

# VILLAGE OF LIBERTYVILLE HUMAN RELATIONS COMMISSION

AGENDA

January 6, 2021

5:00 P.M.

**Due to public health concerns, as a result of the COVID-19 pandemic, per the Governor's Executive Order 2020-39 it is not practical or prudent for the Human Relations Commission to meet in-person. Therefore, the Human Relations Commission is holding this meeting virtually.**

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/398158421>

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1. Open Meeting
2. Approval of Minutes
3. Review of Small Group Discussion Notes
4. Next Step Regarding Small Group Discussions
5. Adjournment

Any individual who would like to attend this meeting but because of disability needs some accommodation to participate should contact the ADA Coordinator at 118 West Cook Avenue, Libertyville, Illinois 60048 (847) 362-2430.

**VILLAGE OF LIBERTYVILLE**  
**Human Relations Commission**

**DRAFT**  
Minutes  
December 16, 2020

A meeting of the Human Relations Commission was held on December 16, 2020 at 5:00 p.m. virtually through GoToMeeting. Those in attendance included Commission Members: Sharon Starr, Tom Gore, Brenda O'Connell, Jennifer Rich, David Young and Rashied Davis. Also in attendance was Deputy Village Administrator Ashley Engelmann, Senior Planner David Smith, Trustee Pat Carey and Village Attorney Hart Passman.

**Roll Call**

On Roll Call the meeting was called to order:

AYES: Starr, Gore, O'Connell, Rich, Young and Davis

NAYS: None

Ms. Engelmann recognized Trustee Pat Carey's presence at the meeting and introduced the Village's new Attorney Hart Passman.

**Approval of Minutes**

A motion was made by Chair Starr and seconded by Member Davis to approve the minutes of the November 4, 2020 meeting as presented.

AYES: Starr, Gore, O'Connell, Rich, Young and Davis

NAYS: None

The minutes were approved unanimously.

**Review of DRAFT Attainable Housing Ordinance**

Chair Starr asked Ms. Engelmann to review the timeline and process for the draft Ordinance. Ms. Engelmann summarized the recommended process. The first step in the legislative process is a recommendation from the Human Relations Commission to the Village Board at a Committee of the Whole meeting. If the Village Board recommends no changes by the Human Relations Commission, then a public hearing would be scheduled with the Plan Commission. The Plan Commission would consider a text amendment to the Zoning Code which would establish a new chapter in the municipal code for the Attainable Housing Ordinance. It is anticipated that the earliest that the draft Ordinance could be introduced to the Village Board at a Committee of the Whole meeting is February or March 2021 due to other agenda items that are already scheduled. In the meantime, staff recommends working with the Village Attorney, Community Development Director and Senior Planner to outline the implementation of the Ordinance. In addition, the Village Attorney has some additional recommended changes to the recitals of the Ordinance. The outline and updated recitals would then be presented to the Human Relations Commission in mid to late January.

Member O'Connell noted that there may be some information that comes up in the Comprehensive Plan discussion related to attainable housing. Ms. Engelmann responded that she will discuss with the Community Development Director regarding any considerations related to the Comprehensive Plan and the Ordinance.

Chair Starr asked Ms. Engelmann to present the substantive changes to the draft Ordinance. Ms. Engelmann summarized them as follows:

- The Whereas clauses have been modified to demonstrate that Libertyville already exceeds the necessary affordable housing stock per the State law and is therefore exempt. Additional language has been included to address the Village's interest in promoting a diverse population
- The definitions have been reorganized to place Area Median Income as the first definition, to correct for alphabetization of definitions
- The table for phasing of construction was removed (Section 12-76 B Integration of Attainable Housing Units)- Language was added that addresses pro-rated in the same ratio as the market units
- Language was added that allows land donation in lieu of on-site units (Section 12-77 C)

Regarding the land donation language Member Gore asked if there is a preference for having the affordable housing units on site vs. land donation that would potentially result in offsite locations.

Ms. Engelmann noted that Rob Anthony from Community Partners for Affordable Housing has stated that it is always good to get the units onsite but that there are ways to develop affordable housing stock by using the fee in lieu funds or scattered sites through land donation. She further commented that the allowance for granting the option for a fee in lieu or land donation would have to come from the Village Board.

Attorney Passman stated that the draft is written to allow for offsite and/or for the attainable housing units to be in a scattered site. He noted that in many instances' municipalities encourage the units to be built onsite because they do not want there to become an "attainable housing" building, for example. This is a policy decision. The developer does not have the automatic right to put it elsewhere. The Village Board needs to approve this.

