

On Thursday, September 29, 2016, at 7:00 p.m., a regular meeting of the Plan Commission was called to order. Roll Call. Present: Karen Chevalier, Doug Freed, Eric Larson and Steve Munson. Absent: Rick Anderson, Aurelio Gallardo and Rene Morris.

Also present were: Planner Dustin Wolff, Building and Zoning Superintendent Amanda Schmidt, City Attorney Jock Heaton, Assistant City Clerk Monique Castillo and Alderman Retha Elston.

Karen Chevalier made a motion to approve the minutes of June 23, 2016 as presented. The motion was seconded by Eric Larson. Voting – Ayes: Chevalier, Freed, Larson and Munson. Nays: None. Motion carried.

Vice-Chair Munson asked the staff if there were any reports of Council Action. Amanda Schmidt reported the City Council approved the recommendations of the commission to rezone the 100 block of 2nd Avenue to a Central Business District with Special Use.

Vice-Chair Steve Munson introduced and welcomed Doug Freed as the newest commissioner. Freed filled the vacated position of Commissioner Michael Mellott.

Vice-Chair Munson opened a discussion regarding the Coventry Village Cottages, reminding the board and visitors that tonight's meeting was for discussion only, no action would be taken.

Vice-Chair Munson asked the petitioners to introduce themselves and explain their involvement. Present were: Emily Thomas, Gremley & Biedermann; Melvin Woodward, WW Health Care – Sterling Properties and Denice Garcia, Coventry Village Cottages Manager.

Thomas' brief synopsis of the proposed plan: the corporation wants to separate the Nursing Home from the 68 residential units.

Woodward explained the history and involvement of his company. He stated his company manages several Nursing Homes statewide and in 2009 when his company took over the Nursing Home, they had no intent to manage the cottages since they were not accustomed in the area of managing residential units.

Garcia has been the manager of the cottages for the past 3 months. Although she is still getting acclimated, she has been communicating with the residents and feels she is up to speed.

Munson inquired on the transition process. Thomas stated Dan Hawkins, attorney representing tenants/heirs of the units, will need to create a plat and a Homeowners Association (HOA). Hawkins will meet with each tenant/heir individually to get an idea of what they want to do, stay or sell. When all is said and done, this will all be wrapped up in one closing.

There was an inquiry as to how many units are occupied/unoccupied. Garcia stated 23 of the 68 units are occupied.

There was an inquiry on the HOA program. The way the units are structured, the utilities and roads are private. Once the deeds are transferred, the tenants/heirs will own their unit and part of the land around the unit, this is what they will be responsible for. The HOA will own all areas/spaces without buildings (green space, roads, utilities etc).

It was noted the units are in the City Limits and would have to be re-zoned to a MR-6 or MR-10 (which is the zoning of the nursing home).

There was a brief discussion regarding the language in the contracts and who would potentially be responsible for utilities/roadways. It appears the City could potentially become the responsible party. Thomas stated this was merely a technicality in the verbiage and there is no intention for the City to have any responsibility now or in the future. The utilities and roadways are privately owned as per a 1986 agreement between the City and Nursing Home.

Wolf explained the City does not have to approve the subdivision but from a planning and zoning point of view this commission should consider what will be in the best interest of the residents regarding the responsibilities so it is clear who needs to be contacted should a utility break.

Thomas noted in her opinion the residents have expressed excitement regarding this partnership and the fees for the HOA should not be any more than what is currently charged.

There was an inquiry about the timeline of the proposed plan and when a public hearing would be scheduled. Thomas has high hopes this plan will be implemented by the end of this year as Mr. Hawkins feels this is the best alternative for the group. Planner Wolff projects a public hearing in November.

Vice-chair Munson opened the meeting for public comment.

Roseanne Kaletka-Johnson's mother was a resident for 17 years before passing away. Kaletka-Johnson was upset that everyone claims to know what is going on or the history. Nobody knows the hassles that residents and heirs are facing.

Kaletka-Johnson noted the company is unable to honor the current contract her mother entered into, which at the time seemed like a bargain. It is difficult to trust the new contract will be upheld.

Vice-chair Munson explained to Kaletka-Johnson the purpose of this board is for rezoning and thanked her for expressing her concerns. Munson assured her that these concerns would be taken into consideration when making any final decisions.

Alderman Elston inquired about the property taxes. Woodward explained each individual unit would be responsible for their own taxes. He also explained (in response to Kaletka-Johnson's concerns) going into bankruptcy was merely an option and definitely not an avenue the company wanted to take. The company feels the best alternative is to transfer the deeds to each individual giving them the option to sell outright.

Garcia noted, in her opinion, all the residents are on board with the proposed plan. Yet, if there is any confusion, this is only the result of miscommunication between the residents and Mr. Hawkins, their attorney.

There was a brief discussion regarding some language in the HOA contract, selling and unclaimed properties. The HOA contract states the properties could be sold at large. Woodward explained this is the intent of the deed transfers, giving the units the option to sell. For those units that go unclaimed, the association would be able to sell as they deemed fit.

Vice-chair Munson thanked everyone for expressing their concerns of the proposed plan regarding the Coventry Village Sterling Cottages and turned the meeting back over to the commissioners to discuss zoning changes.

Wolff and Schmidt explained, as with any update, there are bound to be a few wrinkles, related to housekeeping, specific codes and existing language from old codes. For example, there is no fencing is allowed for corner lots, minor set-back issues, and typographical errors.

Munson noted the importance of reviewing the code periodically to address situations better and inquired about the sign code.

Schmidt noted the code regarding temporary signage could be reviewed. As for the current sign code, it works until a party is told no, then there are sorts of repercussions such as the city is not welcoming to new business.

Schmidt noted the next meeting is scheduled for October 20, 2016. There will be a public hearing with Hospice of the Rock River Valley for a special use permit to build on Avenue E/YMCA Way.

With no further business to discuss, Larson made a motion to adjourn the meeting at 8:05 p.m.

Monique Castillo
Assistant City Clerk