uses, okay.

1 Next slide.

2 All right, now this is the Village's consultant,  
3 this is not our consultant. The KLOA study follows guidelines  
4 published by the Institute of Transportation Engineers. We concur  
5 with the KLOA findings regarding existing conditions and appreciate  
6 them providing the crash history which indicates a low number of  
7 accidents in the immediate site area. Number 17, we concur with  
8 the KLOA findings regarding the development traffic evaluation  
9 components including trip distribution, site traffic generations,  
10 traffic assignments and capacity analysis results. Finally, 18, we  
11 concur with KLOA that the development will have a limited impact on  
12 traffic operations in the site vicinity and will not trigger the  
13 need for any geometric improvements on Winnetka Road at the site  
14 access drives. Next slide. We're getting there, very close.

15 19, we concur with KLOA that one inbound and one  
16 outbound lane will adequately serve the site traffic volumes at the  
17 two access locations. Existing site traffic should have stop  
18 controls, which we will, okay. Number 20, we concur that the  
19 parking supply can adequately meet the normal guest parking demand  
20 both by Village code and industry standards; however, we recommend  
21 that the developer provide a metric for off site parking to  
22 accommodate large events.

23 I've been in discussion with a nearby owner since

1 early in the summer to last spring actually. A formal agreement is  
2 before them and we have an understanding already that we'll offer  
3 certain enhancements and improvements to their property in exchange  
4 for a limited access easement that will allow for special event  
5 off-site parking during off hours. It would be unfair to present  
6 that tonight, I will not do so, nor will I name the person or  
7 entity, but we look forward to bringing it back at the next  
8 meeting.

9                   Incidentally, that sharing of parking is part of  
10 the corridor study. They talk about that and how we can make this  
11 a better place by having users who are not having a parking use at  
12 one time share it with somebody else. That's exactly what we're  
13 doing or propose to do.

14                   21, has the developer considered providing full  
15 access at the eastern site drive intersection on Winnetka Road?  
16 The low volume of turning traffic should not represent significant  
17 conflict with Arbor Lane. Providing full access will help  
18 distribute site traffic more evenly depending upon which townhome  
19 the resident lives in. It would also be very difficult to --  
20 residents from turning left illegally into and out of the eastern  
21 access even if it's the shortest travel path.

22                   So, that's exactly what we did. I talked about  
23 putting two instead of one access point in there and how people, if

1 they see there's something going on at the intersection, they turn  
2 right and go down Northfield Road. By the way, when we took out  
3 the pork chop which is that thing that restricts movement, we took  
4 that out.

5                   Number 22, the 20-foot wide private streets will  
6 accommodate the limited site traffic demands and will allow for  
7 sufficient maneuvering room for the guest parking spaces. However,  
8 a 24-foot pavement should be provided to site access intersections  
9 with Winnetka Road to assist turns in and out of the development.  
10 The site plan has been revised to provide a 24-foot pavement at the  
11 site access intersections with Winnetka Road. Next one.

12                   The 20-foot clear pavement must be maintained at  
13 all times for emergency vehicles. It is not clear how the site will  
14 accommodate delivery vehicles. I talked about that earlier. It is  
15 noted. We will have designated spaces limited to or generally to  
16 so people can come in and park and deliver, short-term parking is  
17 what we call it, 15-minute.

18                   Number 24, the fire truck turning exhibits appear  
19 to indicate there will be some encroachment. We've already  
20 addressed that by modifying some of our landscape, but the turning  
21 movements do comply.

22                   Number 25, due to the proposed speed limit of 35  
23 miles per hour on Winnetka, the proposed five ancillary parking

1 spaces on the north side are a safety concern. So, as we've  
2 already noted, these spaces are not required to comply with code  
3 and as such will be removed from the plan if requested by the  
4 Village.

5                   Finally, I think this is the last, has there been  
6 any correspondence with Cook County regarding the site access to  
7 the proposed on-street parking on Winnetka Road? The answer is  
8 yes. We have filed our application and awaiting a response.

9                   Number 27, please indicate how snow would be  
10 removed/stored on site. We have prepared an exhibit and we showed  
11 that to you already.

12                   Now, this is a statement from the Chief of Police  
13 who has reviewed all of the reports. This is simply a summary  
14 statement. It says the effect on traffic appears that it will be a  
15 minor impact on traffic. That is his statement. In fairness, he  
16 acknowledges that there is traffic at that intersection and it is a  
17 headache during the school peak hours, okay, but his conclusion  
18 with respect to what we are proposing is this statement.

19                   All right. Now, there's another issue that's  
20 been out there. As I said, we met with the Meadowlake Association  
21 board twice, at least as a group we did, and they discussed a  
22 couple of things. One of them was this idea of, not idea,  
23 apparently there has been cut-through traffic. People get stymied

1 here and they say, well, gee whiz, can't we just cut through here  
2 and go like that?

3 Well, it's a little bit curious, but apparently  
4 according to their board this happens. Guess what? We acknowledge  
5 that, we acknowledge their concern, we're not questioning it. But  
6 what we did say is, hey, you know, we've seen situations like this  
7 and we've dealt with it as follows. It's a fairly cost effective,  
8 it's very cost effective, very inexpensive and it's effective.

9 What it is is you put these types of gates in.  
10 Now, where do you put a gate like this in? There's all sorts of  
11 gates like this. But we've used them in your own Village, Fox  
12 Meadow. We just put one in at Westgate, okay, a luxury community  
13 for sale. They're designed to protect the neighborhood against  
14 cut-through traffic. Guess what may work? In this case, we looked  
15 at your plan and we said I think something right here might make  
16 sense.

17 Why here? Why not here or here? There's no way  
18 we would propose gates at your entrances. That would be a disaster  
19 for you coming in, particularly if you live here. Why would you  
20 want a gate? Same thing here, you don't want a gate here. You  
21 can't wait in this traffic -- the gate open, that's just nonsense.  
22 Okay, we did not propose that. Any insinuation or suggestion that  
23 was a solution didn't come from us.

1                   What we did suggest was a gateway here. Why  
2 here? Because you can come and go here and never use the gate, and  
3 you can come here and never use the gate. But anybody trying to go  
4 through ain't going through. Guess what, everybody gets a  
5 transponder. If you need to use the gate or you have somebody who  
6 needs to see you, these things can be controlled by transponders,  
7 they can be controlled by code, they can be controlled by a buzzer.  
8       But we've used them and they work and they're not expensive. We'd  
9 be happy to work with your association to help design a plan like  
10 this that would be out of sight for the most part and effective to  
11 deal with this issue. We get it, folks, I mean it's not something  
12 that we're trying to pooh-pooh, but we also feel there's a real  
13 solution out there that could be very helpful to you.

14                   The other part I'll say is that this gate doesn't  
15 have to be down all the time. It can be simply down during those  
16 times of school and then up when you don't need it. So, it's easy  
17 to control it and it costs you nothing. I mean this is peanuts  
18 when you spread it out over however many people.