Ms. Engelmann noted that administrative guidelines could address hardships or reasons why offsite or fee in lieu may be permitted.

Member Davis wondered if a developer put the attainable housing units offsite would this potentially create a stigma for those properties.

Attorney Passman stated that this is a concern that has been expressed in other communities. He did note that in his experience he has not seen a developer try to put the attainable housing at a "second site". There is a cost to doing this and typically it would not be financially prudent for them do so. Typically, they would provide the units within the development or they will request a fee in lieu.

The Commission agreed that they would not want to see a site become an "affordable housing" site.

Ms. Engelmann stated that the Ordinance is drafted to encourage the units to be built onsite and any deviation would require Village Board approval.

Chair Starr asked if the group thought the Village Board would even consider a separate affordable housing development.

Trustee Pat Carey commented that he did not believe that the Board would approve something like that.

- A modification was made to the target income level for moderate income to 65% of the area median income (Section 12-78 A)- This addresses the concern raised by Community Partners for Affordable Housing regarding the difficulty of utilizing a standard which set the affordability at a level that can be affordable to a family below the 80% level. Given the "Attainable Housing" definition which assumes that no more than 30% of the household income can be devoted to housing expenses, it was necessary to establish a lower price point for the affordable units in order to provide a wider range of individuals that would be able to purchase a home. This modification provides that the home price must be established at a price affordable to a household at 65% of the AMI and can only be sold to Moderate Income Households

Member Gore stated that when this is presented to the public, we should use an example.

Member O'Connell stated that she agrees with the change because we need a broader range. Our range was too narrow. We are taking a wider cut with this language. This will allow an applicant to maintain affordability for the household but also meet the eligibility requirement.

- The local preference language was removed (Section 12-79 Eligibility of Households)

Ms. Engelmann stated that the Commission may want to look at preferences or other ways for selection to occur such as lotteries so that it is not just done on a first come first served basis. She noted that this is something that can be included in the administrative guidelines.

Discussion ensued regarding timing of developing the administrative guidelines. It was determined that a general outline would be developed to review at the January meeting.

Member O'Connell agreed that how we administer the Ordinance will come up during the legislative review process and that having an outline is probably a good idea. She noted that as we go through the public comment process there may be things we want to add to the guidelines. She commented that having a waiting list is not the best way to offer affordable housing. She likes the idea of a lottery. In addition, if you had a very long waiting list it may only end up serving seniors because they may be able to wait longer than other populations.

Member Davis agreed with Member O'Connell's opinion on the matter. There was consensus amongst the group on the matter.

Ms. Engelmann will follow-up with Rob Anthony from CPAH on other options for administering the housing unit waiting list.

Member O'Connell noted that she saw that Northbrook recently passed their affordable housing Ordinance. She commented that there may be something we can learn from their Ordinance.

Attorney Passman noted that their Firm represents Northbrook and drafted the Ordinance. Ms. Engelmann will forward a copy of the Ordinance to the Commission.

Ms. Engelmann will work with staff on the outline for the administrative guidelines, the draft process for developers and final polishing of the draft Ordinance to present at a meeting in mid-late January.

She also noted that we will hold a meeting on January 6<sup>th</sup> to review the small group discussion findings and to work on recommendations from the meetings.

Member Rich shared with the group that she had received a thank you note in the mail from a resident who had participated in one of the small group sessions.

Member Davis shared with the group that he ran into a participant in the grocery store who attended a session he had facilitated. It was a positive conversation, and he appreciated the opportunity to participate.

Ms. Engelmann noted that the high school newspaper *Drops of Ink* interviewed some of the members of the group and published a story on the small group discussions. She will forward the link to the group.

Chair Starr commented that she also heard from a participant who was pleased with the opportunity to participate in the small group discussions.

Member O'Connell noted that based on some of the feedback from the affordable housing small group discussion we should think about how the attainable housing ordinance is presented and how we communicate it.

Member Gore and Member Davis echoed Member O'Connell's statements.

Ms. Engelmann noted that we can develop a communication plan for implementation.

Member Gore stated that when we discuss the small group meetings at the next meeting, we need to make sure we address comments that came up related to affordable housing so that they can be incorporated into the Ordinance, if need be.

Member Davis stated that there was overlap across many of the topics we discussed.

**Adjournment**

At 5:57 p.m. Member Gore moved to adjourn the meeting; Member Davis seconded the motion.

The motion carried on roll call vote as follows:

AYES: Starr, Gore, O'Connell, Rich, Young and Davis

NAYS: None

Respectfully submitted,

Ashley Engelmann  
Deputy Village Administrator