

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Fourth Amendment to the Final PUD
900 N. Prince Crossing Road
Wheaton Academy

Ordinance No. 18-O-0005

AGENDA ITEM NUMBER: 5.A.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Jan. 8, 2018**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Wheaton Academy is requesting approval of a fourth amendment to the final PUD of their property located at 900 N. Prince Crossing Road, which is at the northwest corner of Prince Crossing Road and Hawthorne Lane. The proposed PUD amendment entails increasing the number of night games allowed on the main athletic field.

Wheaton Academy was annexed into the City and granted a special use in 1987. In 1997 the original special use was amended to include an expansion of the campus facilities. In 2000 the special use was amended again to include further campus improvements. In 2001 Wheaton Academy was granted a PUD to provide greater zoning flexibility with respect to their continual goal of enhancing/improving their campus. In 2003 a first amendment to the PUD was granted for further campus improvements. In 2004 a second amendment to the PUD was granted to add lighting to their main athletic field. In 2015 a third amendment was granted to adopt a master campus buildout plan and increase the lighting usage on their main athletic field from twenty (20) night games to thirty (30) night games.

In 2004 Wheaton Academy received approval as part of the second amendment to their final PUD to install four (4) light poles, each seventy (70) feet tall, to illuminate their main athletic field. That approval included conditions specifically related to the use of these lights. In 2015 Wheaton Academy received approval to amend the usage of the main athletic field lights. That approval included the following six (6) conditions specifically related to the lights:

1. The athletic field lights and tennis court lights shall be maintained and inspected annually by a lighting consultant to ensure the aiming angles or light intensity has not deviated from the approved design plans. Proof of such inspection shall be submitted to the City's Community Development Department. The lights shall also be inspected upon a reasonable complaint of a suspicion that the lights have deviated from the approved design plans.
2. The athletic field lights shall be turned off by 9:00 p.m. on Sunday through Thursday nights and by 10:00 p.m. on Friday and Saturday nights for any game related usage, or within thirty (30) minutes of a game completion or cancellation, whichever is earlier. The parking lot lights shall be turned off by midnight.

3. The athletic field lights shall only be utilized Monday through Friday for any practice usage and shall be turned off by 9:00 p.m., or within thirty (30) minutes of a practice completion or cancellation, whichever is earlier.
4. The athletic field lights shall be utilized no more than thirty (30) times per academic year for any game related usage, not including any day use of the lights used to reduce the light intensity to the maintained illumination levels. There shall be no limitation on the number of times the athletic field lights may be utilized per academic year for any practice related usage, subject to compliance with condition # 3.
5. There shall not be any night games held on any night during which any other high attendance activities are held on the campus until such time that all of the parking proposed on the PUD Plan prepared by Jaeger Nickola Kuhlman & Associates, Ltd., dated December 8, 2014, is installed and approved by the City.
6. In the event Wheaton Academy violates any of the conditions set forth herein, on one (1) or more occasions in any academic year, or Wheaton Academy fails to cure any violation for which notice has been given, as provided for above, the City Administrator, or his designee, with input from the Plan Commission, is granted the exclusive authority to suspend the use of the lights at the athletic field, for a designated period of time, commensurate with the aggregate number of violations issued since the date of the granting of this PUD amendment provided for herein. The suspension date(s) may be determined by agreement between Wheaton Academy and the City Administrator, or his designee. Any suspension of the use of the lights in excess of one (1) evening game may be appealed directly to the City Council.

As part of the current PUD amendment, Wheaton Academy is requesting approval to increase the maximum number of times they would be permitted to utilize the existing athletic field lights for games from thirty (30) to forty-five (45) per academic year (see existing condition # 4). The requested increase in usage is due to the fact that the Illinois High School Association (IHSA) recently approved the new sport of lacrosse and expanded the number of games played for boys and girls soccer by six (6) games each. The requested increase of fifteen (15) additional night games is to accommodate these new schedules for lacrosse and soccer. If approved, the revised sports schedules would be implemented by Wheaton Academy for the spring of 2018 sports season.

City staff is recommending that, if the requested PUD amendment is approved, the aforementioned six (6) conditions relating to the lighting and athletic field usage be carried forward in their entirety with condition # 4 amended to accommodate the increase in night games to forty-five (45) total games.

At its January 3, 2018 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the requested fourth amendment to the final PUD, as presented, by a (5-0) vote. Their recommendation is included as Exhibit "B" of the attached ordinance.

