

Called Council Meeting
August 26, 2024

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Walter Cowart, Celestine Hayes and Jody Greene.

Others Present: City Manager Mark Barber, City Clerk Rhonda Rowe, City Attorney Tim Tanner, members of staff and citizens.

Invocation was given by Councilman McClain.

Pledge of Allegiance

Public Hearing (Rezoning Request – Charles Shiflett): Councilman Paige made a motion to enter into public hearing to gain input on a rezoning application filed by Charles Shiflett. Councilman McClain seconded the motion to enter into public hearing with all in favor. The application requests that property located on S. Elm Street between West 6th and West 7th Streets (Map A003 Parce 068) be rezoned from R-8 (Residential) to PD (Planned Development). The rezoning is requested to allow for the construction of multi-family development. Appropriate protocol has been followed regarding advertising the request. The Greater Cook County Planning Advisory Commission met on July 25, 2024, and the request was approved by a unanimous vote.

Tripp Talley, representing Courley, LLC, spoke on behalf of the application and presented drawings of the proposed development. The project will consist of 1 and 2 bedroom units located in a two story facility with the entrance located off of W. 6th Street. The property will be gated, landscaped and equipped with cameras. Councilwoman Celestine Hayes questioned why the property needs to be rezoned? The property was rezoned from General Business to R-8 earlier this year. Mr. Talley explained that the project exceeds the number of units allowed for R-8 zoning. They were hoping to increase the density to allow for 64 units. She asked if he could do that with 1.69 acres to which he replied, yes. Councilwoman Hayes outlined the purposes for zoning regulations and stated that with planned development you can go beyond strict regulations. She added that if the spot is too small then they shouldn't be building there. Mr. Talley stated that the Planned Development zoning would allow their design. She further stated "so you are going outside the regulations"? He replied, yes, it is over what's allowed for R-8.

City Manager Mark Barber stated the zoning was originally changed from General Business to R-8. Now, the council is being asked to change it to planned development. What is the major change? Mr. Talley replied that Courley, LLC did not do the rezoning initially, Mr. Shiflett did. They are simply coming forward for the planned development, not the rezoning. A member of the audience asked if it would be used as a halfway house to which Mr. Talley replied, no. Councilwoman Hayes asked what type of units it would be? She was advised they've done market rates and have partnered with Legacy, some low income housing. He noted that everyone will be on a one year lease. She asked if he partnered with any behavioral health organizations to which he replied, "we don't partner with them, they lease some of our properties". Councilwoman Hayes stated that she feels that if the lot

is too small that they shouldn't be building there. She thought it should remain as R-8. Councilman Paige asked building/zoning official Jess Permenter if he thought it was too small? Mr. Permenter stated that you are allowed 12 units per acre with R-8 zoning. He doesn't see anything wrong with it and they have done their due diligence. If the property were two acres, they would be allowed 24 units. The planned development is to allow more units and they are trying to do that. Also, the minimum square footage is 800 sq feet per the city's ordinance. The units will be smaller than that so that is another reason for the request for planned development. He stated he just wanted the council to know all the facts before deciding.

Mayor Duke stated that with the planned development it would now be 64 units on 1 ¾ acres, which is five times the density. It would be a smaller scale than those off of N. Gordon Avenue. Councilwoman Hayes then questioned about the drainage stating the homes are low lying. Mr. Talley stated there would be a retention pond and the water would be contained and not get onto the streets. They have worked with engineers to be sure everything works properly. Councilman Greene asked if the pond would be fenced. He was advised it would be fenced or landscaped. There would be some type of buffer. He noted that every precaution would be taken and it will be as professional as they can make it. He and his partner are doing this project and they are passionate about their work. Mayor Duke asked if it would be a halfway house or transition center to which Mr. Talley advised, no. The tenants will also be screened up front.

Mr. Barber asked where does Legacy and Aspire come in? Mr. Talley noted that part of the units have market rates and some are partially funded by Aspire. That group will screen their tenants and Mr. Talley's group would as well. Mayor Duke asked if they have any tenants that are from halfway-houses to which he replied no, they have none of that sort of thing. Councilman McClain asked if they were offering reduced rent? Mr. Talley stated they don't receive tax credits and try to stay close to market rates. Legacy or Aspire will pay a portion of the rent that the tenant may not be able to pay.

Mr. Tom Thomas was present and asked how do the tenants qualify for Aspire? Mr. Talley stated he didn't know how they qualify for Aspire but they basically qualify them on their end, make sure they pass a background check. Mr. Thomas stated he just wanted to verify if they're getting subsidized what's the qualifications for the subsidy? Mr. Talley replied that to the best of his knowledge it could be lower income, elderly, someone who is unhealthy and needs taken care, mental health, it could be a broad spectrum.

There was no one further to speak in favor the application.

Mr. Thomas then stated that he owns Whidby Trailer Park which consists of 42 units just across the street from this location. There are houses on every side and a lot of children in the park. That concerns him if a person is qualified and there's a question about his mental stability. He noted the number of proposed 1 and 2 bedroom units and stated there is not a lot of room for families. Families are not going to be there. It is a very residential area. He further stated he is opposed for two reasons: (1) Business reason – He has a lot of families he's renting to with a lot of kids and just one bad incident and it hurts his reputation. (2) He has a concern with the security and safety

around there. The water concern has already been mentioned and all the water on the east side is going to flow that way. They may have a retention pond but he's not sure there's enough space there. There is plenty of other land in Cook County that would qualify for them to place their apartments on. He concluded by stating that there is a lot of potential problems with that number of people living out there in a very close area. It would also be very dangerous with the number of cars you would have coming in and out of there. On behalf of the police department, they have enough problems without inviting anymore.

Mr. Ernest McAllister spoke against the project. He moved here in 1972 and lives in the country so he has no skin in the game other than he lives in Cook County and he thinks it should be beautiful everywhere. What he has a problem with is the water we already have. From 6th Street to Martin Luther King Jr. Drive there is no drainage whatsoever now. As they were coming from church, some of the water was up to the front door of some of the houses. There is no where for the water to go. We're on the lower end so we know where the water is going to go. You cannot continue to make that area a compact place for people to live in. They've got to have room and it needs to look nice. The city needs to do some work over there and asked that the elected officials go over there and look for themselves.

Dr. Treva Gear spoke against the project stating she wanted to reiterate the drainage concern and where the water is going to flow in spite of the retention pond. She stated that 1.6 acres is not a whole lot of room. While we do need affordable housing, what does that look like? She wouldn't scale this down from R-8 because if something happens that opens up another can of worms for planned development because if it moves something else can move in there totally different than what we started with. Scale it down so it can be appropriate for that place. She added she can't imagine what that's going to look like with all those units on that property. Thinking about the water and sewage, do we have the infrastructure for this? It's going to create issues for people that have been there for a long time that live on this narrow street; now you've got this towering over it and all the issues that's going to come with it. It's going to be a bad experiment based on what can go there. Yes, we do need affordable housing but based on the guidelines she feels like it needs to remain as R-8 because of the space issue; it's going to turn into a big problem for the residents that have lived there for a long time. She says scale it back but she is opposed to it otherwise being changed to planned development.

There was no further discussion and the public hearing was declared closed. Mayor Duke questioned when this would come back before the council and Mr. Barber advised it could be placed on the agenda for the first regular meeting in September or it could become back before the council on the September 16th meeting depending on if they need more time on any upcoming questions. He would poll the council later this week.

Other Business:

Mark Barber – Mr. Barber advised the council he would be emailing them a schedule that outlined the upcoming meetings so they could get these placed on their calendar since we would be having several next month.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
