

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
June 8, 2021**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Troy Parlier called the meeting to order at 7:18 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Board Members Physically Present: President Troy Parlier; Trustees Tom Guist, Kit Kuhrt, James Marter II, Terry Olson, Jennifer Jones Sinnott and Brian Thomas.

Staff Physically Present: Dan Di Santo, Village Administrator; Christina Burns, Asst. Village Administrator; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Jennifer Hughes, Public Works Director; Rod Zenner, Community Development Director; Mark Horton, Finance Director; Scott McMaster, ED Director; Joe Renzetti, IT/GIS Director; Jenette Sturges, Community Engagement Coordinator, Marketing; Jay Hoover, Building Services Manager; and Karl Ottosen, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Employee Service Awards

a. Pietro Amodio- 5 Years of Service (Public Works Department)

Director Hughes briefly spoke about his history and contributions to the Village. President Parlier presented him with his service award.

b. Jennifer Gatske- 5 Years of Service (Finance Department)- Did not attend.

Director Horton thanked her for her service. She accepted a job offer in Texas; we wish her the best.

c. Benjamin Hackl- 15 Years of Service (Police Department)

Chief Burgner briefly spoke about his history and contributions to the Police Department and the community. President Parlier presented him with his service award.

d. Ryan Melhouse- 15 Years of Service (Police Department) Did not attend.

e. Matthew Mumm- 20 Years of Service (Police Department) Did not attend.

President Parlier thanked them for their service.

f. Jeffrey Burgner- 25 Years of Service (Police Department) President Parlier thanked him for his leadership. Administrator Di Santo briefly spoke about his history, contributions to the Police Department, the community and to staff; great job with building a strong team; selfless and passion for policing. President Parlier presented him with his service award.

g. Kevin Norwood- 25 Years of Service (Police Department)

Chief Burgner briefly spoke about his history and contributions to the Police Department and the community. He was hired the same day as him; best person to work with. President Parlier presented him with his service award.

E.2 Proclamation- Flag Day, June 14, 2021

President Parlier read the proclamation.

PUBLIC FORUM

Public Forum was opened at 7:36 p.m. There was no one who requested to speak. The Public Forum was closed at 7:36 p.m.

STAFF REPORTS

Director Horton provided an update to the 2021 bond issuance. Bond interest rate has not changed since the May 18th Board meeting. The Infrastructure Bill, which includes the reinstatement of tax-exempt advance refunding's, is still in discussions. The President's budget had few details on fixed income provisions even though there is wide bi-partisan support for reinstating tax-exempt advance refunding's along with other financing tools to assist local governments. We are awaiting news from the Village's lobbyists on this issue.

Board and staff discussion focused on what the chances are of rates increasing; can save money now; if we wait there is a potential of saving more or not being able to refund; looking at a closing date in early August; selling in July if the Board gives direction to move forward; Board voted to proceed two weeks ago; will recoup around \$1 million; thank you to Trustee Thomas for bringing this forward; what the upside is of waiting; whether we can restructure again; only doing the bonds that make sense; refund now at taxable and refund others at non-taxable; may have to wait until 2025; could end up with zero; can refund others down the road; no pre-payment penalties; saving \$73,000-\$76,000 annually; doing a graph to see what is saved monthly; can't pay with savings of the debt service; can't prepay interest on the bonds; will be some debts we could retire; only allowed a one-time refund. Board gave direction to move forward with the bond issuance now instead of waiting.

CONSENT AGENDA

- H.1 May 18, 2021 Committee of the Whole Minutes
- H.2 May 18, 2021 Regular Village Board Minutes
- H.3 Resolution Authorizing Release of Certain Closed Session Minutes. **Attorney Ottosen addressed the Board regarding the release of closed session minutes process. Releasing of minutes is required every six months; the Village Clerk and Attorneys review the minutes and make recommendations; Board members can decide how they want the minutes to be released: 1) continue doing the way we are now, 2) Board can review minutes in Closed Session, 3) form a committee of certain Board members to review and provide recommendations. Attorney Ottosen explained why we do not release certain minutes. Administrator Di Santo will reach out to the Board members to see how they want to release closed session minutes.**
- H.4 Ordinance Re-subdividing Lot 114 of the Estates of Fox Chase Unit Two to Allow for Two Single-Family Residential Homes.
- H.5 Resolution Authorizing Additional Reduction of Performance Bond #EACX209000002 for the Reserve at Hudson Crossing. **This is a correction to the reduction; initial reduction was supposed to be 5%.**

A motion was made by Trustee Jones Sinnott and seconded by Trustee Olson to approve the Consent Agenda; Approving the May 18, 2021 Committee of the Whole Minutes; Approving the May 18, 2021 Regular Village Board Minutes and approving the following ordinance and resolutions:

Ordinance No. 21-55; Ordinance Re-subdividing Lot 114 of the Estates of Fox Chase Unit Two to Allow for Two Single-Family Residential Homes.

