

**PLANNING AND ZONING COMMISSION MINUTES**  
**City of Geneva**  
**109 James Street - City Council Chambers**

**January 14, 2021 – Meeting #19**

---

Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m. He reviewed the proceedings for the remote meeting.

Roll call followed:

Present: Chairman Stocking; Commissioners Evans\*, Holomon\*, Mead\*, Slifka\*, Matyskiel\*, Rittenhouse\*

Staff Present  
in Chambers: Community Development Director David DeGroot; City Planner Chayton True; City Attorney Ron Sandack

Also Present: Applicant, Tracey Manning for the Burton Foundation; Sonntag Court Reporter Paula Quetsch, Recording Secretary Celeste Weilandt

(\* Remote)

---

**Approval of the Agenda**

**Motion by Commissioner Evans, second by Commissioner Slifka to approve the agenda as presented. Roll call:**

**AYE: Holomon, Evans, Matyskiel, Mead, Rittenhouse, Slifka, Stocking**

**NAY: None**

**MOTION PASSED. VOTE: 7-0**

**Approval of December 10, 2020 Minutes**

**Motion by Commissioner Evans, second by Commissioner Mead to approve the December 10, 2020 minutes, as presented. Roll call:**

**AYE: Holomon, Evans, Matyskiel, Mead, Rittenhouse, Slifka, Stocking**

**NAY: None**

**MOTION PASSED. VOTE: 7-0**

**Public Hearing**

Chairman Stocking opened up the public hearing for the following request.

**A. Emma's Landing** – Annexation; a Comprehensive Plan Amendment, Preliminary/Final Plat of Subdivision, and Final Planned Unit Development Plan to allow the construction of a 45-unit affordable rental townhome project. *Location:* Generally located north of the Lewis Road and Heritage Court intersection; *Applicant:* The Burton Foundation, represented by Tracey Manning.

Community Development Dir. David DeGroot read into the record the contents of the file for this request, including written comments received from the Agenda Center.

Applicant, Ms. Tracey Manning, with The Burton Foundation, introduced her team: Mr. Lane Allen with Lane Allen Architects and civil engineer David Reinkdow. Ms. Manning summarized the proposal before the commissioners was for a 45-unit new construction community consisting of

townhomes with no age restrictions and 12 townhome pods consisting of 3 to 4 units per building. Proposed were 15 two-bedroom units (approx. 1460 sq. feet) and 30 three-bedroom units (approx. 1993 sq. feet) with garages, rear patios and front porches. A playground, Wi-Fi access, and handicap accessibility was included. Seven two-bedroom units would be handicap adaptable and one three-bedroom unit would be a sensory in-care residence. Other amenities included an on-site storage area for maintenance equipment and a manager's office with 24-hour emergency availability. The development budget for the project was estimated to be \$18.6M Dollars. If approved by the commission, the start date would be early summer 2021 and end summer 2022. Per Ms. Manning, during construction the general contractor would be responsible to keep the area clean with daily monitoring. The buildings would be constructed with "green" standards.

Average rent would be \$835 per month for a 2-bedroom unit and \$1166 for a 3-bedroom unit with 18 units set aside for families earning up to 80% of the area median income with one to four family members in the household. Current monthly rental figures for the area followed. Tenants would pay for heat and electric while the owners (Burton Foundation) would pay for water, sewer and trash removal. The development, as discussed by Ms. Manning, was borne out of the idea that employees who work in Geneva and provide services cannot afford to live in Geneva. The Affordable Housing, Planning and Appeals Act promoted that all villages/municipalities have affordable rental and ownership housing.