One resident objection letter, from William Bowers of 873 Academy Lane, was received by City staff and read into the record at the January 3rd Plan Commission meeting. A copy of Mr. Bowers letter is attached. In an attempt to address Mr. Bowers concerns, on January 3rd Wheaton Academy submitted proposed language to City staff amending conditions 2-4 in an attempt to clarify what is considered game and practice related field usage. A copy of this draft language is attached. Due to the timing of Wheaton Academy's submittal of this draft language City staff has not had the opportunity to fully evaluate and provide commentary. One of the factors City staff would like to evaluate prior to providing any feedback on Wheaton Academy's draft language is reviewing the zoning file from the

third PUD amendment in 2015 to ascertain what was the actual or perceived use of the field and lights with respect to entities other than Wheaton Academy. Wheaton Academy Headmaster Gene Frost is of the understanding that the lighting limitations only apply to Wheaton Academy related athletics and that there are no limitations on third party field and lighting usage with respect to how often the field lights are utilized.

ACTIONS PROPOSED:

Consideration of a fourth amendment to the final PUD for Wheaton Academy.

COMMITTEE RECOMMENDATION:

William M. Bowers
873 Academy Lane
West Chicago IL 60185

12/28/2017

City of West Chicago Plan Commission/Zoning Board of Appeals:
475 Main Street
West Chicago IL 60185

City of West Chicago Plan Commission/Zoning Board of Appeals:

The purpose of this correspondence is express my concern about the notification and date set for an appeal by Wheaton Academy to "expand the night time use of their athletic fields". Their notice letter gives a vague and a woefully inadequate description of their intentions. I did not receive my notice letter from Wheaton Academy until just days before the Christmas holiday. The date for the hearing was set for January 3rd. This notice and the timing for the hearing is inadequate when you consider the holiday travel and family commitments already made before receipt of this notice. I know many of my neighbors affected by the decisions that will come from this hearing are unavailable to participate do to the short notice and untimely scheduling of this hearing. I see this as a strategy being used by Wheaton Academy to minimize opposition to their desired goal. I would like to request a postponement of this hearing and notice letters sent providing a longer notification period with a more detailed description of Wheaton Academy's intentions.

The city of West Chicago approved a request form Wheaton Academy to extend the use of the athletic field lighting for practice purposes in 2015. The lighting is to be off by 9:00 p.m. Wheaton Academy allows the extensive use of their athletic fields to organizations other than their own team use. I assume this is a revenue generating activity for them. This activity is so extensive that their fields are used to a greater extent by these other activities over and above their own athletic team practices and games. This appears to have led to abuse of the liberty the city of West Chicago has given Wheaton Academy for their lighting use. The past fall high school season had come to an end, but I notice the Academy field lights were still in regular use. I walked over one evening to inquire as to the purpose and was informed that what I was watching was an alumni soccer game. A few days later I happened by the field as the lights were on and observed some type of half field men's soccer tournament. Both of these occasions were outside the restrictions out lined in ordinance no. 15-O-0010 and are both clear violations.

Instead of using the main lighted field for early and late practices, Wheaton Academy uses it's grass fields along with their stadium field so their student athletic teams all practice at the same time immediately after the school session is complete. There is no need for lights to remain on until 09:00 p.m. for practice purposes. Late fall and early spring I would understand a 5:00 or 5:30 p.m. lighting need, but anything after that is clearly abusive.

If the City of West Chicago sees fit to grant permission for additional night games, due to the addition of the Lacrosse team, then I would expect this practice lighting issue be revisited and daily use to be eliminated. I would also wish to see a component added to the ordinance that would allow for some enforcement of light restrictions at the Academy. Perhaps they should be required to add a lighting schedule, that outlines light usage, on their website. This would assist home owners to determine when there are activities that are in violation of the ordinance and then could be reported to the city. I would also like to see some process put in place that residents would use for reporting violations to the City of West Chicago to achieve timely follow up.

Thank you for your consideration in the matter.

A handwritten signature in cursive script, appearing to read "William M. Bowers".