Resolution No. 21-R-49; Resolution Authorizing Release of Certain Closed Session Minutes.

Resolution No. 21-R-50; Resolution Authorizing Additional Reduction of Performance Bond #EACX209000002 for the Reserve at Hudson Crossing.

Aye: Tom Guist	Kit Kuhrt
James Marter II	Terry Olson
Jennifer Jones Sinnott	Brian Thomas

Nay: None

The motion was declared carried by an omnibus roll call vote with six (6) aye votes and zero (0) nay votes.

BILL LIST

I.1 Approve Bill List Dated June 8, 2021 in the Amount of \$846,397.91.

There was a question regarding a Baxter & Woodman invoice and whether it is the full contract from August 2018; charge is for mosquito work at the Wells; getting reimbursed for the water contract for the study from Montgomery and Yorkville.

A motion was made by Trustee Marter II and seconded by Trustee Thomas to approve the Bill List Dated June 8, 2021 in the Amount of \$846,397.91.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson
Jennifer Jones Sinnott Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

OLD BUSINESS

J.1 Resolution Ratifying the Village President’s Executive Orders and Extending Declaration of Local Emergency and Disaster **Resolution No. 21-R-51**

A motion was made by Trustee Thomas and seconded by Trustee Marter II to approve the Resolution Ratifying the Village President’s Executive Orders and Extending Declaration of Local Emergency and Disaster.

Additional discussion included whether the Village would be wrapping this up on our end; Village is keeping the status for reimbursement purposes through FEMA; allowing tents at Oswego Brewery; Village has more permanent ordinances for allowing tents up to 180 days; Building Services has a packet for the tents process that is non-COVID related; liquor license fees due; staff directed to look at doing more permanent allowances.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson
Jennifer Jones Sinnott Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

NEW BUSINESS

K.1 Mac's Convenience Stores d.b.a. Circle K

- a) Ordinance Amending Title 3 Chapter 7; Increase Class "F-2" Liquor License for Mac's Convenience Stores d.b.a. Circle K 4701486 Located at U.S. Highway 34. **Ordinance No. 21-56**
- b) Ordinance Amending Title 3 Chapter 31; Increase Class "F-2" Video Gaming License for Mac's Convenience Stores d.b.a. Circle K 4701486 Located at U.S. Highway 34. **Ordinance No. 21-57**

Trustee Olson noted the physical address was not included in the ordinance titles in a) and b). Trustee Marter II and Trustee Guist agreed to amend the motion to add 1190A to the physical address.

A motion was made by Trustee Marter II and seconded by Trustee Guist to approve an Ordinance granting a Special Use Permit to Allow for a Beverage Producing, Bottling and Distribution Facility at 59 S. Main Street; and approve an Ordinance Amending Title 3 Chapter 7; Decrease Class "N-1" and Increase Class "N-2 Liquor License for Fox Valley Winery Located at 59 S. Main Street; and adding to the motion the addition of 1190A to the physical address for Mac's Convenience Stores d.b.a. Circle K 4701486.

Aye: Tom Guist
 James Marter II
 Jennifer Jones Sinnott
 Kit Kuhrt
 Terry Olson
 Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

K.2 Approve a Concept Plan for the Property Located at the Southwest Corner of Wolf’s Crossing Road and US Route 30 to Allow for the Development of 149 Single Family Homes and 336 Apartment Units Inclusive of Staff’s Recommendations.

Andrew Mouw, Lennar Homes; Carrie Hansen, Schoppe Design; and Vince Rosanova, Rosanova & Whitaker presented the concept plan.

Company Introduction

LENNAR

- Largest US homebuilder⁽¹⁾
- 11,600 associates nationwide
- \$22b+ in 2019 revenues
- Over \$30.8 billion in land acquired since 2002⁽²⁾

1954 year founded	48 years on NYSE	\$24b market cap	\$29b in balance sheet assets	51.5k 2019 SF home deliveries
Tenured History	Transparency	Size	Breadth	Buying Power

Core Business Lines	
Lennar Corporation	Single-Family Homebuilding <ul style="list-style-type: none"> ▪ #1 builder in 15 MSAs; Top 3 builder in 24 MSAs ▪ \$400,000 average home sales price in FY 2019 ▪ Actively building and marketing homes in 1,283 communities nationwide at year end FY 2019
	Multifamily <ul style="list-style-type: none"> ▪ Developer, owner/operator, and manager of institutional multifamily communities across the US ▪ Capitalized through separate account and fund joint ventures with institutional limited partners ▪ Top 10 multifamily developer for past six consecutive years
	Financial Services <ul style="list-style-type: none"> ▪ Focused on originating mortgages to Lennar homebuyers as well as 3rd parties ▪ 10th largest national non-bank mortgage originator by retail sales volume ▪ Among the top national title agents and title insurers



- Building homes since 1954.
- Currently selling in The Seasons at Southbury
 - Selling 3.8 / month
- Built over 1,000,000 homes.
- Largest builder by revenue in 2019.
- Operates in 38 Markets.
- Largest builder in Chicago – over 1,000 homes per year.
- Currently selling in 36 communities in IL and NW IN.
- ei - Everything's Included – Include most of the options that buyers want in the base price
- Digital Ready house – Ring Doorbells, WiFi equipped with mapping to ensure coverage, smart thermostats...

