

MINUTES OF THE PLAN COMMISSION
February 9, 2015

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:30 p.m. at the Village Hall.

Members present: Chairman Mark Moore, William Cotey, Dan Donahue, Amy Flores, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: None.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; and Fred Chung, Senior Project Engineer.

Commissioner Semmelman moved, seconded by Commissioner Schultz, to approve the January 12, 2015, Plan Commission meeting minutes.

Motion carried 7 - 0.

OLD BUSINESS:

**PC 14-18 Swanson Development, LLC, Applicant
625 W. Winchester Road**

Request is for an Amendment to the Comprehensive Plan to change the Future Land Use Map from Public/Institutional to Mixed Low Density Residential in order to construct 56 townhome dwelling units on approximately 5.2 acres of land currently located in an IB, Institutional Buildings District.

**PC 14-19 Swanson Development, LLC, Applicant
625 W. Winchester Road**

Request is for a Map Amendment to rezone property from IB, Institutional Buildings District to R-8, Multiple Family Residential District in order to construct 56 townhome dwelling units on approximately 5.2 acres of land currently located in an IB, Institutional Buildings District.

**PC 14-20 Swanson Development, LLC, Applicant
625 W. Winchester Road**

Request is for a Special Use Permit for a Planned Development in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District.

**PC 14-21 Swanson Development, LLC, Applicant
625 W. Winchester Road**

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Request is for a Planned Development Concept Plan in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District.

PC 14-22 Swanson Development, LLC, Applicant
625 W. Winchester Road

Request is for a Preliminary Plat of Subdivision in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District.

Mr. David Smith, Senior Planner, stated that the petitioner was before the Plan Commission at their December 8, 2014, meeting requesting an Amendment to the Comprehensive Plan to change the Future Land Use Map from Public/Institutional to Mixed Low Density Residential, a Map Amendment to rezone property from IB, Institutional District to R-8, Multiple Family Residential District, a Special Use Permit for a Planned Development, a Planned Development Concept Plan and a Preliminary Plat of Subdivision in order to construct 56 townhome dwelling units in an R-8, Multiple Family Residential District on approximately 5.2 acres of land currently located in an IB, Institutional Buildings District at 625 West Winchester Road.

Mr. Smith stated that during the course of the December 8, 2014 Plan Commission public hearing, the Plan Commission heard the petitioner's presentation and public testimony, and continued the matter to the January 26, 2015, Plan Commission meeting date in order to provide the petitioner an opportunity to revise their plans in accordance with Staff review comments, public testimony, Plan Commission comments, and for Village Staff to further study an affordable housing policy as it may apply to this proposal. He stated that it was continued again to the February 9, 2015 meeting.

Mr. Rick Swanson, petitioner, reviewed the proposal including the Site Plan and the architecture for the Plan Commission.

Chairman Moore stated that the DRC Staff report has over 50 conditions for approval and asked the petitioner if he has reviewed the Staff report and will agree with the conditions. Mr. Swanson stated that he has reviewed the Staff report and indicated that most of the conditions are Engineering related and stated that he is in agreement with the Engineering related comments. He stated that the affordable housing related comments should be negotiated, but appreciates that Staff included four choices to choose from regarding how to address the affordable housing component.

Commissioner Cotey asked the petitioner what the size of the townhomes will be and if they will include first floor master bedrooms in the townhome units. Mr. Swanson stated that the units would not typically have first floor master bedrooms, but that some units will be designed to accommodate elevators as an option. He stated that on average, the units will be approximately 2,200 square feet in floor area. He stated that this proposal is not intended to be age restricted. He stated that they are exploring the possibility of including basements on some of the units.

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Commissioner Flores asked if the cul-de-sac street will be public or private. Mr. Swanson stated that it will be a private street, but constructed to Village standards. He stated that the Homeowners Association would manage the street parking regulations.

Chairman Moore stated that he is concerned about compliance with the storm water management and detention requirements.

Mr. Swanson stated that he is very confident that all Engineering review comments will be complied with.

Chairman Moore asked if the petitioner will have to come back to the Plan Commission if basements are introduced for some of the units. Mr. John Spoden, Director of Community Development, stated that they will not have to come back as basements should not affect the site plan.

Chairman Moore asked if the petitioner will comply with the request for additional pedestrian safety signage near the ingress and egress of the site along Ellis Avenue near the Township offices. Mr. Swanson stated that they will comply.

Chairman Moore asked Village Staff to elaborate on the affordable housing portion of the DRC Staff report.

Mr. Spoden stated that the Village currently has a draft inclusionary housing ordinance that was written in 2008. He stated that within this draft ordinance, it requires that a residential development provide at least 15% of its units as affordable as defined by the Illinois Housing Development Authority, or that a cash in lieu be deposited into a trust fund that would later be used to support the development of affordable housing, or that the developer dedicate land to be developed with affordable housing, or that affordable housing be provided off-site. He stated that these options are the current Staff recommendations for Mr. Swanson to consider.