19                   So, let's move to the next slide. So, we're  
20 willing to work with you on this. But I would never propose gates  
21 at either entrance, I think that would be a big mistake. It's not  
22 what we're representing.

23                   So, finally, traffic conclusions, this is

1 important. You've got to hear me on this, or you don't. You don't  
2 have to do anything, but I would like you to please.

3 1. The proposed development will generate a limited number  
4 of trips during the weekday morning and evening peak  
5 hours.

6 2. The development generated traffic is only approximately  
7 one percent of the traffic traversing the Winnetka  
8 Road-Happ Road intersection.

9 3. The development generated traffic will not have a  
10 significant impact on area roadways.

11 4. A reduction in density will not result in any  
12 meaningful reduction of traffic at the Winnetka-Happ  
13 Road intersection.

14 5. A reduction in density will not cause any change to the  
15 level of your service at those intersections.

16 6. Providing two full movement access drives off Winnetka  
17 Road will be adequate in accommodating the development  
18 generated traffic and will ensure that an efficient  
19 access is provided.

20 7. The proposed 80 parking spaces on site and the five  
21 parking spaces off-site will be adequate in  
22 accommodating the projected parking demand of the  
23 proposed townhome development. Strike the five spaces,

1 the 80 spaces there plus the 12 in the guest parking is  
2 sufficient, or complies with code is what I'm trying to  
3 say.

4 8. Any development of a site will involve traffic, that's  
5 a given. It's traffic, the question is how much, when,  
6 what's the intensity, what's the type.

7 9. Under the current zoning, permitted uses can involve  
8 more than two times what we're proposing.

9 10. Under current zoning, the type of traffic, for example  
10 freight, in and out deliveries, trucks, you saw some of  
11 the pictures at M-1, the frequencies with which it  
12 occurs, the distribution, could all be materially  
13 different and could impose greater impacts than what we  
14 are proposing.

15 Much of this is gleaned from our consultants, but  
16 it's not fiction, it's fact. Move to the next slide.

17 Density, this is the last part. Move to the next  
18 thing. Density is the most common objection that we hear. You  
19 heard it many times. We appreciate it, we understand it. But  
20 density is an abused word if it's not understood correctly.

21 I think what was really interesting to us and  
22 maybe interesting to you is that this chart shows you a little bit  
23 about what this neighborhood looks like today. I'll tell you what

1 it's characterized by. One, higher density residential. The  
2 average density is 14.5 units per acre. The highest is 17.5 and  
3 the lowest is 12.5. It's predominantly for sale but there is some  
4 rental next to us. All of it is old as 25 years.

5                   So, we're proposing 24 units which amounts to  
6 15.75, a skosh more than the average at 15.52. So, you know, the  
7 essence of what I'm showing you is essentially that what we're  
8 proposing is not inconsistent whatsoever with the area, okay. I  
9 also pointed out, well, whatever, let's keep going.

10                   I'm not going to quote these things because  
11 they're on the report and you're tired, I am, too. But you can go  
12 to them and it talks about density. It's not our quotes, it's the  
13 corridor study plan, but it's worth reading, okay. Keep going  
14 please. Keep going to the end, I'm not going to read these things.

15                   They will be available to each of you in the public.

16                   Now this one is worth seeing. This is the Gruen  
17 & Gruen study which is part of the corridor study. The dollars  
18 available to pay for existing property are high enough at 16 to 20  
19 units per acre to suggest the potential for redevelopment of  
20 existing uses. The 12-unit density scenario will not generate  
21 enough residual income to support the purchase of existing uses,  
22 demolition of existing improvements, and creation of new townhome  
23 uses.

1                   So, essentially, what Gruen & Gruen has done is  
2 said, hey, listen, you know, you need a certain threshold of  
3 density to make this thing work given all the other requirements,  
4 given the value of the land relative to what the market will  
5 support in Northfield, in the Northfield schools -- township, okay.  
6       Those are the realities that we dealt with when we bought the  
7 land. We started out on one premise and retreated to this because  
8 we felt it was a better program for all of our neighbors. Next  
9 slide.

10   Conclusions on density:

- 11           1.       The proposed density of 15.7 that lies at the bottom  
12                   threshold of what the Village's own consultant  
13                   concluded is necessary, that was 16 to 20 units per  
14                   acre, to make townhome development feasible for the  
15                   study area.
- 16           2.       The proposed density is entirely consistent with the  
17                   profile of the immediate multifamily communities which  
18                   have an average density of over 14.5 units per acre.
- 19           3.       The fact that the proposed 15.7 units per acre is  
20                   slightly above, but below the threshold as the  
21                   consultant said, accounts for the increased cost to  
22                   development today versus the 1980's and 90's when the  
23                   neighboring communities were completed including

1           increased plan and building costs as well as the most  
2           stringent stormwater regulations and building codes.

3                   Well, that's, you know, in a nutshell your  
4 density. We can come back and talk about it, but that's what we  
5 know. Keep going.

6                   Final thoughts, if you can, remember this. But  
7 I'm going to close on this, all right. I'm going to close by  
8 starting where I began.

9           1.     We are local long-time area residents. We aspire to  
10           enhance your neighborhood and our community and ask, we  
11           don't ask you for your trust but simply to look at our  
12           prior work. We most of all value our reputation and  
13           friendships, several of whom are with immediate  
14           neighbors and some are here tonight.

15          2.     The subject property is uniquely defined by diverse and  
16           new adjacent land use conditions.

17          3.     The proposed development is consistent with the  
18           Village's Northfield Road Corridor Plan in terms of  
19           recommended possible multifamily uses as well as the  
20           range of densities.

21          4.     By comparison with the contemplated multistory building  
22           initially presented in November, the proposed plan is  
23           lower in height and less than half the density

- 1 contemplated in that plan.
- 2 5. The proposed density is substantially consistent with  
3 the nearby multifamily communities including  
4 Meadowlake, Landmark, and the adjoining rental.
- 5 6. Any redevelopment will impose traffic. Some permitted  
6 uses, office, can impose more, substantially more  
7 traffic.
- 8 7. The proposed plan will not impose any material change  
9 in the volume of traffic or the level of service for  
10 the nearby intersections or to the community's safety  
11 in regards to access. These are the professional  
12 assessments from two respective traffic experts  
13 including the Village's own as well as the Village's  
14 Police Chief.
- 15 8. The majority of the peak traffic is school related, a  
16 use that predates substantially all of the adjoining  
17 development. This peak traffic fortunately is more  
18 discrete at relatively brief intervals occurring during  
19 the school year. The proposed development will have no  
20 impact on that.
- 21 9. The proposed development will increase tax revenues for  
22 local taxing bodies, will solve existing draining  
23 issues, will visually enhance the area, and will remove

1           the uncertain perspective of future use of the subject  
2           property.

3                         With that, I want to thank the Commission. I  
4 would like to thank the Staff. I would like you. I would to thank  
5 my staff. I'd like to thank me for getting through it, and for  
6 your patience. I sincerely mean that. With that, I submit this.  
7 Thank you.