William M. Bowers

In order to clarify what Wheaton Academy intended in the original wording of the ordinance, we would recommend the following changes to the wording:

ORDINANCE No. 15-O-0010

Section 1, Paragraph 3: add in parentheses "all IHSA scheduled games" following "game related usage". Paragraph 3 will then read: "The athletic field lights shall be turned off by 9:00 p.m. on Sunday through Thursday nights and by 10:00 p.m. on Friday and Saturday nights for any game related usage (all IHSA scheduled games) or within thirty (30) minutes of a game completion or cancellation, whichever is earlier. The parking lot lights shall be turned off by midnight."

Section 1, Paragraph 4: replace the word "practice" with "non-game related usage" and replace "practice usage" with "non-game related usage". Paragraph 4 will then read: "The athletic field lights shall only be utilized Monday through Friday for any ~~practice~~ non-game related usage and shall be turned off by 9:00 p.m., or within thirty (30) minutes of a ~~practice~~ non-game related usage completion or cancellation, whichever is earlier.

Section 1, Paragraph 5: add in parentheses "all IHSA scheduled games" following "game related usage". Change the word "practice" to "non-game related". Paragraph 5 will then read: "The athletic field lights shall be utilized no more than thirty (30) times per academic year for any game related usage (all IHSA scheduled games), not including any day use of the lights used to reduce the light intensity to the maintained illumination levels. There shall be no limitation on the number of times the athletic field lights may be utilized per academic year for any ~~practice~~ non-game related usage, subject to compliance with condition #4."

Possible explanation if needed:

The changes will clarify that there are only two kinds of usage of the field, namely, IHSA game usage (which will be posted on our website) and non-game usage. This was the intended meaning of the word "practice," namely, any activity that was not an IHSA scheduled game. Wheaton Academy has always made its fields available to our students and alumni, as well as to other non-profit community recreational groups, such as the local park districts, clubs including the Timber Lakes soccer program, etc.

Wheaton Academy took pains to explain at the time this ordinance was created that the field lights could be on most nights Monday-Friday from spring to fall in order to accommodate a wide range of usage. We also explained that we would be renting the field to other non-profit groups. Finally we also assured our neighbor that the lights would be off Saturday and Sunday for any non-game usage.

In summary, this proposed wording would clarify the usage of the field into the two originally intended categories, namely, game related usage and non-game related usage.

ORDINANCE NO. 18-O-0005

AN ORDINANCE APPROVING A FOURTH AMENDMENT TO THE FINAL PUD FOR WHEATON ACADEMY - 900 N. PRINCE CROSSING ROAD

WHEREAS, on or about November 14, 2017, Wheaton Academy (the "APPLICANT"), filed an application for a fourth amendment to the final Planned Unit Development (PUD) for the property legally described on Exhibit "A", which is attached hereto and incorporated herein as the "SUBJECT REALTY"; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a special use for school on the SUBJECT REALTY upon annexation by Ordinance No. 1987-O-1988 on September 8, 1987; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a first amendment to the special use for the SUBJECT REALTY by Ordinance No. 1997-O-3073 on March 17, 1997; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a preliminary PUD for the SUBJECT REALTY by Ordinance No. 2000-O-4317 on July 10, 2000; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a final PUD for the SUBJECT REALTY by Ordinance No. 2001-O-0043 on July 2, 2001; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a first amendment to the final PUD for the SUBJECT REALTY by Ordinance No. 2003-O-0045 on July 26, 2003; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a second amendment to the final PUD for the SUBJECT REALTY by Ordinance No. 2004-O-0046 on May 17, 2004; and,

WHEREAS, the corporate authorities of the City of West Chicago approved a third amendment to the final PUD for the SUBJECT REALTY by Ordinance No. 2015-O-0010 on March 16, 2015; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about December 15, 2017, all as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago, commencing on January 3, 2018, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of their application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals for the fourth amendment to the final PUD which contains specific findings of fact, pursuant to Recommendation No. 18-RC-0003, a copy of which is attached hereto as Exhibit "B" which is, by this reference, incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, DuPage County, Illinois, in regular session assembled, as follows:

Section 1. A fourth amendment to the final PUD in conformance with Sections 5.5 and 15 of the Zoning Ordinance is hereby granted for the SUBJECT REALTY, subject to compliance with the following conditions:

1. Conditions 1 through 4 and 6 through 16, as set forth in Section 1 of Ordinance 15-O-0010 approving the third amendment to the final PUD are hereby carried forward in their entirety and remain in full force and effect.
2. Condition 5, as set forth in Section 1 of Ordinance 15-O-0010 approving the third amendment to the final PUD is hereby amended to read as follows: "The athletic field lights shall be utilized no more than forty-five (45) times per academic year for any game related usage, not including any day use of the lights used to reduce the light intensity to the maintained illumination levels. There shall be no limitation on the number of times the athletic field lights may be utilized per academic year for any practice related usage, subject to compliance with condition # 4.