Mr. Spoden stated that the 2008 draft ordinance determined that the pay fee in lieu of providing the actual units was set at \$130,000 per unit which is higher than the current proposal by Staff which is based upon the Highland Park methodology of determining the fee amount. Mr. Spoden stated that the method of calculating the fee in lieu of providing affordable units looks at the total number of units with Libertyville addresses, both incorporated and unincorporated, sold in 2014. He stated that the top selling unit in the bottom 1/6th of all units shall subtract what IHDA has identified as an affordable price point for a qualifying household. He stated that the difference is the amount that the Village would ask the developer to pay into a trust fund as the fee in lieu of providing affordable units.

Commissioner Schultz asked the petitioner what the cost of construction would be. Mr. Swanson stated that the cost of construction would roughly be around \$100 per square foot. He stated that the home sizes average around 2,200 square feet of floor area. He stated that the total cost would be approximately \$15.2 million.

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Commissioner Schultz stated that the Staff report proposes options to address the affordable housing request.

Mr. Swanson stated that he prefers the fee in lieu option.

Chairman Moore stated that of the four options outlined in the Staff report, option number three (3) that recommends that the developer to donate land for future affordable housing development does not seem definitive enough and that he would recommend that this option be removed.

Commissioner Cotey stated the affordable housing options three (3) and four (4) have some limitations and vacant land is not very available in Libertyville. He stated that Highland Park's fee in lieu amount is too high.

Commissioner Flores asked if the developer is willing to construct 15% of the number of proposed dwelling units on site. Mr. Swanson stated that he cannot provide the affordable units on site.

Chairman Moore stated that is not supportive of option three (3), but would support option two (2) as it is written.

Commissioner Donahue stated that consideration should be given to separating out each of the options for Plan Commission voting.

Mr. David Pardys, Village Attorney, stated that it would be difficult to parcel out subsections of the recommendation in the motion, but it may function better prior to the motion if a straw poll vote were taken before the actual Plan Commission motion was made.

Chairman Moore concurred with the Village Attorney's suggestion and asked each Plan Commission member what combination of options for the affordable housing recommended by Staff would they support.

Commissioner Oakley stated that he would support options one (1) and two (2).

Commissioner Flores stated that she would support options one (1), two (2), and four (4).

Commission Cotey stated that he would support option two (2).

Commissioner Semmelman stated that he would support options one (1), two (2), and four (4).

Commissioner Donahue stated that he would support options one (1) and four (4).

Commissioner Schultz stated that he would support options one (1), two (2), and four (4).

Chairman Moore stated that he would support options two (2) and four (4).

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Chairman Moore stated that options 1, 2, and 4 seem to carry the most weight amongst the Plan Commission and therefore recommended that the motion should read that way.

In the matter of PC 14-18, Commissioner Semmelman moved, seconded by Commissioner Donahue, to recommend the Village Board of Trustees approve an Amendment to the Comprehensive Plan to change the Future Land Use Map from Public/Institutional to Mixed Low Density Residential in order to construct 56 townhome dwelling units on approximately 5.2 acres of land currently located in an IB, Institutional Buildings District, in accordance with the plans submitted.

Motion carried 6 - 1.

Ayes: Moore, Donahue, Flores, Oakley, Schultz, Semmelman
Nays: Cotey
Absent: None

In the matter of PC 14-19, Commissioner Oakley moved, seconded by Commissioner Schultz, to recommend the Village Board of Trustees approve a Map Amendment to rezone property from IB, Institutional Buildings District to R-8, Multiple Family Residential District in order to construct 56 townhome dwelling units on approximately 5.2 acres of land currently located in an IB, Institutional Buildings District, in accordance with the plans submitted.

Motion carried 6 - 1.

Ayes: Moore, Donahue, Flores, Oakley, Schultz, Semmelman
Nays: Cotey
Absent: None

In the matter of PC 14-20, Commissioner Semmelman moved, seconded by Commissioner Schultz, to recommend the Village Board of Trustees approve a Special Use Permit for a Planned Development in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District, subject to the following conditions:

- 1. That the Developer address Affordable Housing with one of the three following ways:*
 - 1. Require that 15% of all new units be affordable as defined by the ordinance. The draft ordinance would allow for an increase in density to offset the required number of units and waive Village fees for those units.*
 - 2. Cash Payment in lieu of Affordable Housing Units: Provide a \$79,167 fee for each of the 8 townhome units or \$11,309 per each of the 56 townhomes to be deposited into a Housing Trust fund.*
 - 3. Provide an equivalent number of Affordable Housing Units at another site(s) within the Village.*