8                         CHAIRMAN VASELOPULOS: Thank you very much. But don't  
9 step away for a moment. Sorry.

10                        MR. JAMES: No, not at all.

11                        CHAIRMAN VASELOPULOS: Because we're going to have some  
12 questions for you.

13                        MR. JAMES: Sure.

14                        CHAIRMAN VASELOPULOS: First of all, for the audience  
15 and their education, where can they find this on the internet?

16                        MR. JAMES: I will have that sent to Steve or I can  
17 create a, we can post it, I guess we can post it on our website.  
18 I'll get an answer for you for that tomorrow, okay. But I will  
19 likely tell you that we'll create a location on our website that  
20 you can go to. That website is [www.erjames.com](http://www.erjames.com), okay that's  
21 [www.erjames.com](http://www.erjames.com). We'll put a slash there and then we'll put AT&T,  
22 okay.

23                        CHAIRMAN VASELOPULOS: So, you're committing to that?

1 MR. JAMES: Oh, absolutely, yes.

2 CHAIRMAN VASELOPULOS: Okay, just so that folks may,  
3 you know, this was a tremendous presentation and tremendous detail,  
4 so we really appreciate it and appreciate everyone's patience.

5 MR. JAMES: Yes.

6 CHAIRMAN VASELOPULOS: But appreciate you going through  
7 this.

8 MR. JAMES: Thank you.

9 CHAIRMAN VASELOPULOS: I have a couple of clarifying  
10 questions and then I'll open this up to the other Commissioners,  
11 too. First of all, on the a.m./p.m. traffic studies, it just said  
12 a.m./p.m.

13 MR. JAMES: Right.

14 CHAIRMAN VASELOPULOS: Can you define the times a  
15 little bit more?

16 MR. JAMES: I'm going to have Luay Aboona from KLOA  
17 answer that question since he is the expert and I pay him to be  
18 here. He might as well say something.

19 CHAIRMAN VASELOPULOS: You were sworn in earlier?

20 MR. ABOONA: Yes, I was, thank you.

21 CHAIRMAN VASELOPULOS: State your name please.

22 MR. ABOONA: Yes. Luay Aboona, principal with KLOA.

23 CHAIRMAN VASELOPULOS: Thank you.

1 MR. ABOONA: The a.m. peak hour was between 7:15 and  
2 8:15, so a one-hour period. The evening peak hour was between 4:30  
3 and 5:30.

4 Now, we did study the, we did start our counts  
5 earlier to make sure that we capture the New Trier School traffic  
6 in the afternoon. There is a secondary peak that occurs between  
7 3:15 and 4:15, but the traffic between 4:30 and 5:30 was higher.  
8 That's why we used that as the basis for our analysis.

9 CHAIRMAN VASELOPULOS: Okay, it probably would be good  
10 to also include the 3:00, 3:15 analysis, too, in addition to the  
11 4:15, just so that people can see that.

12 MR. ABOONA: We can certainly do that. It's about five  
13 percent less than what it is at 4:30 to 5:30.

14 CHAIRMAN VASELOPULOS: It would probably be good to  
15 complete that. On the stormwater, I did not pick up where is, so  
16 everyone knows, could you articulate where the stormwater goes once  
17 it leaves the property? In which direction is it going?

18 MR. JAMES: Brett Duffy, our engineer, will answer  
19 that.

20 MR. DUFFY: Hi, Brett Duffy with SPACECO at 9575 West  
21 Higgins Road, Suite 700 in Rosemont, Illinois. There is an existing  
22 storm sewer at the southwest corner of the property where it  
23 currently drains. It's a 36-inch storm sewer. So, our outlet will

1 be at that location at the southwest corner of the property.

2 CHAIRMAN VASELOPULOS: What direction does it flow from  
3 there?

4 MR. DUFFY: It goes to the west.

5 CHAIRMAN VASELOPULOS: Where does it dump off into, do  
6 you know?

7 MR. DUFFY: I don't know where it extends to. I'm  
8 presuming it goes to the creek or the river to the west.

9 CHAIRMAN VASELOPULOS: Regarding the decision to rent  
10 versus owner occupied?

11 MR. JAMES: Yes?

12 CHAIRMAN VASELOPULOS: Can you articulate that a little  
13 bit more why you've chosen to own these and rent them out versus  
14 owner occupied?

15 MR. JAMES: Well, as I said before, I think that the  
16 nature of people's housing properties is evolving. You may know  
17 people, you may yourself be considering that, you know, I've raised  
18 my family here, I still want to stay here but I now own properties  
19 in other locations and I would just as soon rent. I can afford to  
20 buy but that involves a bigger commitment and may deploy my capital  
21 somewhere else but I can afford the rent here.

22 I think that we found that when looking at the  
23 housing stock in and around Northfield, there is nothing that's new

1 like this or offers some of these newer features and spaces and so  
2 on that we think there is a demand for. Now, is it a huge supply?  
3 No, it's not. But we do feel that there is a niche. In fact, we  
4 have a market letter from Tracy Cross that speaks to the demand for  
5 this type of program.

6 I will also echo that we felt that when you  
7 looked at this property and some of the adjoining uses, I say this  
8 with or I want to say this carefully because I don't want it to be  
9 misinterpreted. But you know, we looked at the site early on and  
10 said could you develop this for luxury housing, you know? I think  
11 people around this want to see luxury housing, I mean they want to  
12 see nice, right? When you say, well, what does luxury mean? Then  
13 you start saying, well, what's next to this, okay, and you start  
14 looking at some of the adjoining influences, okay, the ComEd, the  
15 stuff to the north in particular, okay.

16 It's a hard argument, it's harder to achieve a  
17 for sale product that would capture some of the investment costs  
18 that are going to be spent on this versus a rental program where  
19 over time with these numbers of units we can recover some of our  
20 investment over a longer period. So, in other words, on a for sale  
21 program, you're forced to capture all of your, or recover your  
22 costs at one time. Because of some of these uses that aren't so  
23 pretty, there's only going to be so much that people might be

1 willing to pay if that were going to be a for sale program.

2 Rent, people can put up with things that they  
3 wouldn't put up with otherwise. It's a fact, we've seen it. So,  
4 what I'm saying, we're going to do quality here, in fact we're  
5 going to do real quality, my rental program was not only to serve a  
6 market demand but to invest maybe a little bit more than you could  
7 afford to do on a for sale because I can recover that over time as  
8 a long-term owner. I think those combinations has to fill a need,  
9 and it does, but also my capacity to do something nicer than what  
10 the market might permit me to do, you know, in a for sale mode are  
11 the twin reasons why we approached it this way.

12 CHAIRMAN VASELOPULOS: Okay. Regarding your company's  
13 experience in managing rental property, what experience have you  
14 had? I think some of the public that has responded to this in  
15 writing prior to this meeting have raised concerns about renters  
16 versus owner occupied.

