

VILLAGE OF LIBERTYVILLE
BOARD OF TRUSTEES-SPECIAL MEETING
March 21, 2017

President Wepler called to order a special meeting of the Board of Trustees at 7:00 p.m. at Libertyville High School, 708 West Park Avenue, Libertyville, Illinois. Those present were: Trustees Donna Johnson, Richard Moras, Jay Justice, Peter Garrity, and Patrick Carey. Trustee Adams was absent.

ITEMS NOT ON THE AGENDA

President Wepler asked if there was anyone in the audience who wanted to address an item not on the agenda. There were no comments.

REPORT OF THE PLAN COMMISSION (PC 16-08, 16-09, 16-10, 16-11, and 16-12)

President Wepler explained that Roanoke Development (Roanoke) was requesting approval of a Planned Development concept plan to construct 148 single family homes on approximately 40 acres located at 941 N. Butterfield Road. The property is owned by the Catholic Bishop of Chicago and is zoned IB, Institutional Buildings District. After an extensive review and multiple public hearings, the Plan Commission voted on 5 items for Village Board of Trustees action, which are on the agenda for this meeting.

John Spoden, Director of Community Development, thanked the Developer, the Appearance Review Commission and Plan Commission for their extensive review of this development. President Wepler then asked the Developer, Peter Kyte of Roanoke to give his presentation. Mr. Kyte addressed the Village Board and thanked everyone for the work on this project and gave a history of the project, the site plan, and the proposed development. He stated that key components to their approach for planning the site included thorough market research. The Roanoke Group believed that a cluster of single family homes was the best fit for this site.

President Wepler then asked for public comment from the Trustees. Trustee Johnson thought the plan was too dense for the location and that traffic flow would have an adverse effect on the community and the volume of traffic was a concern. Trustee Johnson would like to see preserve the space with much larger parcels, larger homes on acre lots which would have less impact on the School District and the community. Trustee Johnson did not think the proposed development was compatible for the community. Trustee Moras concurred with Trustee Johnson on the traffic issues and did not think the proposal was a good fit for Libertyville. He also indicated that the sound barrier wall does not fit in with the community. He thanked the developer for their time and commitment to this development proposal. Trustee Justice agreed with the staff recommendation to amend the Comprehensive Plan map. Trustee Justice said the project was not right for Libertyville and it was his desire to protect the 38 (thirty-eight) trees that are remaining. He believed that if action was not taken immediately, the remaining trees would die. Trustee Garrity echoed many of the comments provided by the other

Trustees. He stated that the proposed development was too dense for the area and did not fit the character of the Village. Trustee Garrity also stated that it doesn't meet affordable housing concepts for the Village and the needs of "empty nesters". Trustee Garrity believed the Archdiocese was not being a good neighbor in not listening to the Village concerns. Trustee Carey focused on the traffic plan and stated that a traffic light would be needed to avoid accidents. Trustee Carey supported the recommendations of the Plan Commission.

President Wepler thanked everyone for attending the meeting and also thanked the developer. He explained he could not support the development as proposed. He was concerned about the impact on the schools and the need for a more appropriate traffic flow.

President Wepler then asked for public comment.

Phil Brown, 423 Ridgewood, gave a presentation regarding his opinion of the financials and stated that property values would not generate the tax revenue that was needed. He stated that the development was too dense with 148 homes on 15.2 acres, and he did not agree with the estimated sale prices. He was also concerned there would be traffic risks with 300 additional cars and pedestrian hazards, all day, all week, with 150 kids crossing Butterfield to the school yard. Also, salt from the roads would end up in Butler Lake from the new development. Mr. Brown also talked about the lack of open space which would be hidden by a concrete wall. A 1,000 foot sound wall would be a visual obstruction which reflected sound back at Ridgewood and the school. Mr. Brown requested that the Board deny the proposed development.

Margaret Borcia, 1116 Jessica Lane, an attorney representing a group of homeowners that are opposed to the development, explained that the school does not have the services to provide for additional school children from the development and there would be too much impact on the school resources. She believed the density is not compatible with the area and the homes behind the sound wall would be difficult to sell. The Plan Commission recommendations should be upheld.

Jim Caldwell, 1260 Lake Street, questioned the removal of the trees. Mr. Caldwell wanted to know if the removal process of the trees was in compliance with Village regulations, and President Wepler explained that it was. Staff went to the site and confirmed that only the tagged trees were removed. Mr. Caldwell also asked if there were any plans to restore the tree line that was along Butterfield that now had been removed. President Wepler indicated he will contact the Archdiocese about restoring the property.