Section 2. That all ordinances and resolutions, or parts thereof, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this ____ day of _____ 2018.

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman Ferguson	_____
Alderman Birch Ferguson	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Alderman M. Garling	_____
Alderman R. Stout	_____	Alderman G. Garcia	_____
Alderman N. Ligino-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form: _____
Patrick K. Bond, City Attorney

APPROVED this ____ day of _____ 2018.

Mayor Ruben Pineda

ATTEST:

City Clerk Nancy M. Smith

PUBLISHED: _____

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

A PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING A POINT IN THE EAST LINE OF THE LAND NOW OR FORMERLY OWNED BY ROBERT BENJAMIN IN THE CENTER OF A HIGHWAY AT A POINT 539.2 FEET SOUTH OF THE INTERSECTION OF THE CENTER LINE OF SAID HIGHWAY WITH THE SOUTH LINE OF THE CHICAGO GREAT WESTERN RAILWAY; THENCE NORTHWESTERLY 440 FEET ON A CURVE TO THE RIGHT WITH A RADIUS OF 5679.6 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE CENTERLINE OF SAID HIGHWAY 75 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTH LINE OF SAID RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD TO THE CENTER OF SAID HIGHWAY; THENCE SOUTH ALONG THE CENTERLINE OF SAID HIGHWAY 75 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34 AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 1075.13 FEET TO AN ARC THAT IS CONCENTRIC WITH AND 8.85 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE NORMAL 100 FOOT RIGHT OF WAY OF THE ILLINOIS PRAIRIE PATH (FORMERLY THE CHICAGO, AURORA AND ELGIN RAILWAY COMPANY RIGHT OF WAY); THENCE WESTERLY ALONG SAID ARC, BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5720.75 FOR A DISTANCE OF 53.82 FEET TO THE WESTERLY LINE OF PRINCE CROSSING ROAD AS PER DOCUMENT R2000-160734 FOR A PLACE OF BEGINNING; THENCE CONTINUING WESTERLY ALONG SAID ARC, 160.91 FEET; THENCE NORTHERLY ALONG A LINE WHICH FORMS AN ANGLE OF 122 DEGREES 04 MINUTES MEASURED FROM NORTH TO EAST WITH THE LONG CHORD EXTENDING FROM THE INTERSECTION OF SAID ARC WITH SAID EAST LINE OF SECTION 34, 26.85 FEET; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 125 DEGREES 31 MINUTES 30 SECONDS, MEASURED FROM SOUTH TO WEST WITH THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 77.2 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2435.0 FEET, THE LONG CHORD OF WHICH FORMS AN ANGLE OF 182 DEGREES 01 MINUTES MEASURED THROUGH NORTH, FOR A DISTANCE OF 141.43 FEET; THENCE NORTHERLY PARALLEL WITH SAID EAST LINE OF SECTION 34, 21.0 FEET TO THE NORTHERLY LINE OF SAID 100 FOOT RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE, BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 5679.6 FEET, FOR AN ARC DISTANCE OF 386.21 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF PRINCE CROSSING ROAD; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, 43.57 FEET TO THE PLACE OF BEGINNING, IN WAYNE TOWNSHIP, DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 3:

A 100 FOOT STRIP OF LAND LYING SOUTHERLY AND ADJACENT TO PARCEL 1, EXCEPTING THEREFROM PARCEL 2 IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 4:

LOT 1 IN FINAL PLAT OF SUBDIVISION FOR WHEATON ACADEMY, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 27, 2007 AS DOCUMENT NO. R2007-056235, IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 5:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 21 MINUTES 38 SECONDS EAST (BEARINGS ASSUMED FOR DESCRIPTION PURPOSES), 1490.36 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHERLY LINE OF THE FORMER STATION SITE OF THE CHICAGO, AURORA AND ELGIN RAILROAD; THENCE WESTERLY, 440.94 FEET ALONG SAID NORTHERLY LINE, BEING ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 5610.76, THE CHORD OF SAID CURVE BEARING NORTH 69 DEGREES 09 MINUTES 04 SECONDS WEST TO THE NORTHWEST CORNER OF SAID STATION SITE; THENCE SOUTH 00 DEGREES 49 MINUTES 04 SECONDS EAST, 75.27 FEET ALONG THE WEST LINE OF SAID STATION SITE TO THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE WESTERLY, 300.00 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE, BEING ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 5679.65 FEET, THE CHORD OF SAID CURVE BEARING NORTH 65 DEGREES 41 MINUTES 40 SECONDS WEST TO THE POINT OF BEGINNING; THENCE CONTINUING WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE, 724.16 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 05 MINUTES 39 SECONDS EAST, 46.99 FEET ALONG SAID WEST LINE TO THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY, FORMERLY THE RIGHT OF WAY OF THE CHICAGO GREAT WESTERN RAILROAD; THENCE SOUTH 83 DEGREES 57 MINUTES 04 SECONDS EAST, 668.91 FEET ALONG SAID SOUTHERLY LINE TO A POINT THAT IS 649.69 FEET WESTERLY OF THE EAST LINE OF SAID NORTHEAST QUARTER, AS MEASURED ALONG THE SOUTHERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY; THENCE SOUTH 06 DEGREES 02 MINUTES 56 SECONDS WEST, 334.40 FEET PERPENDICULAR TO THE LAST DESCRIBED COURSE TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 6:

THAT PART OF THE FORMER CHICAGO, AURORA AND ELGIN RAILROAD RIGHT OF WAY IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 21 MINUTES 51 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 1118.00 FEET TO THE NORTH LINE OF THE 100 FOOT WIDE FORMER CHICAGO, AURORA AND ELGIN RAILROAD RIGHT OF WAY; THENCE WESTERLY, ALONG SAID NORTH LINE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5679.40 FEET, AN ARC DISTANCE OF 440 FEET TO THE PLACE OF BEGINNING; THENCE WESTERLY ON SAID NORTH LINE AN ARC DISTANCE OF 975.08 FEET TO A LINE WHICH IS 40.68 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 59 SECONDS WEST, ON SAID PARALLEL LINE, A DISTANCE OF 118.16 FEET TO THE SOUTH LINE OF SAID 100 FOOT WIDE FORMER RIGHT OF WAY; THENCE EASTERLY ON SAID SOUTH LINE, HAVING A RADIUS OF 5779.40 FEET, AN ARC DISTANCE OF 971.37 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 51 SECONDS WEST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 108.56 FEET TO THE PLACE OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

P.I.N.'S: 01-34-401-022, 01-34-401-024, 01-34-401-026, 01-34-401-027, 01-34-401-028.

EXHIBIT “B”

RECOMMENDATION NO. 18-RC-0003

TO: The Honorable Mayor and City Council

SUBJECT: PC 17-13
Fourth amendment to the final PUD for Wheaton Academy
900 N. Prince Crossing Road

DATE: January 3, 2018

DECISION: The motion to approve the fourth amendment to the final PUD request unanimously passed (5-0).

RECOMMENDATION

After review of the requested fourth amendment to the final PUD, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval based on the following standard:

Per Section 15.3 of the Zoning Ordinance: “...if the final plan is, in the opinion of the [Plan Commission], deemed to be sufficient, in compliance with all applicable city ordinances and in substantial conformity with the approved preliminary plan, it shall be approved by the [Plan Commission] and recommended to the city council”. The proposed fourth amendment to the final PUD is intended to alter the maximum allowable usage of the athletic field and its lights for night games. The proposed PUD amendment does not have any proposed impact on the master campus plan improvements previously approved in 2015.

Respectfully submitted,

Barb Laimins
Chairman

VOTE:

For

B. Laimins
D. Faught
D. Kasprak
T. Devitt
C. Dettmann

Against

Abstain

Absent

M. Schafer
S. Hale

CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Conceptual Review of Adding Used Automobile Sales and Service as an allowable use in the B-2 and B-3 Zoning Districts

AGENDA ITEM NUMBER: 5. B.