17 MR. JAMES: Sure, yes. Well, a long time ago, I say a  
18 long time ago, not that long ago, but little is known that, it is  
19 not well known that my grandfather was only an apartment builder,  
20 that's all he did. So, the company start was rental properties,  
21 okay. From that, J.S. James & Company arose, and that company has  
22 been folded into our companies, but J.S. James & Company is a name  
23 known to some people around here. At one time through the 90's, we

1 managed 6,000 to 7,000 units like this, condominiums, townhomes,  
2 and so we have ample experience in terms of managing these types of  
3 properties.

4                   The other part of this is that we own other  
5 commercial properties. So, we have experience managing income  
6 properties per se. I guess the other aspect is that every time we  
7 start a community, we are the head of the association, and so we  
8 act as the managers of that. We self-manage until we assign it to  
9 somebody else. So, you know, we understand the nuances of rental.

10                   One of the real things that I'm excited about is  
11 that I live so close to here that every morning and afternoon I can  
12 drive by and see how things are going. If I don't like something,  
13 if I see something I don't like, you know, I pick up the phone, or  
14 I get out and I take care of it.

15                   CHAIRMAN VASELOPULOS: How many developments like this,  
16 rental developments like this do you currently manage?

17                   MR. JAMES: This is going to be the first, okay, but I  
18 hope to do more of these in response to some of the changing  
19 conditions. We're finalists for a proposal in Lake Forest. That  
20 project is actually ongoing right now and we are also looking at  
21 some other opportunities that I can't speak about.

22                   But as I said before, I think that this type of  
23 use, you'll see it in other communities. You see it right now, and

1 I think it's really adding some vitality to the downtowns, whether  
2 it's Wilmette or, you know, Highland Park. There's others that  
3 have this type of housing. I think you'll see more and more of it.

4 CHAIRMAN VASELOPULOS: Okay, and finally for me at  
5 least, currently Northfield is studying the Happ Road corridor from  
6 Willow down to Winnetka. Are you familiar with that? Part of that  
7 study is looking at the intersection at Winnetka and Happ Road.

8 MR. JAMES: Yes. Yes.

9 CHAIRMAN VASELOPULOS: To improve that intersection in  
10 a variety of different ways. Have you had a chance to, are you  
11 familiar with that at all? It is still in developmental stages, a  
12 long way from  
13 being --

14 MR. JAMES: Yes. Well, what I think maybe known is  
15 that there will be a traffic light that's going to be temporary in  
16 nature installed at Happ and Winnetka. That's going to be in  
17 response immediately to the bridge construction that's on Happ  
18 Road. But in the process of doing that, they are going to be  
19 conducting independent studies to evaluate how that traffic light  
20 performs and whether or not it warrants to put a traffic signal in  
21 at this intersection. So, the answer to your question is that's my  
22 knowledge of it and we look forward to staying abreast of it.

23 CHAIRMAN VASELOPULOS: Okay, thank you.

1                   COMMISSIONER MENDREK: Steve, can you just confirm so  
2 that there is no confusion here that those are both county roads  
3 that we're talking about?

4                   MR. GUTIERREZ: Yes.

5                   COMMISSIONER MENDREK: So, we don't just waive our  
6 wands and get that traffic light?

7                   MR. GUTIERREZ: That's correct. They're both county  
8 jurisdiction, both Winnetka Road and Happ Road.

9                   COMMISSIONER MENDREK: Can I follow up with more  
10 questions?

11                   CHAIRMAN VASELOPULOS: Please, yes.

12                   COMMISSIONER MENDREK: So, in terms of the rental  
13 agreements, they will be one year minimum rentals?

14                   MR. JAMES: Yes, ma'am.

15                   COMMISSIONER MENDREK: So, nothing short term?

16                   MR. JAMES: No. No, this is, the nature of the rents  
17 at the levels they are at are going to be people who really need to  
18 be there and want to be there. We're not looking to, this isn't  
19 going to be a transient community in and out.

20                   COMMISSIONER MENDREK: So, the leasing agreement will  
21 preclude air B&B?

22                   MR. JAMES: Yes.

23                   COMMISSIONER MENDREK: Or any short-term rentals?

1 MR. JAMES: Yes, affirmative.

2 COMMISSIONER MENDREK: Okay, great.

3 MR. JAMES: Remember, we manage our associations, and  
4 so we have some of the same stipulations there to protect our  
5 residents. I think we all know, too, that some of these  
6 condominiums including the one across the street are renters there.  
7 Now, they may not be renters by, you know, doing it under the  
8 radar so to speak. So, you know, I mean we know what makes for a  
9 well-run property. As the owner of this property, we have an  
10 interest in assuring that when we open it up as a luxury nice  
11 community, that any behaviors or any people that aren't complying  
12 with the rules are out, because we have an interest in making sure  
13 that that happens to protect it.

14 COMMISSIONER MENDREK: So, it sounds as if your  
15 marketing analysis says these are empty nesters, is that fair?

16 MR. JAMES: No, not necessarily.

17 COMMISSIONER MENDREK: No?

18 MR. JAMES: No.

19 COMMISSIONER MENDREK: So, this could be, I don't know,  
20 someone who is building a mansion in wherever and needs a place to  
21 stay for a year, it could be people with small children. I mean  
22 you're not specifically targeting empty nesters, seniors.

23 MR. JAMES: No.

1                   COMMISSIONER MENDREK: You mentioned second homes and I  
2 realize that --

3                   MR. JAMES: No, no, but I mean it's funny, I'm getting  
4 to be that age, too, where I've got friends who, I don't consider  
5 myself old, I can still do stairs but I've got friends who are, at  
6 least right now, but there's going to be a variety of audience  
7 here. I think you hit on one which is people that are building  
8 owners, renovating their homes in the North Shore, adding to the  
9 value of their homes in Northfield so to speak or it could be  
10 Winnetka or what have you, they aren't going to want to go into an  
11 elevator building with their kids, all right, or themselves. They  
12 want what a town life has to offer but they don't want to be cooped  
13 up in something that's just, you know, a two-bedroom unit.

14                   We've seen that, we've heard about it. We feel  
15 that there is a robust demand for that type of person. We also,  
16 unfortunately it's true that people get divorced all the time. I  
17 was talking to one resident not far from this property, he said,  
18 oh, this is divorce age rental. You know, the fact is that there  
19 are people that want to be close to their children who would remain  
20 in a house with their mother or their father, but they want to be  
21 right near them. So, they'll live here and they need to have that  
22 space for the kids to come and go, and that works for them.

23                   You may also have corporate relocation

1 professionals that aren't going to want to get cooped up and  
2 they'll be here short term. So, I guess what I'm saying is that,  
3 you know, it's a variety of uses. I think some of the younger  
4 empty nesters, yes, there will be some of those, too. There may be  
5 some people coming, probably the city millennials, who are earning  
6 good incomes, they want to get their kids out of the city but  
7 they're not ready to put the down payment yet, okay. Or maybe they  
8 just want to try it out, they're not sure, okay, but they grew up  
9 in here and this is a nice way for them to try it out without  
10 making the commitment of a full-time purchase.