Mr. Lane Allen, Allen & Pepa Architects, 215 Fulton Street, Geneva, reviewed his slide presentation, noting that all of the drawings being presented tonight would be in anticipation of the final project. The project fit comfortably within the surrounding areas. All access points and detention were now on-site. A front buffer strip along Lewis Road was covered by a homeowners association. Landscaping was reviewed briefly as well as the noted location of the playground area and manager's office. The on-site shed will incorporate the same materials as the townhomes. Elevations of the four-unit buildings were presented, noting that ranches will be incorporated with the two-level townhomes. Architectural details followed. Materials would include: LP Smart siding/shingles, trim and stone, and 8 colors (to avoid monotony). Porches will be added with porch columns to vary. Windows would be divided lites on the upper sash and on all sides of the building. Rear dividing fences would separate each unit for privacy. A 3-unit building (two ranches on the sides and middle two-story unit) was also being proposed with similar materials.

Mr. Dave Riondo (phonetic), with Civil and Environmental Consultants, the civil engineer for the project, reviewed the preliminary engineering plan that included plans to hook into the existing water mains on Lewis Road. The route of the sanitary line was noted on the screen. A review of the topography followed and how water drained to the existing pond on the west. The same flow would follow with the proposal, but Mr. Riondo explained the water would be held, controlled and then released through a seven-inch restrictor, allowing for the 100-year storm. An area on the plan, as noted by Mr. Riondo, proved difficult to drain. Best Management Practices for stormwater called for having some underground water infiltration.

Ms. Manning closed by mentioning the development will be very nice, the management company is very strict, understanding that residents have a right to quiet enjoyment.

Chairman Stocking invited the commissioners to provide comment.

Commissioner Mead inquired about the hours that management staff is on-site wherein Ms. Manning explained the hours varied and could be from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. The goal was to hire someone experienced to live on-site, rent, and manage the site. Asked if the Mill Street Station in Oswego was similar to what was being proposed, Ms. Manning explained the Burton Foundation did not own that development. Commissioner Mead acknowledged the income-qualified requirements for the future tenants as well as the developer acquiring a parcel for ingress/egress, which he understood was why the variances were needed. Directing his question to staff,

Commissioner Mead asked when the multipliers for land/cash were last changed for schools, wherein Director DeGroot indicated it occurred about two years ago - 2018.

Commissioner Evans inquired whether residents could live in the handicap accessible units without having needs, wherein Ms. Manning explained that as she "leased up" those units would be the last to lease, since she would be trying to identify those residents who needed such units. If there was no one available with a need then the unit would be leased out regardless. However, if such a unit became available, then it was leased to someone with such need. Details followed. Asked if the units have to remain affordable into perpetuity or if rents adjusted annually, Ms. Manning explained AMI (average median income) figures came out annually which was how she calculated the 60% or 80% requirements, or a rent increase of approximately \$20.00 to \$25.00 per month. She expected that when construction begins, rent would increase because the AMI would increase. Lastly, per Commissioner's Evans question, the playground was limited to just the residents of the development.

Commissioner Holomon asked about landscaping plans for some green space between the access road and Lewis Road, wherein Mr. Allen stated the HOA owned that parcel and some trees were already on the parcel. On an annual basis, Ms. Manning added that a needs basis for landscaping takes place. Per Mr. Allen, the access road and the existing sidewalk would remain on Lewis Road.

Commissioner Rittenhouse confirmed with Ms. Manning that the Burton Foundation would construct the development, own it, but a third-party would manage it. Commissioner Slifka understood that the retention pond would hold the stormwater from the development, but noted on the plans a note stated that the southwest corner did not drain, wherein the civil engineer confirmed that a small portion of that area (5%) could not drain but the storm sewer would be oversized in order to catch 95% of the water. While a rain garden was originally in the plans, Mr. Riondo explained that much maintenance was required of them so he sought a different route. Also, Mr. Lane Allen added that with regard to roof draining, the pipes would be directed toward foundation plantings.

Commissioner Slifka inquired whether there would be a variety in size/scale of buildings to which Mr. Allen explained there would be differentiation in buildings in terms of size/scale and change of materials with 8 different color schemes. Asked whether the units would have to be developed and then occupied or occupied in sequence, Ms. Manning explained her process is that when 75% of construction is completed, a kick-off meeting is held in the area to lease units more quickly. Further explanation followed by Mr. Allen.