Key Facts

- Three companies in one
- Simplify for the homeowners
- Base prices higher
- Local builder with financial strength
- Long-term builders
- Currently twelve communities
- Committing to timeline
 - Started operations in June 2011 and a wholly owned subsidiary of \$24B Lennar Corp. ([NYSE: LEN](#))
 - Headquartered in Charlotte, NC with 13 regional offices nationwide, 650+ employees
 - Ranked among nation's largest multifamily developers.
 - Started 35,200 apartment homes, 110 communities, \$13B total development costs since inception.
 - 5 in 1 vertical integration with in-house acquisitions, development, construction, asset management, and property management.
 - Overall build-to-own strategy within the development and management process.
 - Consistently rated in the top tier for resident satisfaction and online reviews.

Equity Partners

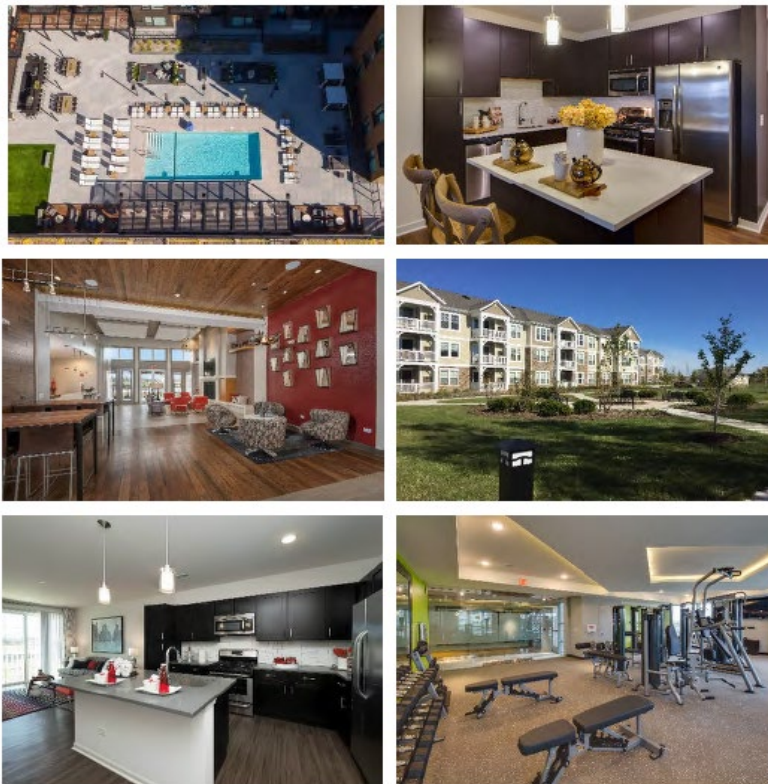
Select Institutional Capital Partners

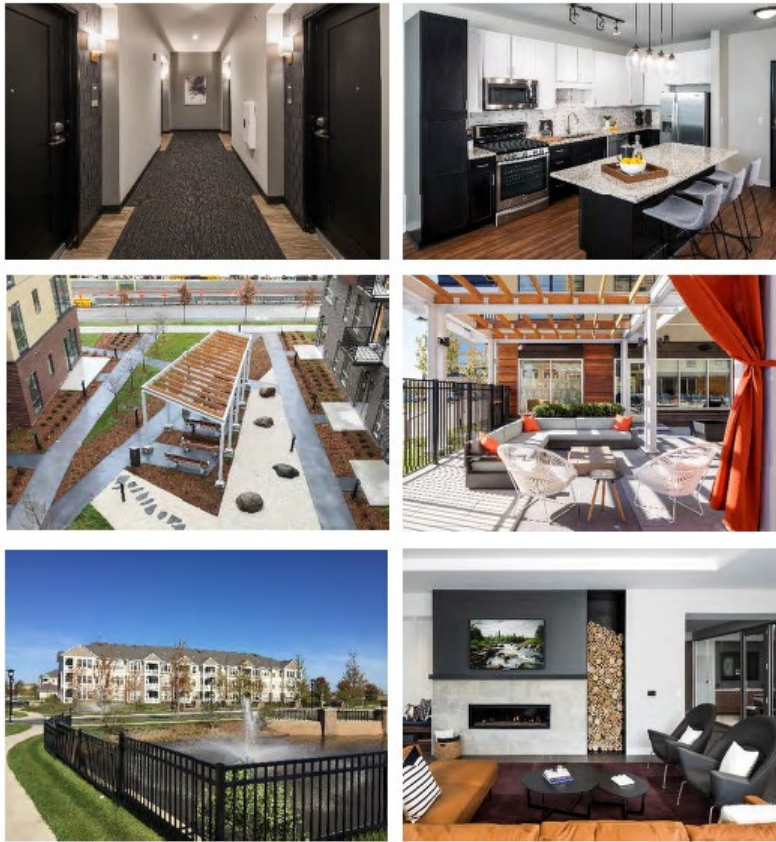


Fully Integrated Process

- Living
 - Most important part of the process
 - Retaining 62% of residents
 - Multi-Family- 20 acres