11 COMMISSIONER deLOYS: What grade school does this feed  
12 into?

13 MR. JAMES: Hoboken.

14 COMMISSIONER deLOYS: Hoboken.

15 MR. JAMES: Again, we are doing a fiscal impact study  
16 to help you and the neighbors understand how these districts are  
17 impacted, both the population and then the fiscal benefits to the  
18 north end of the Village as well.

19 COMMISSIONER deLOYS: Tell me a little more about the  
20 flex rooms. What are the limitations on that? What do people  
21 generally use that for?

22 MR. JAMES: Well, I lived in one of these for years,  
23 not years, three years. You know, a flex room can be a place to

1 work out. I had places to work out, I had my utilities down there,  
2 my laundry. That would be what I think, one use would be so people  
3 have their own little private office. It could be, I've seen  
4 people, I mean these are not dissimilar from the for sale luxury  
5 homes that we built out at the Glen and other places. People use  
6 them for a home office, they can use them for just a man cave so to  
7 speak, you know, with a big screen TV.

8 COMMISSIONER deLOYS: Windows?

9 MR. JAMES: Yes, there will be windows here, yes.

10 COMMISSIONER deLOYS: So, could people make that a  
11 fourth bedroom?

12 MR. JAMES: No, we're not planning on that being a  
13 fourth bedroom. No, not at all. There's no plans to do that  
14 whatsoever. No utilities, no, nothing is planned for that.

15 COMMISSIONER MENDREK: I have --

16 CHAIRMAN VASELOPULOS: Jerry --

17 COMMISSIONER MENDREK: I'm sorry.

18 CHAIRMAN VASELOPULOS: It's all right, let's finish out  
19 you.

20 COMMISSIONER MENDREK: This is my last one I promise.

21 CHAIRMAN VASELOPULOS: That's quite all right.

22 COMMISSIONER MENDREK: I don't have 12 more slides.

23 Worst case scenario, this doesn't get approved, what do you do?

1 What's left other than to leave it as it exists? I mean worst case  
2 scenario --

3 MR. JAMES: Sure. Commissioner Mendrek, I appreciate  
4 your asking the question because, you know, I've got a very  
5 qualified zoning attorney here in Hal Frank. But I will tell you  
6 this, that land use has a thing called highest and best use. When  
7 you find properties like this that are evidenced to be not highest  
8 and best use by their own comprehensive plan, that in and of itself  
9 is evidence prima facie that this isn't the highest and best use,  
10 and therefore, there is a case to be made for a zoning change. One  
11 of the other uses contemplated in your corridor study is to do some  
12 type of multistory building.

13 I'm sorry. Highest and best use says there is a  
14 use for property, and ownership will rightfully have the  
15 opportunity to pursue that use, okay, and to make a case for them  
16 before a village. Your own plan suggests that the highest and best  
17 use is no longer what that property is zoned and that it should be  
18 zoned residential, and that there is an argument for a either  
19 townhome or a multistory building, one or the other. We already  
20 showed you two examples. I've got one building that's planned and  
21 we can bring it back.

22 I would say okay, maybe there are some attributes  
23 to that. I've already told you why we came to this plan, but

1 that's a possibility. We own this property. Can we sell it? Yes,  
2 but I will tell you that we want to do the right thing by this  
3 community. We've proven we can do it over our last two  
4 developments. You know, I want to get the facts on paper and  
5 dispel some of the mistruths so that we can all talk about the  
6 facts and really, really understand this for what it means versus  
7 some of the alternatives.

8 But I can't answer it better than that except to  
9 say that, you know, we mean what we say and we say what we mean.

10 COMMISSIONER HIRSCH: To ride on the coattails of that  
11 if I may?

12 MR. JAMES: Yes, sir.

13 COMMISSIONER HIRSCH: Jerry, good to see you.

14 MR. JAMES: Nice to see you.

15 COMMISSIONER HIRSCH: The idea that 16 will not work,  
16 the feasibility study pointed that out; 70 to 80 and you have  
17 people with pitchforks, knives and flames coming at you. What is  
18 the number that let's say works? What number do you say this is  
19 not feasible for us to develop versus a high density development  
20 that would be obviously feasible for development?

21 MR. JAMES: Well, I would say that, you know, how do I  
22 answer that question?

23 COMMISSIONER HIRSCH: If 16 doesn't work, what's your

1 cutoff? You came up with 34.

2 MR. JAMES: Yes, we came up with 34, and I think the  
3 consultants Gruen & Gruen said that you need probably 16. With  
4 increased costs and depending on, you know, what's going on in the  
5 market, it could be 20 townhomes or 20 per acre. I've said if we  
6 can make this go at 15.75 by investing in it long term, I can  
7 recover some of those higher costs and not have to go to the 16-20  
8 units. But if you said to me go down to the mid 20's, I'd say this  
9 does not work.

10 COMMISSIONER HIRSCH: It doesn't work?

11 MR. JAMES: It does not work, no. Part of it, too, is  
12 that you have to offer, the last thing I want to do is to offer  
13 product that doesn't lease, okay. That would be a bad thing. The  
14 second thing is, you know, you've got to get it built, and I have  
15 to go, I mean I answer to you but I answer to the lenders and so  
16 on. Sometimes you get a project that's so small and you can't  
17 economically make it work.

18 Here is the thing that I, I appreciate your  
19 asking this question. What I want to impress upon everybody here  
20 is that I've already showed you that dropping off 10-20 percent of  
21 these units isn't going to have anything to do with your traffic.  
22 That's not changing, it's New Trier. There may be some things to  
23 be done like the gate and things we can work on, maybe the traffic

1 light, I don't know. But what I am suggesting to you is that  
2 taking those units away from this program, well, it cannibalizes  
3 and destroys the feasibility of it and leaves me to having to  
4 looking to something else. Whether it's pitchforks or not, it was  
5 the plan, okay, it is your plan.

6                   So, I guess we run the gamut, we run the risk or  
7 maybe we look at something else. But my point is that what  
8 dropping units does oftentimes at the margin is destroying or  
9 undermines the ability of a developer like us who wants to put  
10 extras in, who drives by and says I got the plan approved, the  
11 landscape is there. By the way, I'll give you an example. All of  
12 those columns along Hibbard that you see, you know, at Hibbard  
13 Gardens, we weren't required to do all those. I said I wanted to  
14 put them all in there because I don't just make a living out of  
15 collecting the check, I make a living out of doing something good  
16 and going home and then saying I not only nailed it but I did  
17 something right and I'm proud of it. Maybe I'll get a chance to do  
18 something else.

19                   I can't do that when you start nicking away at  
20 these units. I can't put any extras. I can't have my neighbors to  
21 the north or across the street say would you consider helping us  
22 with X, Y and Z. Maybe it's the gate. I can't do that if you chop  
23 my units out, and that's the issue here. You end up, it's a

1 counterproductive move, it has no measurable impact on what your  
2 real concerns are, but ends up degrading what I can actually do as  
3 a developer.