Thomas Baier, 725 Stonegate, inquired if the Village had approached the Archdiocese about doing something else with the land, (i.e. sell it and preserve it as open space). He wanted to know if it was possible for the Village to influence the Archdiocese to purchase the open land to create a park. President Wepler explained he did speak to the High School and Grade School, Ann Maine, President of Forest Preserve District, and

Kathleen O'Connor, Township Supervisor, about preserving space but due to financial concerns, there was no interest.

Art Kleck, 543 Ridgewood Lane, thought the price of the planned homes was too high. He thought the schools were great and that is why people want to live in Libertyville. He wanted to know if residents could count on the Board to make good decisions for the Village.

Leslie Wexler, 1225 Virginia Avenue, thanked Trustee Garrity for mentioning that the Archdiocese had not been communicating with the Village. Increased communications between developers and residents would be a benefit in her opinion. She asked the Mayor to make development plans more transparent for residents. President Weppler has asked staff to put plans on the website currently.

The Village Board believed residential was best for this space. They did not want commercial. Trustee Johnson explained she would like to see the property maintained as open space. The alternative she envisioned would be acreage parcels to decrease the density. Trustee Moras stated that it was originally zoned institutional. He thought a church or school would be a good fit there.

Moira Breen, 139 Woodland Road, thanked the Village Board and Plan Commission for doing such a good job.

Chris Geiselhart, 1409 Bullcreek Drive, expressed the need to talk more about the Bullcreek Watershed. She is a member of the Bullcreek Watershed Council which helps improve the Bullcreek Watershed. Since the trees were removed, water flows to Bullcreek and she is concerned about chlorides that may come from the development and contaminate the Bullcreek Watershed.

John O'Malley, 1125 Jessica Lane, stated that he has concerns that the professional staff recommended a traffic light at Lake Street and that was not followed by the developer. He wanted to emphasize that the traffic light is not the only issue and density was also an issue.

Ann Coburn, 1122 Loyola Drive, said this was not the correct location for this development. The location is landlocked and there are no walking trails, no bike trails, and no sidewalks. Ms. Coburn also would like email notifications when there is a new planning development being considered. President Weppler explained there are email blasts from the Village and if you contact the Village you can be signed up for the emails.

Jacklyn Peterson, 18320 Old Peterson Road, questioned whether staff had a disconnect with the community about this development. She also supported Trustee Justice in saving the remaining 38 trees and wanted to know why the clearcutting was allowed. President Weppler said the current Village ordinance for tree removal was written for a normal residential lot. A larger development was not anticipated and there would be a review of the Tree Preservation ordinance.

Ann Draa, 1020 Ashley Lane, thanked Trustee Justice for looking out for the trees. She also encouraged the Village Board to look at a Building Moratorium. Ms. Draa thanked Director of Community Development John Spoden and Senior Planner David Smith who spent countless hours with residents regarding this proposed development. Anna welcomed the Mundelein residents who came to the meeting.

Carol August, 1201 Amy Lane, thanked Phil Brown and Anna Draa for the work they had done to communicate information regarding the development. She pointed out that three (3) retention ponds would be the responsibility of the homeowner's association (HOA) and she did not believe this was the case with other retention ponds in the Village.

Joe Gattone, 817 Bedford Lane, expressed concerns about traffic on Butterfield Road. He didn't see how it would work in this location and that the only way it could work was to put a light in at Lake and an entrance in a golf course neighborhood. Mr. Batone thanked the Board for their comments.

Ellen Wettlaufer, 513 Ridgewood Lane, thanked the Board, Staff, Plan Commission and all the residents who had come to the meetings. She believed that this development didn't fit in with Libertyville. She did not think that it should be zoned as larger lots.

Greg Garofolo, 231 Kenloch Avenue, explained he put a second addition on his house and he had to mail out over 300 letters for a 4 inch variance. He thought that developers should have to do the same. He also expressed that before the Board decided on anything they need to think of the safety of the children.

Phil Brown, 423 Ridgewood Lane, wanted everyone to know that this is not a done deal. Trustee Johnson said it is not a done deal and there is still the option of de-annexation. She said it was important to continue to be engaged in the process.

Jeff Mueller, 941 Windhaven, wanted to know why the Village didn't have the builder pay impact fees. President Wepler explained that impact fees would be collected if the development was approved.

Gordon Botts, 1035 Blackburn Circle, stated that if the developer decided to de-annex from the Village, they could make a road on the SW corner of the site as the entrance to the development. President Wepler explained that Mundelein would have to take care of that if they de-annexed.

Joyce Herres, 1049 Wellington Avenue, expressed her opinion that the Village would lose taxes from District 70 if the property was de-annexed. President Wepler stated that School District boundaries do not follow Village boundaries.