Commissioner Holomon inquired about available on-street parking other than the driveways, wherein it was noted what on-site parking existed while Director DeGroot noted the City requested restricted parking to one side of the street (Lewis). Asked whether there were restrictions for residents on the number of vehicles a family may own, Ms. Manning stated there were no restrictions since two-garage existed along with the driveway. Following up on the vehicle restrictions, Ms. Manning added that vehicles could not be worked on. Commissioner Matyskiel asked about annual turnover at such developments wherein Ms. Manning explained overall it was very low but citing the South Elgin development (50 units), it had approximately 10 or 11 individuals that moved in the last six years.

Chairman Stocking opened up the meeting to public comment.

Ms. Marissa Jenikus (phonetic), a resident on Caldwell Lane, said that she spoke at the July meeting, and while she supported the project initially, after some research about the Burton Foundation, she believed the development was landlocked, the townhomes should face Lewis Road, be mixed income units, and said no walkability existed to an affordable grocery store or public transportation to take the residents to their jobs. She asked the commissioners to consider her comments and set up the residents for success.

Mr. Rodney Nelson, 23 Kanesly (phonetic), stated that while the City may make it easy for the arrival of new residents, it risks the taxing out of current Geneva residents living on fixed incomes. Reviewing fact sheets from the City of Geneva, dated July 10, 2020, Mr. Nelson raised the fact that the development will generate about 100 students, while another fact sheet dated 12/31/2020 stated the development would generate about 10 students. Coming from the school district, he indicated the 100 number was high while the 10 number was low. Also, nowhere in the proposal did Mr. Nelson find an estimate of what it would cost the taxpayers in terms assessed valuation versus actual taxes paid versus the number of students generated.

Mr. Edward Manning, 2647 Cedar Avenue, discussed that he and his wife live in close proximity to the site and supported the development. He asked to make Geneva a more integrated community.

Mr. Michael Autominelli (phonetic) a resident on Patten Avenue in Sterling Manor, discussed that the original general contractor for the development was Door Creek Construction of Illinois. He asked why the Burton Foundation chose Door Creek Construction of Illinois and what their experience was with this type of project. He inquired how Ms. Manning could guaranty that the applicants chosen would be local to the community, how the multiplier was determined, whether the student number was realistic, and explain the 125-ft. variation request. He asked for clarification of the on-site manager and his or her availability to the residents.

Resident, Ms. Emily Erickson, also inquired about the applicant screening process, whether the person needed to have a job in Geneva, what was meant by the "goal" to have an on-site manager, and what was the process for having available units for handicapped individuals. She voiced concern about the Sandhill cranes that nest nearby and the development's density being too much.

Mr. Chuck Miles, 1015 Westfield Court, mentioned his previous conversations with the Plan Commission and City staff regarding affordable housing. He thanked those for their supportive comments on this project. For those with negative comments, he addressed those items that were addressed by the applicant. He further discussed his involvement with the Burton Foundation's properties, the quality of the developments that have been created, and asked the commission to support the proposal.

Ms. Lindsay McCaul, 2732 Peterson Court, was disheartened by the City and the Burton Foundation for not providing a response to questions asked prior by the Sterling Manor residents. She was representing the residents. Ms. McCaul was not opposed to such development but was concerned that no one was listening. She asked to postpone the development until answers were received. She explained that residents' concerns were about density, speeding traffic, providing the data for speeding vehicles, and removal of soil that was prone to flooding. She referenced the WBK study that discussed high flooding in the area and asked if the commissioners reviewed the study as well as other studies – including a geotechnical study funded by the Burton Foundation. She asked Ms. Manning to share those results with the residents. She further asked if the existing layout of the townhomes could be turned around and that the Burton Foundation provide a list of riders and a copy of a lease, since there was zero tolerance for not following the rules. Ms. McCaul relayed that she visited other Burton Foundation developments, including one in Sterling, Illinois, where she saw bikes laying outside the units. She further asked Ms. Manning about the statements she made at a previous meeting as to where the residents of such developments came from, a waiting list that Ms. Manning stated she had, and whether the units would be sprinklered, believing the fire lane access road would be enough, as stated by Ms. Manning. Lastly, Ms. McCaul stated affordable senior housing would be a better option, pointing out that a number of waiting lists for senior housing existed in the Tri-Cities.