4                               Now, I realize that's a lot of, you know,  
5 pledges. Like I said, you know who we are, you know what we've  
6 done.

7                               COMMISSIONER HIRSCH: Again, not to send you back to  
8 board to say build us the minimum per se. 34 units, all of them  
9 three-bedroom, do I read that correctly?

10                              MR. JAMES: They're all three-bedroom, right.

11                              COMMISSIONER HIRSCH: They are all three-bedroom, okay.

12                              MR. JAMES: Yes.

13                              COMMISSIONER HIRSCH: Yet we're talking about a  
14 demographic that might be a divorcee, somebody who quite possibly  
15 is going to have children, let's say of a driving age even, empty  
16 nesters. For the sake of luxury townhome development, 83 parking,  
17 did I count that right?

18                              MR. JAMES: Yes, 83.

19                              COMMISSIONER HIRSCH: Two-car garage, five on-street.

20                              MR. JAMES: 12 onsite guest parking.

21                              COMMISSIONER HIRSCH: There won't be five on the  
22 street?

23                              MR. JAMES: Not five. There's 12.

1                   COMMISSIONER HIRSCH: Okay, no longer anything on the  
2 street?

3                   MR. JAMES: Nothing. Yes, but there are 12 spaces that  
4 are apart from the two-car garages, okay, because of guest parking.

5                   COMMISSIONER HIRSCH: In the site?

6                   MR. JAMES: Inside the site, yes.

7                   COMMISSIONER HIRSCH: Has anything been looked at for  
8 overflow in the easement areas? Have you talked to ComEd or even  
9 UP or whoever?

10                  MR. JAMES: As I said before, we talked to another  
11 party, I don't want to name the name until we can have that, but I  
12 will come back. Yes, that conversation has been more than just a  
13 conversation, there is actual agreement. So, we look forward to  
14 sharing that with you at the right time.

15                  COMMISSIONER HIRSCH: Okay.

16                  COMMISSIONER BOLLING: So, just one last time,  
17 following on the questions here. 34 is the number, 30 isn't the  
18 number, 25 is not the number. Meaning, I think you've touched on  
19 this before, but the density factor here, this doesn't work less  
20 than 34? I mean is there any possibility of a lesser density from  
21 your standpoint that would make this feasible?

22                  MR. JAMES: I would tell you that we have taken a year  
23 to study this and you never say never, Tom, or Commissioner

1 Bolling, pardon me. But I am sincere when I tell you that, you  
2 know, discussions of being in the 20's is not, I can't do it, okay.

3 It doesn't economically work given the costs. While those aren't  
4 issues that people care about, they're relevant. I can give you  
5 this statement, that our budgets, just forget the cost of the  
6 property loan, but to comply with the stormwater, to do the  
7 detention and some of the other enhancements including some of the  
8 hard scape and landscaping, is more than the cost of the property,  
9 okay, we're doubling that.

10 So, if you just do the simple math, and you can  
11 look up on your own what the cost of the property was, and divide  
12 that by the number of units and start doing your own little  
13 machinations, it's an extraordinary cost objective. But what I'm  
14 willing to bet on because of my belief in this community is my  
15 desire to do it the right way, and if you permit me a chance to do  
16 something that I think is additive for both parties, all parties.  
17 I guess that's a roundabout way of saying if there are specific  
18 concerns that you'd like us to address, that you know, maybe  
19 something this or that, we can look at that. I always look at  
20 that. I don't profess to have the best answer. Sometimes through  
21 the course of this process, we end up together landing on something  
22 that wasn't my idea but it came out of a discussion, then we could  
23 look at that.

1           But it would want to be something that goes like this,  
2 that says, well, so we dropped, you know, one or two or three units  
3 somewhere here and there, but we ended up with a better plan.  
4 Better not just because we took a pound of flesh out of the guy,  
5 that's not better and I've already told you why that's not. That's  
6 not the right way to look at it. But if there is a concrete thing  
7 we can do to enhance this for our neighbors, for us and for the  
8 people who live there, then I would say we'll look at that.

9           I can't tell you exactly what it would be, what  
10 would be the exact number but, you know, we're not here to say,  
11 hell, it's this or nothing. That's not my MO, and people should  
12 know me by now.

13           COMMISSIONER BOLLING: Well, one of the things that  
14 just comes out when I took a look at the, I have to do some  
15 additional analysis, but the Fire Department, when the fire truck  
16 goes through there, the analysis provided in the reports, they say  
17 it's tight but doable.

18           MR. JAMES: Yes.

19           COMMISSIONER BOLLING: It looks really, really tight.

20           MR. JAMES: Well, we've taken the, you know, I think my  
21 reaction to that is, this may not be the right reaction but if you  
22 start to look at your own standards and say, well, it complies but  
23 it doesn't really comply, that's a slippery slope because now if

1 that's the case, then change the standard. But otherwise, you can  
2 put residents and builders and owners kind of in a la-la land.  
3 They know what really is compliant.

4 We worked very hard to make sure that we met your  
5 standard and that's what we've done. Now, whether it's tight or  
6 not, it doesn't say that in the code. It doesn't say, well, it has  
7 to comply and it can't be tight or it needs to be this much loose.  
8 It's a very ambiguous thing.

9 COMMISSIONER BOLLING: Yes, I get it.

10 MR. JAMES: That's kind of where, it's not very  
11 objective.

12 CHAIRMAN VASELOPULOS: I'd like to follow up on what  
13 you were saying about the tightness and things. 12 interior extra  
14 spaces, right?

15 MR. JAMES: Yes.

16 CHAIRMAN VASELOPULOS: That's what the plan is.

17 MR. JAMES: Yes.

18 CHAIRMAN VASELOPULOS: I imagine some of those are  
19 going to be permanently used by people that have more than two  
20 cars?

21 MR. JAMES: No, they will not be able to. There is no  
22 permanent use of those cars.

23 CHAIRMAN VASELOPULOS: I don't mean, if someone had,

1 you can't prevent one unit from owning three cars. Or can you?

2 MR. JAMES: Well, we can.

3 CHAIRMAN VASELOPULOS: And you will?

4 MR. JAMES: Yes. I mean we can, yes, absolutely, the  
5 same way that in any rental property, if you want an extra car, you  
6 pay for it, ladies and gentlemen. It's not a freebie because it's  
7 something that's real, so absolutely.

8 CHAIRMAN VASELOPULOS: So, that's going to be part of  
9 your rental agreement?

10 MR. JAMES: Absolutely.

11 CHAIRMAN VASELOPULOS: Two cars max.

12 MR. JAMES: That is correct.

13 COMMISSIONER deLOYS: So, people will not be able to  
14 park a third car from the garage?

15 MR. JAMES: No, because that --

16 COMMISSIONER ESTABROOKE: I was just going to say the  
17 same thing. I was going to --

18 MR. JAMES: How do I --

19 CHAIRMAN VASELOPULOS: Because 12, my point would be 12  
20 just seems small if some people permanently use those outdoor  
21 spaces.