FILE NUMBER: _____

COMMITTEE AGENDA DATE: Jan. 8, 2018

COUNCIL AGENDA DATE: _____

STAFF REVIEW: Tom Dabareiner, AICP

SIGNATURE _____

APPROVED BY CITY ADMINISTRATOR: Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

In 2002 the City amended the Zoning Code to only allow used automobile sales ancillary to a new automobile sales dealership, thus eliminating the possibility of any new stand alone used automobile dealerships in the City and rendering all of the existing used automobile dealerships legal non-conforming. Since 2002 all of the existing legal non-conforming used automobile dealerships have gone out of business with the exception of Reliable Wheels, which is located at 1280 W. Roosevelt Road. In 2009 the City's Chevy dealership closed and Haggerty Ford, which at the time was located at 601 W. Roosevelt Road, relocated to the former Chevy dealership site at 330 E. Roosevelt Road. The former Ford dealership site at 601 W. Roosevelt Road has been vacant ever since and has been in a continual state of disrepair. The Recession also caused a major shift in the dynamics of the automobile sales industry resulting in the proliferation of used automobile dealerships that tend to cater to the higher end used car market.

In 2012 the Development Committee informally discussed amending the Zoning Code to once again allow used automobile sales in the B-2 and B-3 zoning districts. This discussion topic originated from a potential used automobile dealership that showed interest in the 601 W. Roosevelt Road site, which is currently zoned B-2. At that time the Development Committee indicated support of a text amendment to the Zoning Code to allow "Used Automobile Sales and Service" as a special use in the B-2 and B-3 zoning districts in conjunction with the following use restrictions:

- A minimum lot area of two acres
- A minimum lot width of 300 feet
- A minimum building area of 10,000 square feet

However, the formal text amendment never came to fruition as the party interested in 601 W. Roosevelt Road ultimately chose to no longer pursue the site. The 601 W. Roosevelt Road site is 3.2 acres in area, has a lot width of 300 feet, and has an existing 29,000 square foot building on-site.

City staff now has another used automobile dealership (Luxury Car Outlet or "LCO") interested in the 601 W. Roosevelt Road site. LCO is respectfully requesting re-evaluation of this Zoning Code amendment concept given the proposed use is still to date prohibited by Code and the length of time (5 years) since the concept was previously discussed by the City's elected officials. Attached is an informational packet from LCO outlining who they are and what their desired pursuit of the 601 W. Roosevelt Road site entails. City staff would like to acknowledge that only on-site automobile sales would generate sales tax revenue for the City. Internet based sales are taxed to the point of sale

where the customer is located. It is also City staff's understanding that a significant portion of LCO's sales revenue is internet based.

Please note that while LCO's presentation is exclusive to the 601 W. Roosevelt Road site, the requirement text amendment to the Zoning Code needed to make LCO's plans a reality would affect ALL property zoned B-2, as well any other property in other zoning districts (i.e. B-3) that may be included in the text amendment.

ACTION PROPOSED:

Conceptual review and commentary of adding used automobile sales and service as an allowable use in the B-2 and B-3 zoning districts.

COMMITTEE RECOMMENDATION:



PROPOSED LOCATION:

601 W ROOSEVELT RD

WEST CHICAGO, IL.

ABOUT LUXURY CAR OUTLET

- In Business At current location for over 20 years.
- Employee Loyalty, same employees for 10 years (Current ownership)
- Aggressive pricing Model.
- Specializing in Luxury Brands only. (Audi, BMW, Land Rover, Mercedes, etc.)
- Transparent and non aggressive sales approach.
- Excellent on-line reviews.
- Over \$2,000,000 in Luxury high end inventory.
- All vehicles are reconditioned to near new condition.
- Financing at competitive rates and Extended warranties available.
- Customer base encompasses the entire Chicago Metro Area.

CURRENT LOCATION - LOMBARD



RENOVATIONS

- Modernize building exterior. (ex: Replace cedar soffit with metal panels or Dryvit).
- Open concept, Modern Show Room.
- Modern Glass Offices, Multiple Lush customer lounges with complementary beverages.
- Indoor Auto Display.
- State of The Art Service Department.
- Resurface, parking lot.

PROJECTED SALES

	Monthly	12 Month
Revenues:		
Avg. Price per car	\$25,000	\$25,000
Pre-owned Units Sold	50	600
Total Sales	\$ 1,250,000	\$15,000,000

Current Inventory is at 100 cars. New inventory level at 150 cars.

