

PLANNING & ZONING MEETING
PUBLIC HEARING CONTINUATION
September 30, 2024

At 7:05p.m., September 30, 2024, in the boardroom of the Village Hall, chairwoman, Maria Lewis called to order the meeting of the Planning & Zoning Board. Roll call-members; Walt Mahaffay, Jill Breneman, Brad Littleton, Amanda Burns, Maria Lewis and Trustee Pam Noffsinger. Absent; Jason Peters and Mayor Spesia. Also in attendance were, Trustee Bill Mincey, Kyle Watson, building official, Attorney Mark Heinle and village administrator Matt Fritz.

Lewis explained this is the continuation of the Public Hearing for North Arrow Partners for Hunters Run 44 Unit Senior Housing Development.

Linda Sula, Deputy Clerk swore in a resident from the audience.

John Cronin with North Arrow Partners reiterated to everyone the companies proposal to bring a 44 Unit Senior Housing Development to Coal City. Cronin explained this development is restricted to seniors who are 55 years of age or older and no children will be allowed to reside there but can visit. A restricted covenant was submitted for review. Cronin also explained for the accessible units they have a designated State Referral Network (SRN), which assists placing residents in the state that happen to be in a nursing home or have a disability and give them the opportunity to live in new fully accessible homes. It is required to maintain this opportunity however, if no one applies for this they will be leased to others.

Allen Martis, 610 S. Mazon

- (a) State or Federal Funding
- (b) Local Preference
- (c) Has North Arrow had other projects like this

Krug requested elaboration on the perpetuity in the restricted covenant document presented. Attorney Heinle explained the legalities, which a development can't be built stating no kids are allowed there are protections against this. However, the Housing Older Persons Act (HOPA) assists with allowing seniors separate housing from younger persons. Heinle also explained the covenant would run with the land and be enforceable by Owner, the Village, and all respective successors and heirs.

Littleton questioned if a tornado came through and the project gets grounded will this be built back as it was meant to be used before this. Fritz and Heinle responded it would be rebuilt if the money was there to do so.

Breneman wanted to know if the developer was to go bankrupt or abandon the property would the covenants still run with the land. Heinle reiterated it would go to any successors assigned.

Mahaffay questioned whether or not the Tenant Selection Plan from their Sugar Creek Crossings

development would be almost identical for Coal City. Cronin stated it would be pretty similar. Mahaffay questioned the utilization of the word “partner” within the recitals on the Restrictive Covenant; as this provision could potentially allow someone to bring anyone into the home under 55 to live with them. Heinle looked into the Illinois Human Rights Act; it does not allow any terms to distinguish marital status meaning the current language reflects adopted law..

Lewis asked Fritz if there was adequate information for this board to determine the recommendation to move forward to the Village Board.

Fritz went through items of consideration or Findings of Fact for which this board could make a determination. The items considered were: Superior Design, Meets Planned Unit Development Requirements (PUD), Consistent with the Village Comprehensive Plan, Public Welfare, Compatible with Environs, Natural Features, Circulation, Open Space and Landscaping, Covenants, Public Services and Phasing. Fritz also presented to the board recommendations to which could assist with positively recommending the adoption of the PUD to the Village Board.

The board briefly had a discussion of what should be added to move the recommendation forward to the Village Board.

Mahaffay asked the audience if those who were in favor of the project to raise their hands and those who were opposed. There was no one in the audience who opposed the project.

Sula swore in additional residents, which had a question for the developer.

Bart Bozych, 805 Pheasant Lane

- (a) How much will rent be
- (b) School or City fees being paid by Developers

Al Farcus, 135 W. Maple

- (a) Environmental Impact – Detention pond

Timothy Hejny, village engineer stated that the Will County Storm Ordinance for Runoff water was adopted by the village so this will address the water issue. Lewis stated the issues with the additional water being added will be addressed and fixed.

Lewis suggested the prepared motion - positively recommended the PUD subdivision request as proposed conditioned upon 1) the petitioner recording the proposed and final plat as provided within Exhibit A in a timely manner; 2) recording the restrictive covenants provided within Exhibit B; 3) constructing the dwelling units and improvements in line with those detailed, discussed, and provided to the plan Commission within the construction drawings provided within Exhibit C; 4) submit the Phase 2 environmental report for Lot 2 as a condition precedent of final approval; and 5) entering into a Redevelopment Agreement with the Village Board of Trustees concerning the requirements, provisions,

and allowances by which the residential units shall be constructed to include the recording of a backup SSA upon the subdivision.

Cronin raised a question regarding the SSA and stated he would like to address this with his development team and attorneys. Fritz explained previous materials submitted by Cronin spoke of the SSA and that the SSA would occur. Currently, the final form of all documents has not been concluded.

Heinle explained to everyone what an SSA is utilized to clarify why it has been added.

Mahaffay moved to positively recommend the adoption of the Planned Unit Development, second by Burns. Roll call-Ayes; Mahaffay, Breneman, Littleton, Burns, Krug, Lewis and Noffsinger. Nays; none. Absent; Peters. Motion carried.

Lewis asked if the ordinance would be adopted at the next Planning & Zoning Board meeting on October 7th. Fritz indicated he and Heinle would look over the Findings of Fact and make sure everything has been added prior to going to the Village Board.

Burns moved to adjourn the meeting, second by Breneman. All were in favor and meeting ended at 7:49p.m.

A handwritten signature in cursive script that reads "Linda Sula".

Linda Sula, Deputy Clerk