22 MR. JAMES: No.

23 CHAIRMAN VASELOPULOS: For guests and things like that.

1 MR. JAMES: No.

2 CHAIRMAN VASELOPULOS: What will potentially happen is  
3 you're going to have overflow from this 12 onto the street itself  
4 and then you've got a real issue with the emergency vehicles coming  
5 through.

6 MR. JAMES: But we are working, I would say to you,  
7 too, for one, we comply with the code. Two, we will not have  
8 permanent three-car situations there. That will be restricted.  
9 Three, we're working on that type of event, special event type  
10 overflow as the corridor plan occurs.

11 CHAIRMAN VASELOPULOS: Garbage removal, what's the plan  
12 for garbage trucks?

13 MR. JAMES: Garbage trucks come in where they normally  
14 would, the garages are there, they're on the curb. They roll  
15 through, they have no backing up, they don't require that. You  
16 know, that's why we have a two-prong access. I mean, yes,  
17 circular, you don't have to zigzag or do anything like that.

18 COMMISSIONER MENDREK: So, garbage will be handled in  
19 the traditional, you've got two containers, you take them to the  
20 curb on X day, you bring them in that night. It's not a communal  
21 garbage?

22 MR. JAMES: No. No, no, no, no, no.

23 CHAIRMAN VASELOPULOS: So, there are cans in their

1 garage and they're going to be pulling them out.

2 MR. JAMES: Yes. I mean what we're really presenting  
3 here is a luxury townhome, yes, okay. All right, anyways, thank  
4 you. We're presenting what could walk and talk as a for sale  
5 community and operate like they owned it, okay. There's nothing  
6 going to be different about this other than the restrictions like  
7 two-car. In fact, this note just says the Landmark has only two  
8 cars per resident, okay. So, you know, we'll do the same thing  
9 here and I can't not do that because then now I'm saying the one  
10 renter who's paying the same rent, by the way he's got a third car  
11 but you don't have it. That doesn't work.

12 It's for guests coming in who wants to visit,  
13 it's the delivery, that sort of thing, and then you're out.

14 COMMISSIONER BERLINGHOF: I was going two questions but  
15 since she asked another one and she said she wouldn't, that leaves  
16 me one. The only actual Village recommendation that I heard out of  
17 the report was for you to reconsider the 25 versus the 30-foot  
18 setback. Can you explain to us again, I understand why you did it,  
19 will you explain to us the size of this detention facility and why  
20 that really can't be moved back five feet?

21 MR. JAMES: Sure. Well, that's something that you  
22 asked if we could look at changes and if, you know, if that becomes  
23 the sticking point, by golly, we're going to figure out a way to

1 get that five feet back, okay. I've already explained to you why  
2 we felt that in the, yes, that enforces certain diseconomy because  
3 now we have to go deeper in that ground because I've got less  
4 width. You know, I have to get certain volume, so if I have to  
5 push it back five feet, now I've got to go deeper to capture that  
6 versus springing it out. That drives up my cost.

7                   But you know, I'm not here to sit here and say,  
8 well, you know, hey, because you'll say it, go ahead and go pound  
9 cement. So, we'll look at that, and I've already demonstrated by I  
10 feel 25 feet, I understand the setbacks, ladies and gentlemen, but  
11 I also understand that in every other place we've exceeded the  
12 minimums, in some cases significantly, for our neighbors who were  
13 really going to be impacted in those areas. That's on the east  
14 side and north side, okay. So, on the south side, that's the  
15 Winnetka frontage, and you're not going to notice five feet  
16 whatsoever.

17                   Our neighbors are far enough to the east, they're  
18 separated some 40 feet. They'll never get their views occluded,  
19 and there's nobody to our west. So, I said if there's any place  
20 where we can, you know, this is like a watch, you move one area but  
21 you've got to adjust for this. We said we'll take it out in the  
22 front.

23                   Will it be landscaped, will there be -- will

1 there be separate sidewalks going to those fronts, will there be a  
2 gate, will there be stone knee walls and so on? Absolutely.  
3 Absolutely, and on that area we can do a lot. But you know, if  
4 that's, you know, the linchpin, then I guess we'd have to look at  
5 it. I hope that answers your question.

6 COMMISSIONER BERLINGHOF: That's fine.

7 CHAIRMAN VASELOPULOS: That's it?

8 COMMISSIONER BERLINGHOF: That's it.

9 CHAIRMAN VASELOPULOS: That may be a record.

10 COMMISSIONER MENDREK: That's because I asked Todd.

11 CHAIRMAN VASELOPULOS: You asked all these questions.

12 COMMISSIONER ESTABROOKE: I was just concerned about  
13 somebody parking in front of the garages and that curtails parking  
14 --

15 MR. JAMES: That's not permitted and it was not  
16 designed that way. That's why we added 12 spaces, right.

17 CHAIRMAN VASELOPULOS: Anyone else? Connie, did you  
18 have any questions at all at this time?

19 COMMISSIONER HIRSCH: So, I do have more questions.

20 CHAIRMAN VASELOPULOS: Please.

21 COMMISSIONER HIRSCH: But they're probably better  
22 directed at the KLOA study for traffic.

23 MR. JAMES: Sure.

1                   COMMISSIONER HIRSCH: You know, I look at this as  
2 something with the potential for 78 cars, let's say, two cars per  
3 unit and it's restricted. How in fact do the age demographics  
4 there for small families with kids who don't drive who might be  
5 renters or retirees, let's say empty nesters who will certainly  
6 have two cars, how do we look at 22 extra cars coming in and out  
7 during the peak weekday morning times? How does that work?  
8 Because the way I see it is there's going to be two people of  
9 driving age who will most likely still be working or have small  
10 children renting in three-bedroom units. I don't understand the  
11 math of how only 22 would be coming and going let's say during that  
12 time.

13                   MR. ABOONA: The analysis that we did assumed that this  
14 would be a traditional community. We did not assume this to be an  
15 empty nester, so, you know, families and kids going to school. I  
16 think Jerry touched on this in his presentation. This represents a  
17 snapshot of a one-hour period, what the trip generation would be  
18 for this development.

19                                 There will be traffic generated before the peak  
20 hour and there will be traffic generated after the peak hour. So,  
21 not everybody gets up and leaves at the same time. If you look  
22 around in your subdivision and my subdivision, people leave at  
23 different times and arrive at different times.

1                   The way we do our traffic analysis and that's how  
2 it's done in the industry is we look at it at a one-hour period.  
3 We look at what the street system traffic is, we take that peak  
4 hour, and then take the peak hour from the development and then  
5 superimpose it to on top of each other and look at that as being  
6 what the design traffic conditions would be.

7                   So, will there be traffic between 6:15 and 7:15?

8                   Absolutely. Will there be traffic between 8:15 and 9:15?

9                   Absolutely. But we tend to look at the peak and not at the values  
10 in terms of the before and after.