LMC Development	LMC Builders	LMC Investments	LMC Living	Support
<ul style="list-style-type: none"> ▪ Local, on-the-ground development expertise across 19 regional offices ▪ Sourcing/managing day-to-day process and execution from feasibility through construction ▪ 81 communities started since 2011 totaling over 24,000 homes at \$7.7 billion of total cost 	<ul style="list-style-type: none"> ▪ General contracting, estimating & risk management services ▪ Property & corporate level professionals ▪ Full transparency and significant quality control ▪ Dedicated approach: only act as GC for LMC assets, no third party business 	<ul style="list-style-type: none"> ▪ Centralized arm focused on national portfolio management & capital allocation/procurement ▪ Asset management & IR functions ▪ Accounting team with public market quality reporting & execution ▪ Fully centralized internal & external investment committee process 	<ul style="list-style-type: none"> ▪ Full suite of property & corporate level property management services ▪ Deep, on-the-ground coverage in all major metros offering real time market data & intelligence ▪ Dedicated approach: only manage LMC assets, no third party business 	<ul style="list-style-type: none"> ✓ Accounting ✓ IT, Systems & Security ✓ Legal & Compliance ✓ Human Resources
70+	160+	17+	300+	95+



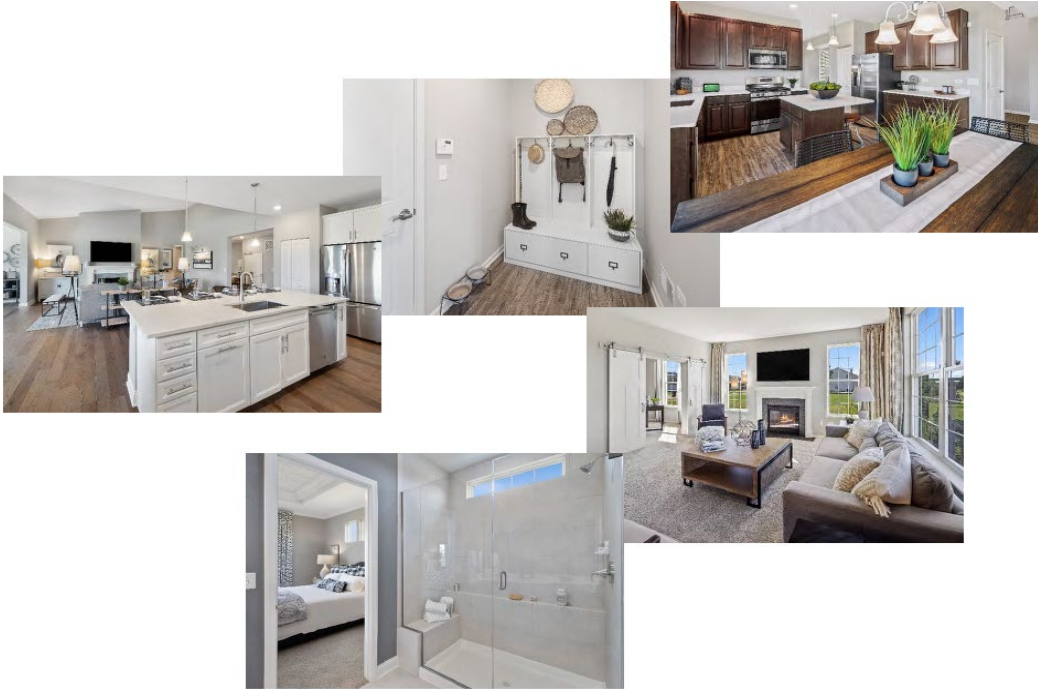


Conceptual Master Plan

- Providing the right-of-way
- 149 lots
- 8,750 sq. ft.
- Lot size 10,000 sq. ft.
- Layout is efficient



Interior



Exterior

- 8 designs; narrowing down to 6 designs
- Multiple elevations
- Single or two-story
- Three car garage
- Standard partial basement with option to full basement
- Average cost \$340,000-\$410,000
- Annual household income required= \$95,000-\$110,000
- 30% of homes sold are ranch homes

The Raleigh – 2904 SF, 4 BR



The Galveston – 2612 SF, 4 BR



The Brooklyn – 2448 SF, 4 BR



The Victoria – 2282 SF, 3 BR



The Ridgefield – 2171 SF, 3 BR



The Ontario – 2016 SF, 3 BR



The Aberdeen – 1865 SF, 3 BR



The Sienna – 1649 SF, 3 BR



Clubhouse





Apartments

- 24 units; 8 units per floor; 4 each side
- Color of paneling and siding to be determined

KEY FEATURES:

- Attractive **architectural accents** and façade materials with a natural color palette.
- Open space, landscaping, courtyards, and pedestrian connectivity to promote **community feel**.
- **Clubhouse** with leasing office, pool, & full amenities.
 - Package concierge service
 - State of the art fitness equipment package
 - Social / Party Lounge
 - Pool with veranda and locker rooms
- Controlled access with **gated entry**.
- **Full time LMC staff** on-site for leasing & maintenance.



