RESOLUTION 2015-046             PASSED: JUNE 8, 2015

DECLARING INTENT TO PREPARE A PLANNED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DEKALB AND SECURITY PROPERTIES FOR CONTEMPLATED REZONING OF UNIVERSITY VILLAGE AT 733 ANNIE GLIDDEN ROAD, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and,

WHEREAS, the City has received and processed a petition proposing to rezone the property located at 733 Annie Glidden Road, commonly referred to as University Village ("the Property"), and has carefully considered such rezoning petition which would include approval of seven variances from otherwise applicable zoning requirements, with said variances including:

1. Lot Size – Minimum 3,500 Square Feet per Dwelling Unit. The property is approximately 32,314 acres in size and there are 534 units. The total net density is 17.99 dwelling units per acre. This density exceeds the Unified Developments requirements and also exceeds the comprehensive plan requirements of 12 dwelling units per acre. (Article 5.05.04.1a)

2. Parking Ratio – Minimum One Space per Bedroom, Plus 0.5 Spaces per Unit. The property has within it 1,004 bedrooms in the 534 units. Therefore the total number of required parking spaces for the development equals 1,271 parking spaces. The development has 795 parking spaces. (Article 12.08.06)

3. Lighting – Fixture Height and Average Illumination. The City of DeKalb’s Unified Development Ordinance restricts the height of light poles in residential districts to a maximum height of 15 feet. The development’s light poles are 20 – 25 feet tall. The light illumination totals averages of 1.5 to 2 foot candles for the entire development. Security Properties are committing to add light poles in the development where lighting is deficient. (Article 10.05)

4. Signage – Number and Size. Security Properties intends to keep the five ground signs (40 sq. ft. and 6 ft. tall) located at each entryway and entrance from the right of way. The UDO allows for only one ground sign that shall not exceed 6 sq. ft. or 6 ft. in height. (Article 13.06.01c)

5. Landscaping. The property is landscaped with 646 plants across the site. Security Properties is working with the DeKalb Police Department to identify areas that could be trimmed up or trimmed back to open up the common areas of the development. The final design would be consistent with crime prevention and environmental design (CPTED) principles. (Article 12.04)

6. One Building per Lot. A variance or condition of approval must be granted to allow for multiple buildings to be located on one property. (Article 5.05.06)
7. **Principle Building Setbacks.** The setbacks required for the development are met on frontage of public ROW, but not all interior roadways. The UDO requires that a front yard setback of twenty five feet from any ROW and front lot line and a side and rear yard setback of five and thirty feet respectively. The University Village development would require that the site plan presented be approved to allow for the existing building locations bringing the legally non-conforming status in conformity with the zoning ordinance. (Article 5.05.04.02)

**WHEREAS,** the City has completed all conditions precedent to the rezoning of the Property, including the conduct of a public hearing, and has not received a favorable recommendation from the Planning and Zoning Commission of the City of DeKalb; and

**WHEREAS,** City Staff has continued to discuss the housing assistance programs with the Federal Department of Housing and Urban Development; and

**WHEREAS,** City Staff has continued to discuss the zoning request with Security Properties and current ownership; and

**WHEREAS,** the City Council has carefully considered the City’s Planning documents related to the seven variances needed, including zoning density; and

**WHEREAS,** the City Council has carefully considered the significant public safety and public service demands generated by a development of the density and intensity contemplated by the Property, and have determined that the Property presents unique threats to public health, safety, welfare and morals. The City Council has reviewed the record before the Planning and Zoning Commission and their Findings of Fact, and is aware that a Planned Development Agreement could be prepared which would address the conditions of the subject property through redevelopment and property management.

**THEREFORE BE IT ORDAINED** by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

**Section 1.** Intent to prepare a Planned Development Agreement.

The City Council therefore declares intent to prepare a Planned Development Agreement for future consideration which would address each of the unique public safety issues that the Property presents.

**Section 2.** Considerations to include in consideration of a Planned Development Agreement.

Briefly stated, the contemplated Planned Development Agreement will include these items which have been identified through review of the subject property:

**Fire-Related Issues**

1. Upgrade fire alarm systems and fire prevention improvements, restoring elements which were included when the buildings were first constructed.
2. Equip each kitchen hood with a set of the automatically dispensing dry-chemical fire extinguishing systems (e.g. Fire Stop system).

3. Equip each building with a Knox box mounted on the building.

4. Restore firewalls in the attics of each unit.

**Planning Issues**

1. Install concrete pads for ground-mount air-conditioning condensers, in lieu of metal stands.

2. Install additional lighting.

3. Improve and uniformly plant landscaping according to the principals of “Crime Prevention Through Environmental Design” (CPTED) standards.

4. Pave new paths and sidewalks to make continuous connections through the complex.

5. Install a 5’ fence (not chain link) on the eastern property perimeter, with gaps at the pathways to allow entrance to Welsh Park.

6. Install composite material dumpster enclosures.

7. Issue parking passes to ensure parking lot usage does not exceed currently available spaces. The owner will be required to land-bank areas shown as future parking areas on the petitioner’s exhibit, and that there should be a twice-yearly review of the property, with full parking counts conducted, to determine parking utilization. At such time as the parking utilization reached 80% of available parking, the owner should be required to construct additional parking (with the City having the right to determine the amount of additional parking required).