11                  COMMISSIONER HIRSCH: Right, and I think you've done a  
12 good job picking the peak because certainly those are the hours, at  
13 least for New Trier traffic light and certainly commuter traffic.

14                  MR. ABOONA: Absolutely.

15                  COMMISSIONER HIRSCH: I'm just wondering how, you know,  
16 only 22 comes out during that time. Certainly you're not even  
17 saying out, you're saying four or that is in, outbound being 18  
18 cars.

19                  MR. ABOONA: Right. Again, these are based on studies  
20 that have been done by Institute Transportation Engineers. They've  
21 looked at, you know, thousands of units, you know, all over in  
22 terms of townhomes. We have it for townhomes, single family,  
23 apartments. So, we apply it to townhome use in this case. So,

1 again this is kind of representative of samples of studies done  
2 over the years of many units all over the country.

3 COMMISSIONER HIRSCH: Okay, thank you.

4 MR. ABOONA: You're welcome.

5 COMMISSIONER MENDREK: I think what you're saying is  
6 these are industry standards you're using. You're not just  
7 randomly pulling numbers out of the air that you're putting in  
8 this, right?

9 MR. ABOONA: Absolutely not. Yes, these are industry  
10 standards that your traffic consultant has reviewed. They rely on  
11 it, too, when they do their own studies. So, this is what we use  
12 in the industry. Whenever we have a proposed development and we  
13 have to predict or project what the traffic would be, we use that  
14 book or that source, whether it's an office, you know, Jerry  
15 presented an example of office, we do it based on square footage,  
16 you know, townhomes based on the units, and so forth.

17 COMMISSIONER HIRSCH: It's based on units, it's based  
18 on, you know, number of potential cars per unit. Is it based on  
19 the idea of, I guess the overflow of cars, the idea that everybody  
20 is going to be trying to leave at the same time? Or does it take  
21 into account any of the specifics as to the use and not just the  
22 units?

23 COMMISSIONER BOLLING: Extraordinary events?

1                   COMMISSIONER HIRSCH: Extraordinary events that, you  
2 know, might come into play. You know, is there consideration for  
3 more than 22 cars because of the age ranges and the employment of -  
4 -

5                   MR. ABOONA: Again, I mean --

6                   COMMISSIONER HIRSCH: Three bedrooms to mean that,  
7 first of all, you're going to have a hard time with just keeping it  
8 to two cars for minimum, much less the fact that they're all going  
9 to try to go out at the same time because they are getting their  
10 kids to school on time. Or going to work.

11                  MR. ABOONA: Again, I mean, I can appreciate that, but  
12 again it just simply does not happen because not every household is  
13 going to have kids, and not all the kids are of the same age. So,  
14 there is going to be a distribution of traffic. That's why perhaps  
15 you see the peak during that hour because these are the people that  
16 are trying to leave because they want to get their kids to school  
17 or they have to get to work at a certain time.

18                                But again I live in a subdivision over 120 single  
19 family homes and different age kids, you know, I leave different  
20 times of the day and, you know, you can see the spread of traffic.  
21 You don't see the line of people leaving all at the same time or  
22 arriving at the same time. It's just the nature of people's work  
23 hours, the commute, and you know, kids going to school or maybe

1 being bused and all of that. So, it's kind of, it spreads itself  
2 out.

3                   But there is no doubt that there is a peak and  
4 that's what we're trying to focus on in terms of how everything  
5 would work with the peak on Winnetka Road and the peak on Happ and  
6 then the peak coming in and out of the development.

7                   COMMISSIONER HIRSCH: Again, what I'm trying to say  
8 about the peak is that it took into account that these are people  
9 who will be driving, they're not empty nesters.

10                  MR. ABOONA: Absolutely. This is traditional, because  
11 we've done studies of empty nester projects and they generate  
12 considerably less traffic. I mean significantly less traffic  
13 simply because people are not, during the peak hours and even on a  
14 daily basis, because people are out and, you know, they're retired,  
15 they'd be traveling or snow birds. I mean it's totally traffic  
16 characteristics.

17                  In this case, we did not assume any potential for  
18 empty nesters. We said we'll look at this as a traditional  
19 subdivision with people with kids as a townhome development.  
20 That's what we applied.

21                  COMMISSIONER HIRSCH: May I ask what those percentages  
22 are?

23                  MR. ABOONA: They vary at 30 to 50 percent less in

1 terms of traffic for empty nesters.

2 COMMISSIONER MENDREK: I wonder if now might be a good  
3 time to make a motion. Does anyone, any more questions?

4 CHAIRMAN VASELOPULOS: Does anyone here have any more  
5 questions? I'd like to thank the Petitioners for their  
6 presentation, it was very thorough, and thank the audience for  
7 their quiet participation. I hope it was educational for everyone,  
8 and I hope to see everyone here in November if that's what our  
9 motion says. So, would you like to make a motion?

10 COMMISSIONER MENDREK: I would like to make a motion to  
11 -- oh, sorry.

12 MR. GUTIERREZ: That's all right. You do need a date  
13 specific, so the next date.

14 CHAIRMAN VASELOPULOS: In the motion.

15 MR. GUTIERREZ: In the motion, yes.

16 COMMISSIONER MENDREK: Yes, November 6th, correct?

17 MR. GUTIERREZ: Correct.

18 COMMISSIONER MENDREK: I was on it.

19 MR. GUTIERREZ: Sorry.

20 COMMISSIONER MENDREK: So, I would like to make a  
21 motion to continue this discussion at the November 6th Plan &  
22 Zoning Commission meeting.

23 COMMISSIONER BERLINGHOF: Second.

1 CHAIRMAN VASELOPULOS: All those in favor?

2 (Chorus of ayes.)

3 CHAIRMAN VASELOPULOS: All those opposed?

4 (No response.)

5 CHAIRMAN VASELOPULOS: The motion carries. Thank you  
6 very much, and we'll see you on November 6th. Motion to adjourn?

7 COMMISSIONER HIRSCH: I make a motion to adjourn.

8 CHAIRMAN VASELOPULOS: Second?

9 COMMISSIONER ESTABROOKE: Second.

10 CHAIRMAN VASELOPULOS: All those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN VASELOPULOS: All opposed?

13 (No response.)

14 CHAIRMAN VASELOPULOS: The motion carries, we're now  
15 adjourned. Thank you for your patience.

16 (Whereupon, at 9:29 p.m., the above meeting was  
17 adjourned)

18

19 APPROVED 10/2/17

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1 STATE OF ILLINOIS )

2 ) SS.

3 COUNTY OF COOK )

4

5 I, ROBERT LUTZOW, depose and  
6 say that I am a digital court reporter doing  
7 business in the State of Illinois; that I  
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9 and that the foregoing is a true and correct  
10 transcript to the best of my knowledge and  
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ROBERT LUTZOW

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17 BEFORE ME THIS \_\_\_\_\_ DAY OF

18 \_\_\_\_\_, A.D. 2017.

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