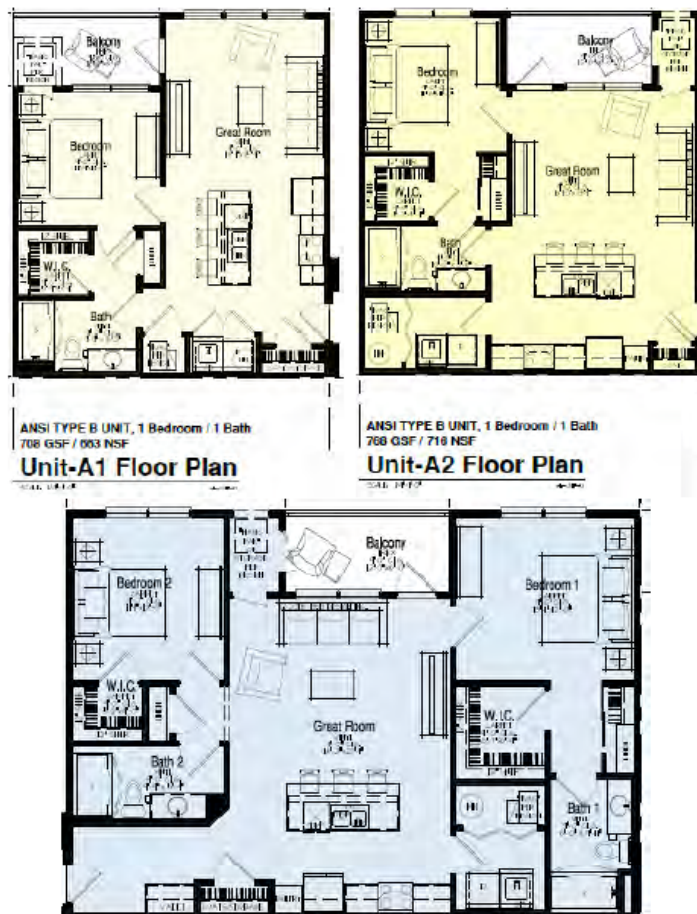


Prototype Interior Finishes

- Granite countertops
- Stainless steel Whirlpool appliances
- Ceramic flat stovetop
- Faux hardwood flooring
- 42" shaker cabinet boxes with 6" chrome pulls
- Chrome finished kitchen and bathroom fixtures and hardware
- LED disc lighting package
- Mini pendant lights at kitchen island



- All apartments will be market-rate & Class A.
- The community will offer exceptional interior features including granite countertops in kitchens and baths, stainless steel appliances, and faux hardwood flooring.
- Apartment mix focusing on 1- & 2-Bedroom types:
 - About 730-775 SF for 1-Bed apartments.
 - About 1,050-1,200 SF for 2-Bed apartments.
- Anticipated monthly asking rental rates at open:
 - Between \$1,400-\$1,500 for 1-Bed apartments.
 - Between \$1,800-\$1,900 for 2-Bed apartments.
- Qualifying household income is \$50,400-\$68,400+.
 - 50-75% AMI within 5-mile radius⁽¹⁾.
 - 48%-66% AMI within the Village of Oswego⁽²⁾.
- A comprehensive screening process for new residents includes income and credit history, rental history, and criminal background checks.



Multi-Family Resident Profile

- Renters by choice – Typically empty nesters and young professionals. Appealing to teachers, fire-fighters, and police officers.
- Household area median income (“AMI”) within a 5-mile radius is **\$94,195** with 77% of all households earning enough income to qualify for the average apartment proposed in this community and 30% of the households earning the target demographic range between \$50,000 and \$99,000 per year.
- Unit mix is likely to focus on 1-bedroom and 2-bedroom apartments with a projected average rent of about \$1,650.
- **At this projected rent level, qualifying income for the average apartment will be approximately \$59,000 annually which is about 63% the AMI within a 5-mile radius of the site.**
- The most expensive 2-bedroom apartments are anticipated to have asking rental rates of about \$1,950 which would represent 75% AMI within a 5-mile radius.