Mr. Joe Keefer, 1740 Pheasant Run Place, asked if the development could become an affordable senior housing development and asked the commission to consider changing the rules for tonight and allow the applicant to directly answer questions. Mr. Keefer requested the commission to place some

safety measures onto the development as a condition of approval. He further asked: how much in taxes will the Burton Foundation be paying per unit to the City, what is the applicant review process, does the applicant have to accept a certain number of Section 8 vouchers, make the commission require an on-site manager as a condition of approval, what are the standards for renewing a lease, are there leases that are indefinite, how does applicant ensure that the rules for occupancy are obeyed so that the City's taxpayers are not impacted, how are the units filled if there are no applicants in the 60% income bracket, and are the units reserved for supportive housing and how many. Lastly, Mr. Keefer asked what will prevent people from using the fire access road from an actual road and what exactly does the applicant mean by zero tolerance.

Ms. Lynn Morabeck (phonetic), 1021 Lewis Road (Randall Square), expressed concern as to when the traffic study was done -- in June during the pandemic -- and suggested redoing it at 3:40 p.m. in the afternoon on a school day at Fargo and Lewis. She expressed concern about the development's impact on the fire/emergency/library/park districts, and the taxpayers.

Ms. Karen DeMaris (phonetic), a resident of Lewis Road, asked for the hours of the on-site manager and if it included weekend hours. She voiced concern about the safety of the neighborhood. She stated she did FOIA the police record for calls to the Burton Foundation properties in Illinois and Wisconsin and received many pages of varied violations. After reviewing the logs, she expressed concern about the safety of the development and asked the commission to not support the proposal

Ms. Jill Willber, 2615 Cedar Avenue, stated the site was zoned as open space when she and her husband moved in their home 20 years ago and the wildlife just flourished there. If approved, that wildlife would be lost. She expressed reservations about the development since the City directed the Burton Foundation, at its March 2020 meeting, to provide information on its impact on surrounding property values, which information was never provided by the foundation, nor was the June traffic study. She voiced concern about the traffic, density, flooding on the site, and whether there would be an Illinois Crime Free Housing rider on the lease. She further asked if there were any other townhome developments in Geneva that had to rely on an emergency access road for health and safety purposes, and if the road had to remain for Emma's Landing, could it be pushed back with a landscaping shield in front of it. Ms. Willber would not support the proposal until proper documentation was provided.

Mr. Alexander (inaudible), 872 Wood Avenue, voiced concern about the development's affect on his property value, its density, and what opportunity existed when the development's residents had no access to jobs or access to transportation.

Mr. Scott McCloud, a resident of Walnut Street, believed Geneva needed more affordable housing but indicated the proposed development was being done incorrectly, citing statistics. He recommended reconsidering the use of the property as an ownership incentive, not rental, and to break the working class poverty cycle. Density, flooding, access, impact on schools etc. were his concerns.

Ms. Stephanie Stuart, 2923 Caldwell Lane, referred to an economic impact 2017 study she submitted regarding affordable housing/rental community to be constructed at the old Campana site. The study found that neighborhoods adjacent to newly constructed affordable housing developments had a lower appreciation rate -- as low as 50% -- of the appreciation rates of the surrounding neighborhoods. This translated to lower appreciation for Ginger Lane, Randall Square Sunset Prairie, On Brentwood Pond and Sterling Manor. Ms. Stuart shared concern for density -- citing nearby townhome developments were half the size -- and that the Foundation was interested in making a profit at the expense of the existing residents. She asked to reposition the units to face Lewis Road and make them part of the neighborhood. When she visited the Sterling and Rock Falls communities there were no on-site managers. The police reports she FOIA'd for the Burton Foundation properties listed criminal sexual assaults, domestic battery, and aggravated assault for the same address. She asked how the acceptance of Section 8 vouchers played into this development and asked to slow down the proposal.