Jim Connell, 1215 Sussex Lane, asked residents to please send letters to the Archdiocese regarding the option of de-annexation. Trustee Moras stated that residents should also contact the county regarding the traffic issues if the development was de-annexed.

Mark Grote, 418 S. Fourth Avenue, asked if the Village Board had discussed with the School Board the possibility of de-annexation. President Wepler said they were not engaged in conversations at this point.

Janice Garofolo, 231 Kenloch Avenue, asked for clarification of the proposed intersection. The County would not support turn restrictions. Safety is a big concern of hers.

Paul Geiselhart, 1408 Bullcreek Drive, stated that he was glad that the citizens spoke and had the right to petition. He thanked Phil Brown for awakening constitutional rights to petition.

President Wepler then stated that if there was no further comment, that four (4) out of the five (5) of the petitions failed to receive a positive recommendation from the Plan Commission. The developer requested that the Board vote on these as a package. President Wepler said the Board can take them separately and the developer can address the Board on a specific item. The Developer asked to address the Comprehensive Plan Amendment and requested that if the Board is not going to approve the zoning request that they should also not approve the Comprehensive Plan Amendment. President Wepler said the reason it was voted on this way was because that this was the area with trees and they did not want to see any more trees go. President Wepler stated that the Board will vote on the petitions individually. Peter Kyte stated that the Archdiocese hired a consultant to start working with the Village with a plan for development. Through that process they came up with the current plan. The Comprehensive Plan was approved in 2010 by the Village. He reviewed that they followed the Village ordinances regarding the numbers and that they met all the requirements of the Village of Libertyville. He stated that the proposal is 25% less dense than originally planned.

Following the discussion and public comment, Trustee Johnson moved and Trustee Moras seconded a motion regarding **PC 16-08**, to approve a request for an Amendment to the Official Map of the Comprehensive Plan from Public/Institutional to Mixed Medium Density Residential currently located in an IB, Institutional Buildings District at 901 N. Butterfield Road, subject to the condition that this area become a conservation area with no structures built.

The motion carried on a roll call vote as follows:

AYES: Johnson, Moras, Justice, Garrity, Carey

NAYES: None

MOTION CARRIED

Trustee Johnson moved and Trustee Justice seconded a motion regarding **PC 16-09**, to approve a request for an Amendment to the Village of Libertyville Zoning Map in order to re-zone approximately 40 acres of land from IB, Institutional Buildings District to R-6

Single Family Residential District in order to construct a single family residential development for property currently located in an IB, Institutional Buildings District at 901 N. Butterfield Road.

AYES: None

NAYES: Johnson, Moras, Justice, Garrity, Carey

MOTION FAILED

Trustee Johnson moved and Trustee Justice seconded a motion regarding **PC 16-10**, to approve a request for a Preliminary Plat of Subdivision in order to subdivide approximately 40 acres of land in order to construct a single family residential development for property currently located in an IB, Institutional Buildings District at 901 N. Butterfield Road, subject to the conditions set forth as conditions numbered 1-16, including all subparts thereof, as set forth on pages 13 through 17 of the Report of the Plan Commission dated March 14, 2017.

AYES: None

NAYES: Johnson, Moras, Justice, Garrity, Carey

MOTION FAILED

Trustee Johnson moved and Trustee Carey seconded a motion regarding **PC 16-11**, to approve a request for a Special Use Permit for a Planned Development order to construct a single family residential development for property currently located in an IB, Institutional Buildings District at 901 N. Butterfield Road, subject to the conditions set forth as conditions numbered 1-16, including all subparts thereof, as set forth on pages 17-21 of the Report of the Plan Commission dated March 14, 2017.

AYES: None

NAYES: Johnson, Moras, Justice, Garrity, Carey

MOTION FAILED

Trustee Johnson moved and Trustee Carey seconded a motion regarding **PC 16-12**, to approve a request for a Planned Development Concept Plan in order to construct a single family residential development for property currently located in an IB, Institutional Buildings District at 901 N. Butterfield Road, subject to the conditions set forth as conditions numbered 1-16, including all subparts thereof, as set forth on pages 21-25 of the Report of the Plan Commission dated March 14, 2017.

AYES: None

NAYES: Johnson, Moras, Justice, Carey

PRESENT: Garrity

MOTION FAILED

ADJOURNMENT

With no further business, Trustee Moras moved and Trustee Carey seconded to adjourn the meeting at 9:36 PM. The motion carried on a unanimous voice vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christopher D. Clark". The signature is written in dark ink and is positioned above the printed name.

Christopher D. Clark
Deputy Village Clerk