Impact Fees

MULTI-FAMILY IMPACT FEES & PERMITS				SINGLE-FAMILY IMPACT FEES & PERMITS			
	1 BR	2 BR	TOTAL		3 BDRM	4 BDRM	TOTAL
Count				Count	75	74	149
Percentage				Percentage	50%	50%	100%
Direct Impact Fees				Direct Impact Fees			
Village	\$2,177	\$2,177	\$731,428	Village	\$4,718	\$4,718	\$702,919
Water Tap Fee	\$2,200	\$2,200	\$739,200	Water Tap Fee	\$2,200	\$2,200	\$327,800
Water Meter	\$139	\$139	\$46,654	Water Meter	\$500	\$500	\$74,500
District 308 Impact Fees	\$1,708	\$1,708	\$573,895	District 308 Impact Fees	\$3,701	\$3,701	\$551,486
Oswego Fire Protection	\$156	\$156	\$52,302	Oswego Fire Protection	\$337	\$337	\$50,188
Oswegoland Park District	\$292	\$292	\$98,045	Oswegoland Park District	\$632	\$632	\$94,138
Oswego Public Library	\$160	\$160	\$53,831	Oswego Public Library	\$348	\$348	\$51,783
Fire for Clubhouse	\$7	\$7	\$2,400				
Subtotal	\$6,839	\$6,839	\$2,297,754	Subtotal	\$12,435	\$12,435	\$1,852,815
Land Cash				Land Cash			
Land Cash School	\$8	\$390	\$66,780	Land Cash School	\$1,606	\$2,663	\$318,052
Land Cash Park	\$1,399	\$1,518	\$490,165	Land Cash Park	\$2,306	\$2,989	\$394,455
Subtotal	\$1,407	\$1,908	\$556,945	Subtotal	\$3,911	\$5,652	\$712,507
Fox Metro				Fox Metro			
Fox Metro Tap Fees	\$1,238	\$1,650	\$485,100	Fox Metro Tap Fees	\$1,650	\$1,650	\$245,850
Fox Metro District Fees	\$188	\$188	\$63,000	Fox Metro District Fees	\$1,277	\$1,277	\$190,277
Subtotal	\$1,425	\$1,838	\$548,100	Subtotal	\$2,927	\$2,927	\$436,127
Kendall County				Kendall County			
	\$1,915	\$1,915	\$643,440		\$1,915	\$1,915	\$285,335
Building Permits & Inspections				Building Permits & Inspections			
	\$769	\$769	\$258,388		\$1,550	\$1,803	\$249,828
Total Fees & Permits	\$12,355	\$13,168	\$4,304,627	Total Fees & Permits	\$22,739	\$24,743	\$3,536,612

Anticipated Taxes

ANTICIPATED SINGLE-FAMILY TAXES			ANTICIPATED MULTI-FAMILY TAXES			COMBINED
Fair Market Value Per Home	\$400,000		Total Equalized Assessed Value	\$12,100,798		
Equalized Assessed Value Per Home	\$127,333		Equalized Assessed Value Per Apartment	\$36,014		
Effective Tax Rate	9.59897%		Effective Tax Rate	9.59897%		
Anticipated Annual Taxes Per Home	\$12,223		Anticipated Annual Taxes Per Apartment	\$3,457		
Total Annual Taxes	\$1,821,181		Total Annual Taxes	\$1,161,552		\$2,982,733
District	Tax Rate	Total	District	Tax Rate	Total	
School District 308	6.49615	\$1,232,493	School District 308	6.49615	\$786,086	\$2,018,579
Oswego FPD	0.69297	\$131,475	Oswego FPD	0.69297	\$83,855	\$215,330
County	0.64088	\$121,592	County	0.64088	\$77,552	\$199,144
JR College #516	0.52727	\$100,037	JR College #516	0.52727	\$63,804	\$163,841
Oswegoland Park District	0.43171	\$81,907	Oswegoland Park District	0.43171	\$52,240	\$134,147
Oswego Library District	0.26465	\$50,211	Oswego Library District	0.26465	\$32,025	\$82,236
Oswego Road District	0.16544	\$31,388	Oswego Road District	0.16544	\$20,020	\$51,408
Forest Preserve	0.15416	\$29,248	Forest Preserve	0.15416	\$18,655	\$47,903
Village of Oswego	0.15192	\$28,823	Village of Oswego	0.15192	\$18,384	\$47,207
Oswego Township	0.07382	\$14,006	Oswego Township	0.07382	\$8,933	\$22,938
TOTAL SINGLE-FAMILY TAXES	9.59897	\$1,821,181	TOTAL MULTI-FAMILY TAXES	9.59897	\$1,161,552	\$2,982,733

Jobs Created

- 450 direct and indirect jobs created by the Multi Family Community.
- 380 direct and indirect jobs created by the Single Family Home Community.
- Increased local spending.
- (10) LMC Permanent jobs – Management and Engineers.
- **Additional residents and labor force will help spark commercial development to the east.**