EMPLOYEE PROJECTION:

- 1 General Manager
- 1 Sales Manager
- 1 Finance Manager
- 3 sales people
- 2 receptionists/cashier.
- 1 Service Manager
- 4 technicians
- 4 porters/detailers
- 1 Title clerk
- 1 body shop manager (future)
- 2 body Technicians (Future)
- 2 Paint Technicians (Future)

CURRENT CONDITION



PROPOSED RENDITION



PROPOSED RENDITION



CITY OF WEST CHICAGO

DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Conceptual Review of Assisted Living / Memory Care Facility - located approximately at southeast corner of Hillview and Easton

AGENDA ITEM NUMBER: 5.C.**FILE NUMBER:** _____**COMMITTEE AGENDA DATE:** Jan. 8, 2018**COUNCIL AGENDA DATE:** _____**STAFF REVIEW:** Tom Dabareiner, AICP**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Newhaven Management LLC has acquired an interest in 5.5 acres of land in West Chicago, located approximately at the southeast corner of Hillview and Easton, with the intent of building an assisted living and memory care facility. The facility would consist of 150 units with 15 senior living apartments, 60 assisted living apartments and 75 memory care apartments. The project would cost about \$12 million and take about 18 months to construct. Newhaven's development team includes physicians and investors and operators who would provide and supervise the medical care at the facility. The construction company selected by Newhaven has experience building assisted living facilities.

The need for assisted living and memory care has grown dramatically in recent years, with the 75+ year old age group projected to increase over the next 20 years. Senior housing supply is moving towards providing both needs based and lifestyle choice approaches. Newhaven would respond to these choices. Newhaven points out that Chicago suburbs have a slightly older demographic, supporting the need for these facilities here. Existing senior living choices in the area are few, outdated, and do not meet demand. This new facility would focus on memory care, with half the units so dedicated. It also would provide some apartments for people whose spouses are in memory care. Also, assisted living residents could transition seamlessly to the memory care residences.

The property is currently zoned R-3 Single Family Residence and would require rezoning to R-6 Multiple Family Residential. Staff has seen no conceptual site plan or building designs. Room sizes and the provision of common areas are unknown, which have requirements spelled out in the zoning ordinance. Verbally, Newhaven indicated there would be no new street connections made to the east, with all access provided from Hillview. These types of uses generally generate significantly less traffic and parking demand than similarly sized apartments.

As is often the case, Newhaven has a tight timeframe and they seek timely feedback from the Development Committee preceding a process that would include Planning Commission and City Council action.

A copy of materials submitted by Newhaven is attached.

ACTION PROPOSED:

Conceptual review and commentary regarding the 150-unit assisted living and memory care facility to be located on 5.5 acres southeast of the Easton/Hillview intersection, which would require rezoning, multi-department and multiagency site plan review and building review prior to final zoning approval.

COMMITTEE RECOMMENDATION:

NEWHAVEN MANAGEMENT
ASSISTED LIVING & MEMORY CARE FACILITY
West Chicago, ILLINOIS



PROJECT BUSINESS PLAN
May 2017

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TABLE OF CONTENTS

EXECUTIVE SUMMARY OF PROJECT	3
OVERVIEW	6
MANAGEMENT, ADVISORS AND CONSULTANTS.....	12
DEVELOPMENT, DESIGN AND CONSTRUCTION PROCESS	16
MARKET ANALYSIS AND MARKETING STRATEGY.....	23
FINANCIAL INFORMATION & PROJECTIONS	26

EXECUTIVE SUMMARY

The General Partner, Newhaven Management LLC, has 5.5 acres of land in West Chicago, IL, a western suburb of Chicago. It is conservatively worth approximately \$1.375 million. On this land, the General Partner proposes to build a state of the art assisted living / memory care living facility comprising 150 apartments in total, with 15 senior living apartments, 60 assisted living apartments and 75 memory care apartments. The mix may be subject to change.

Including land valued at \$1.375 million the total project should cost \$20.8 million and be completed within 18 months. That would require \$5.2 million in equity with the balance, \$15.6 million in construction debt. The GP's goal is to target the market segment that seeks affordable assisted living and memory care facilities. For financial purposes, we have only assumed levels of payments that are average for the regional alternatives. Our revenue assumption is based on 60% occupancy in the first year, 85% in the second year and 97% achieved in the thirteenth year after opening, which our operational team considers conservative. With \$1100/month double occupancy for senior living, \$4500/month single occupancy for assisted living and \$6500/month single occupancy for memory care living, at the mid to lower end of the range of regional rates paid. Pre-marketing would start during the 18 months of construction time. There are many facilities that charge and receive more in the primary market area but for planning purposes we should be prudent. Area facilities either have waitlists or are severely dated in their offering.