Ms. Sarah Connolly, 732 Lewis Road, supported a different development for the site, shared that no option existed for seniors, recommended reducing the density by half, and traffic was an issue.

Mr. John Connolly, 732 Lewis Road, voiced concern about increased traffic on Lewis Road from the development, the density of the development, and to consider senior housing for 62 years and over.

Mr. Chris Noomes, 2724 Peterson, sent an email to the City about his concerns which included density, flooding on the site, not understanding the school/parks donations, and property value. He asked the commission to listen to the residents.

Ms. Robin Kelton, 820 Manchester Course, supported the development, brought attention to the fact that the public and the commission can speak about the development as it pertains to the land use, but if there is mention of who can/cannot live in such developments, then there is the risk of violating the Fair Housing Act. Ms. Kelton addressed some myths about affordable housing, explaining research has stated that such housing is quality-built, usually higher than common code, such housing usually benefits workers who are critical to the community; and property values with affordable developments have mixed results. Further statistics followed. Ms. Kelton further proceeded to list the positives of the study for such developments and encouraged residents to look at the data.

Ms. Cheryl Brennan, favored diversified housing but asked to table this matter given the pandemic. She stated affordable housing has been a topic of the City of Geneva since 2015 and the City needs such housing.

Mr. Kevin Silva, 496 Lewis Road, discussed his previous housing arrangement in a North Aurora apartment and asked how the City could ensure that the restrictions will be enforced at the proposed development. He asked how the property managers planned to be screened and also asked to consider a senior development at the site.

Mr. Don Enman, 748 Lewis Road, reiterated that the commissioners are responsible to listen to the community. He believed halting the process was needed and cited that information, such as when the traffic study was done, was lacking. He asked rather than have rental properties, to consider ownership. He asked the commissioners to work hard and work for the community.

Ms. Erin Bald, 338 Davis Road, Batavia, was a Geneva graduate and supported the proposal and believed the City was long overdue for affordable housing, nearing the 10% requirement for such housing. She found the remarks being made disturbing now and back in March regarding the people that may be living in the development, which violated the Fair Housing Act. She believed that there will always be a backlash of such developments in the entire City, not just this neighborhood. She supported the proposal.

Ms. Karen Fitzsimmons, 2740 Peterson Court, opposed the development's density and was supportive of affordable housing constructed in similar housing areas, which existed. She agreed there was a need for senior housing since her family members could no longer live in Geneva. She appreciated if Ms. Manning would be more honest about who could live in the development. Density was an issue.

City Planner Chayton True announced that several emails were received during the meeting and would be available on line in the near future.

Hearing no other comments, Chairman Stocking advised that the commissioners may want to extend the public hearing to January 28, 2021 in order to allow the applicant to respond to the questions raised, allow staff to evaluate, and to review the submitted information.

**Commissioner Rittenhouse moved to continue the public hearing to a date certain, that date being January 28, 2021, 7:00 p.m., seconded by Commissioner Evans.**

Discussion followed on why the petitioner could not provide her answers prior to the January 28<sup>th</sup> meeting, wherein City Attorney Sandack responded the proceeding was evidentiary and that the petitioner would be given time to respond to the questions and the responses would be tendered at the same time, i.e., during the public hearing.

Commissioner Mead summarized that much discussion occurred but narrowed those concerns to the following: density, traffic, water control/ flooding, building orientation, variances, property values, questions on third-party management. Beyond that, the other issues were outside the scope of appropriate land use.

**Roll call to continue the public hearing:**

**AYE: Evans, Holomon, Matyskiel, Mead, Rittenhouse, Slifka, Stocking**  
**NAY: None** **MOTION CARRIED. VOTE: 7-0**

### **Adjournment**

**Meeting was adjourned at 10:15 p.m. on motion by Commissioner Evans, second by Commissioner Mead. Roll call:**

**AYE: Evans, Holomon, Matyskiel, Mead, Rittenhouse, Slifka, Stocking**  
**NAY: None** **MOTION CARRIED. VOTE: 7-0**