Schools- Attendance Summary

<p>Southbury Elementary – 820 Preston Lane</p> <ul style="list-style-type: none"> • Current Enrollment – 585 (82 projected) • Capacity - 900
<p>Murphy Junior High – 26923 Grande Park Blvd.</p> <ul style="list-style-type: none"> • Current Enrollment – 791 (42 projected) • Capacity – 1,200
<p>Oswego East High School – 1525 Harvey Road</p> <ul style="list-style-type: none"> • Current Enrollment – 2,744 (48 projected) • Capacity – 3,200

Schools- Spending Summary

School Age Children = 172
 149 homes @ \$400,000 = \$59,600,000 FMV

Single Family Home EAV \$18,972,617 EAV
 Multi Family Home EAV \$12,100,798 EAV
 \$31,073,415 EAV

School District Tax Rate = 6.49615%

Tax Rate X EAV = **\$2,018,579 to District 308**

Total Annual Expenditure for District 308 for 172 students =
\$1,979,142 (cost to educate per student \$11,507)

- District will also receive one time cash impact fee of \$1,125,381.
- District will also receive one time cash donation of \$384,832.
- The annual real estate tax revenue is in addition to the annual school district funding from the state of Illinois.
- **Comparable communities across the LMC central portfolio generate approximately 2-3% of residents under the age of 18 (estimated at 15-22 residents under the age of 18).**

Traffic & Infrastructure Improvements

ITEM	SINGLE FAMILY	MULTI FAMILY	TOTAL
Devoe Entrance			
Land Acquisition	\$0	\$0	\$0
Creek Crossing	\$75,000	\$75,000	\$150,000
Pond Fill & Fees	\$15,000	\$15,000	\$30,000
Road Install	\$166,250	\$166,250	\$332,500
Traffic Light	\$175,000	\$175,000	\$350,000
Total	\$431,250	\$431,250	\$862,500
Wolf Crossing Road Improvements			
Roudabout at Harvey	\$0	\$0	\$0
West Frontage - 700 LF at \$330 per LF	\$0	\$0	\$0
East Frontage - 600 LF at \$330 per LF	\$0	\$0	\$0
R.O.W Dedication - West Frontage	\$24,500	\$0	\$24,500
R.O.W Dedication - East Frontage	\$0	\$127,500	\$127,500
Total	\$24,500	\$127,500	\$152,000
Harvey Road Improvements			
Bury Powerlines	\$500,000	\$0	\$500,000
Road Improvements	\$455,000	\$0	\$455,000
R.O.W. Dedication	\$36,400	\$0	\$36,400
Total	\$991,400	\$0	\$991,400
Pulte Recapture			
Pulte Recapture	\$0	\$0	\$0
Total	\$0	\$0	\$0
TOTAL EXTRAORDINARY COSTS:	\$1,447,150	\$558,750	\$2,005,900
Homes/Apartments	149	336	485
Total Per Home/Apartment	\$9,712	\$1,663	\$4,136

Total Contribution

COMBINED	
	TOTAL
Count	
All Fees & Permits	\$7,891,284
Extraordinary Costs	\$2,005,900
Total	\$9,847,139

- Wolf's Crossing ROW Dedication
- New Harvey Road Improvements (Traffic Circle)
- New Devoe Entrance and Landscape Improvements
- Traffic impact fee \$1,915 / unit = \$926,000

Board, staff and representatives' discussion focused on the site is a highly visible gateway in the east; property near OEHS and across from Prescott Mill; commercial not in the plan; will not be custom homes; \$410,000 is the base price; can buy and build or build and then sell; 60% will be build and then sell; comparable to Southbury homes; issue with multi-family concept; Lennar will manage the property; what if they don't rent; confident in the price point; will not need to decrease the rent; first concept plan of this kind for Lennar; concerns with moratorium with evictions; Lennar did a market study on the plan type and followed the Village's Comprehensive Plan; land uses for apartments is ideal; similar community built in Naperville across from White Eagle; looking for general support of the concept plan and working out the details; a lot of work before a PUD and breaking ground can be done; meeting with the design team and Village staff; 90 days- hopefully presenting to Planning & Zoning Commission; lining up the roads with other roads; Village would acquire the land as part of the Wolf Road project; land acquisition; land donations; engineering and construction; construction at Harvey does not include the segment to Route 30; no funds right now for that segment; Devoe would become part of the development; working on detention on the roadway with the open area; finishing the development and looking at the other two phases, to the south, later; Lennar will enter into negotiations with the landowner regarding Wikiduke; will conduct a traffic study to determine if a traffic signal is needed; size of roads in the rental area will be narrow, but not in the single family area; will be managing the apartments long term; average rental for a one bedroom is \$1,650.00; gated development; one and two bedrooms; brick on lower part of the building; hardy plank siding; architectural shingles; Wolf Road fee is taking place of the impact and RTA fee; standards years ago were cost prohibitive; dedicating the right-of-way; wanted apartments from the beginning because of the proximity to commercial; ROW homes possible on the southern end; creating diversity and variety in the future; 4-5 years before the southern development comes forward; when a concept plan was brought forward in 2015 it was never approved by the Board; could be future requests if the other 500+ acres is developed; public improvements; nice plan; looking forward to rebuttals. There was no further discussion.