8. Install bus shelters at approved locations.

9. Install bike racks in well-lit areas, with a preference for areas that are within the viewing area of security cameras.

10. Expand the community center to include additional community meeting and maintenance garage space. Storm water improvements will be provided, if required per current code.

11. Park improvements to include a tot sprinkler amenity and new playground equipment.

12. Plans for snowplowing and deicing sidewalks to be agreed upon.

**Building Issues**

1. All HVAC units that are older than 2 years old will be replaced. All units to receive new appliances. New HVAC and appliances at least 80% efficient to be installed. Installations will comply with the 2012 Energy Code.
2. All water heaters will be replaced and will require a building permit. Where needed, dielectric connections, water heater pressure relief valves and proper piping will be installed; no flex­lines will be permitted on the gas service to any permanently installed appliance (e.g. water heater, furnace).

3. At Security Properties cost, the City will conduct a pre-inspection of all units with building code violations to be repaired at time of remodel, and within 18 months from the date of rezoning.

4. Sump Pumps will be repaired.

5. A replacement schedule for windows, doors and roofs will be agreed upon.

6. Fresh air / moisture management issues will be addressed and remediation plans agreed upon.

7. Twenty Seven (27) units will be renovated as ADA accessible units, and building permits will be required for all work.

**Police Issues**

1. Security camera improvements and a security plan will be reviewed and agreed upon with the Police Department.

2. A Police Access Agreement will be entered into.

3. Private security will patrol the parking lot, and as is current practice, continue to close it off to non-residents during high-traffic events.

4. The management company will be made available for regular meetings to review security policies, no-trespass warnings and similar issues.

5. As agreed upon in advance, weather stripping, installation or replacement of storm doors, door locks and deadbolts will be installed. All exterior entry doors will be replaced, with deadbolts. For the apartment buildings, the main common storefront door and related glass will be replaced.

6. Security Properties has confirmed they will conform with Police Department requests, briefly stated:

   a. Any unit rented shall have a written lease that shall include a Crime Free Housing Lease Addendum in the format then-currently approved by the City.

   b. Any person living in any rental unit, except for children under the age of 18, must be a party to the lease and must sign the lease.

   c. Thorough criminal background check and other screenings.
d. A No-Trespass Enforcement Agreement

e. Participation and compliance with the City’s Crime Free Housing Program, Security Properties will notify the City when a unit vacancy occurs, so that inspection could be completed if desired by the City.

f. Cameras or other equipment utilized to provide video surveillance and security coverage for the parking lot and/or common areas of the Property will be in place and monitored with a connection and inter-link so that the City can remotely monitor such common area surveillance videos.

Operational

1. The Equity Partner will be identified and direct contact information will be provided for the property manager from the Equity Partner.

2. Completion of full possible improvements. The funding mechanism proposed to fund redevelopments will allow for an investment of up to $40,000 per unit. Security Properties will agree to allow for an independent, third-party audit of costs in accordance with HUD and IHDA guidelines and agrees that the full scope of investment will occur, at $40,000.00 per unit.

3. Security Properties agrees to contribution towards procurement and provision of social services for University Village residents in an amount to be agreed upon by the City and Security Properties.

Section 3. Additional elements of a Planned Development Agreement

The Planned Development Agreement will also include zoning standards as found in the preamble for Council review and approval. The Planned Development Agreement will be subject to review, revision, and approval by the City Council. It is expressly noted that the Planned Development Agreement will not be effective unless approved by the City Council. Approval of this resolution does not constitute approval for rezoning of the property; this resolution only indicates the City Council’s intention to proceed with preparation of a planned development agreement.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 8th day of June, 2015 and approved by me as Mayor on the same day. Passed by a roll call vote of 6-2-0. Aye: Finucane, Marquardt, Snow, Noreiko, O’Leary, Rey. Nay: Jacobson, Baker. Absent: None

ATTEST:

JULIE ABRAHAM, Deputy City Clerk

JOHN A. REY, Mayor
EXHIBIT A

LEGAL DESCRIPTION OF UNIVERSITY VILLAGE PROPERTIES

Lot 1 in University Village Subdivision, being a subdivision of part of the West Half of the Southwest Quarter of Section 15, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded in Book "P" of Plats, Page 46, on May 18, 1971 as Document Number 358539, in DeKalb County, Illinois.

Lot 3 in University Village Subdivision - Phase II, being a Planned Unit Development of part of the West Half of the Southwest Quarter of Section 15, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded in Book "Q" of Plats, Page 53, on June 3, 1974 as Document Number 380302 in DeKalb County, Illinois.

Lots 2 and 4 in University Village Subdivision - Phase II, being a Planned Unit Development of part of the West Half of the Southwest Quarter of Section 15, Township 40 North, Range 4 East of the Third Principal Meridian, according to the plat thereof recorded in Book "Q" of Plats, Page 53, on June 3, 1974 as Document Number 380302, in DeKalb County, Illinois; and University Village Subdivision - Phase III, according to the plat thereof recorded April 29, 1980, in Book "S" of Plats, Page 37, as Document No. 8001979, situated in DeKalb County, Illinois.