The development team includes physicians as investors and operators who can provide and supervise the medical care needed at the facility.

A construction company with experience in building assisted living facilities has been selected to do the work. The GP has already commissioned a design firm to design the facility using most modern concepts of assisted living. Our team has built and operated senior and assisted living facilities before.

The developers are acquiring the land and will contribute the land as the GP capital contribution to the project. We seek the balance of \$5.2mm of total equity, i.e. \$4mm, for the project. We have parameters from local banks on extending construction debt.

Background:

The need for assisted living and senior living is self-evident, almost globally and certainly in the United States and the Midwest. Chicago suburbs have, in fact, slightly older than the average demographic. Based on the degree of independence desired and the need for medical oversight, there is a broad range of alternatives ranging from independent living to senior living to assisted living, and within assisted living a significant range of medical and personal assistance provided.

In the US, the 75+ age group should grow rapidly over the next 20 years due to the aging baby boomer generation and longer life expectancy. What options are there for seniors who are either healthy or somewhat healthy but are unable to maintain a home, cook meals, do laundry, pay utility bills, etc. while maintaining easy access to basic health facilities they may need? Senior living and assisted living apartment communities are increasingly becoming a desirable option for this growing segment of seniors. Within that group, memory care is a specialized segment, growing rapidly and with significant unmet needs. All new assisted living facilities in Illinois are mandated by law to have a minimum of 20% memory care units. The development has 50% memory care

units. Being designed specifically for memory care residents, such facilities provide lower risk, higher quality of life care for residents.

The U.S. Census Bureau projects the 75+ age cohort will reach 23.4 million by 2020, up from 19.8 million currently. The U.S. Census Bureau expects the 75+ population to reach 28.8 million by 2025 and over 41 million by 2035. Homeownership peaks around 71 years old, according to Census Data we analyzed. Beyond that age, households begin to show a greater tendency toward renting, and senior living apartments can meet that need.

Although independent senior and assisted living caters to senior men and women of any age, the typical resident is an 82-year-old widowed woman who is relatively healthy and requires assistance with some activities of daily living. Prior to moving, she lived in a private home located within 15 miles of the independent living community. Along the spectrum of needs, assisted living communities are often mixed with senior living communities. We plan to offer assisted living and memory care facilities only, based on market research, so that assisted living residents may transition seamlessly to the memory care residences.

The recent sharp increase in home values in many metros is helping to boost demand for independent assisted living, as home equity is often, again, the primary financial asset that allows seniors to afford this choice. Some of the current national trends for independent senior living communities are:

- Occupancy rates have risen to 92% nationally, up from 86% in 2010.
- Occupancy rates are generally above 95% among newer communities, with waiting lists common in many desirable locations.
- The average age of a community is 23 years.
- The current capture rate among households age 75+ is 5.7%.
- Recent research shows that 13% of households age 75+ cite independent living properties as "very desirable".

Source: National Investment Center for Seniors Housing & Care (NIC)

More than ever, senior housing for the expanding 75+ age group should be viewed as both a lifestyle choice as well as "needs based." Independent senior living apartment communities offer the best of both worlds for an increasing number of seniors. Complementing this offering with a much more care intensive assisted living facility allows resident the peace of mind knowing that when they need to they can transition to a less independent lifestyle demanded by their healthcare and personal needs.

The western suburbs of Chicago, West Chicago and its surrounding town of Naperville, Aurora, Bolingbrook to the west, Wheaton, Warrenville, Glen Ellyn, Glendale Heights and Lisle nearby as well as Streamwood, Addison and other communities are very much in line with national averages on demographics and age cohorts. They are also increasingly densely populated. Yet there are few alternatives for senior living, fewer still for assisted living and memory care. Seniors typically must move out of their local areas to seek senior and assisted living alternatives in other parts of Chicago or, if they are lucky, they can stay in one of the few facilities available most of which are multiple decades old. While a decade or two might not seem like much, there have been significant changes in the lifestyle offered in senior and assisted living, with memory care as a new segment bringing its unique set of design, safety and lifestyle considerations. What was state of the art 20 years ago, is clearly outdated and undesirable today. Chicago's western suburbs are severely underpenetrated with respect to senior and assisted living. The senior living that exists is relatively