A motion was made by Trustee Marter II and seconded by Trustee Olson to approve a Concept Plan for the Property Located at the Southwest Corner of Wolf's Crossing Road and US Route 30 to Allow for the Development of 149 Single Family Homes and 336 Apartment Units Inclusive of Staff's Recommendations.

Aye: Tom Guist
James Marter II
Jennifer Jones Sinnott

Kit Kuhrt
Terry Olson

Nay: Brian Thomas

The motion was declared carried by a roll call vote with five (5) aye votes and one (1) nay vote.

K.3 Ordinance Amending Section 10.01 of the Zoning Ordinance to Amend the Required Distance Between an Accessory Structure and a Principal Structure. **Ordinance No. 21-58**

Director Zenner addressed the Board regarding an amendment for accessory and principal structures. As the Ordinance is currently written, residents are required to maintain a minimum distance of ten (10) feet between any accessory structure and their house, or principal structure. Staff has received several inquiries from residents, over the past couple of years, regarding the location of pergolas, detached decks, pools, sheds, etc. in relationship to their homes. Many residents have requested permission to locate their accessory use closer than the required ten (10) feet. In order to locate an accessory use closer than ten feet, a resident would have to apply for a variance. This can be cost and/or time prohibitive, especially in the warmer season when residents want to complete these types of projects quickly. Staff has interpreted the Code and approved a closer distance under certain circumstances where the situation complied with the building and fire code requirements. However, a more defined and permanent change is recommended for consistency and clarity purposes.

Staff reviewed Oswego's current building codes as well as a couple of surrounding communities' zoning regulations regarding the required distance between an accessory use and a principal structure. Staff compared the setback requirements of two neighboring communities. The Village of Montgomery does not allow detached garages or sheds to be within ten (10) feet of the principal structure. This is also due mostly to the building code for fire separation purposes. However, the rule does not apply to pools, attached decks, or pergolas. The City of Aurora only has a regulation for garages and sheds as well. Its ordinance provides that detached garages and sheds shall not be closer than six (6) feet from the nearest principal building wall, however if the accessory structure is properly fire rated it may be located closer to the principal building per building code requirements. Oswego's building codes regarding the required distance between an accessory use and a principal structure are comprehensive and vary based on specific circumstances. Depending on the construction and type of the accessory structure, the required distance changes in the building code. For example, a pergola with open sides could be placed closer than ten (10) feet from the home per the building code. A shed could be placed closer than ten (10) feet if constructed with sheet rock on the interior to prohibit the spread of fire. Because of the complexity of the building code, it would be difficult to determine and recommend a standard distance of separation for all accessory uses.

Staff recommended a text amendment to Section 10.01 of the Zoning Ordinance to modify item 10.01(F)3 which regulates the distance between an accessory structure and a principal structure, to allow for accessory structures to be located no closer than ten (10) feet principal structure unless the accessory structure is properly fire rated, in which case it may be located closer to the principal building per the Village of Oswego's adopted building codes. This amendment will provide our residents with flexibility on their properties, while still ensuring their safety and the safety of their neighbors.

Board and staff discussion focused on excellent job; easier for HOA's and savings; time saving; can be handled through building code enforcement.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Olson to approve an Ordinance Amending Section 10.01 of the Zoning Ordinance to Amend the Required Distance Between an Accessory Structure and a Principal Structure.

Aye:	Tom Guist	Kit Kuhrt
	James Marter II	Terry Olson
	Jennifer Jones Sinnott	Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

TRUSTEE REPORTS

Trustee Olson- KenCom is moving forward with LPR's soon.

Trustee Kuhrt- thank you to Chief Burgner for his 25 years of service and thank you to the others.

Trustee Jones Sinnott- thank you to those who received service awards; keep up the good work; super to see the Farmer's Market packed.

Trustee Guist- emotion packed room regarding the Portillo's incident; handled very maturely; no incidents with everyone recognizing what public forum is for; would have loved information faster, but the communication that was received went farther than they had to and provided what the public was looking for; unfortunate event, but there are positives there.

Trustee Marter II- thank you to Chief Burgner and Deputy Chief Norwood for their time and effort.

PRESIDENT'S REPORT

- Middle East Conflict Wall; great turnout.
- Memorial Day parade and ceremonies; some events were canceled due to weather; Air Force Band is eager to return late this summer or early fall at the new entertainment venue.
- Senior coffee & conversations and water on 6/19/21 at 9 a.m.; tour of Well 11 which is located at Tuscany by Orchard Road.
- Movies at the venue last week; nearly 400 people attended; next movie is 7/8/21.
- La Marimba is now open.
- \$4.8 million set aside for Wolf's Crossing has made it through Committee.

CLOSED SESSION

There was no Closed Session held.

ADJOURNMENT

A motion was made by Trustee Marter II and seconded by Trustee Jones Sinnott to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 9:11 p.m.

Tina Touchette
Village Clerk