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2. *That the developer install MUTCD pedestrian warning signage to include a W11-2 pedestrian crossing warning sign with a W16-9P "ahead" sign in advance of the crosswalks (one for northbound and one for southbound motorists), and another W11-2 sign with a W16-7P "downward diagonal arrow" sign at each crosswalk in both directions. These sign plans shall be incorporated in the Planned Development Final Plans.*
3. *That the development change the existing yield to pedestrians sign currently used by the Township for their crosswalk on Ellis Avenue to a stop for pedestrians. These sign plans shall be incorporated in the Planned Development Final Plans.*
4. *The existing painted left turn lane for west bound traffic along Winchester Road into the current Bolander Park driveway will need to be removed/restriped to provide a painted median with diagonal stripes per Lake County DOT approval. Demonstrate that LCDOT permit has been applied for prior to submission of Planned Development Final Plan and Final Plat of Subdivision. Lake County DOT permit shall be issued to the developer prior to the Village issuing a Site Development Permit.*
5. *A revised Photometric Light Plan shall be required upon submission of Planned Development Final Plan.*
6. *That complete plans including detailed specifications of the proposed gazebo shall be required upon submission of the Planned Development Final Plan.*
7. *That a written narrative with detailed exhibits for phasing, staging, emergency access, construction routes planned for during the construction of the project shall be required upon submission of the Planned Development Final Plan.*
8. *That a scaled plat exhibit with legal description entitled Zoning Map Amendment from IB Institutional Buildings District to R-8 Multiple Family Residential District shall be required upon submission of the Planned Development Final Plan.*
9. *That Runoff Calculations shall meet Article IV.B.1.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
10. *That stormwater release rates and discharges shall meet Article IV.B.1.c. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
11. *That Runoff Volume Reduction (RVR) shall meet Article IV.B.1.d. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
12. *That the Stormwater Facilities design shall meet Article IV.B.1.e. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
13. *That the Stormwater Conveyance System design calculations shall meet Article IV.B.1.g. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
14. *That a Field tile survey shall be submitted and all provision shall meet Article IV.B.1.g.(c) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
15. *That Overland Flow Path calculations shall meet Article IV.B.1.g.(3) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
16. *That Water Quality Treatment calculations shall meet Article IV.B.1.h. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*

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17. *That a Wetland delineation report shall be submitted and all required permitting process shall be coordinated with Lake County Stormwater Management Commission or the Army Corps of Engineers in accordance to Article IV.E. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
18. *That a Soil Erosion and Sediment Control Plan shall meet Article IV.B.1.j. and Article IV.B.2.b.(8) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
19. *That all Application Requirements for Major Development shall meet Article IV. B.2.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
20. *That a topographic map of the existing conditions of the development site showing the location of all roads, all drainage ways, the boundaries of predominate soil types, the boundaries of predominate vegetation, and the location of drainage easements be provided upon submission of the Planned Development Final Plan. All elevations shall be referenced to North American Vertical Datum of 1988 (NAVD 88) per Article IV.B.2.b.(2) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
21. *That a Report describing the hydrology and hydraulic analysis performed for the project shall be submitted at the time of Planned Development Final Plan submittal.*
22. *That a maintenance Plan for the ongoing maintenance of all stormwater management system components shall be submitted at the time of the Planned Development Final Plan submittal.*
23. *That a copy of the Natural Resources Inventory (NRI) shall be submitted per Article IV.B.2.b.(13) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
24. *That all depressional storage volume shall be maintained.*
25. *That a copy of the consultation application to the Illinois Department of Natural Resources (IDNR) shall be submitted per Article IV.B.2.b.(16) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
26. *That a Clearance letter from the Illinois Historic Preservation Agency shall be submitted at the time of the Planned Development Final Plan submittal.*
27. *That a Subsurface Drainage inventory be submitted per Article IV.B.2.(17)(a) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
28. *That all proposed signage or monuments or any retaining wall be shown on the Planned Development Final Plan including the Civil Engineering exhibit sheets.*
29. *That a stormwater easement for the detention facilities and the conveyance system as required by the Lake County Watershed Development Ordinance and provided upon submission of the Planned Development Final Plan.*
30. *The Village shall own and maintain only watermain and sanitary sewer improvements within those specific easements identified on the Plat of Subdivision.*
31. *Any work within the Metra R.O.W. shall require permission or agreement with Metra, which shall be secured by the developer.*
32. *That storm sewer conveyance system calculations shall be submitted at the time of Planned Development Final Plan submittal.*
33. *That all the utility crossings and vertical separations be shown on a utility profile exhibit at the time of Planned Development Final Plan submittal.*

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34. *That the existing water main system along the East property limit be clearly marked on the plans at the time of Planned Development Final Plan submittal.*
35. *That the roadway is to be owned and maintained by the homeowners Association. Therefore, an easement shall be granted to the Village of Libertyville and the easement provision should be submitted and reviewed by the Village Attorney at the time of Planned Development Final Plan submittal.*
36. *That a Blanket Easement shall be granted to the Village over the entire property except the building parcels and shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
37. *That a drainage easement provision with Notary Public Certificate be shown on the Final Plat at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
38. *That a defined and clear easement provision for the detention ponds (Outlot B and C) be provided and the provision shall indicate that the maintenance and management will be the responsibility of the Home Owners Association.*
39. *That Outlot A shall be clearly marked and identified on the Final Plat of Subdivision and the Planned Development Final Plan at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
40. *That an Easement Provision for Outlot A be indicated on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
41. *That the roadway R.O.W. dedication document numbers for Ellis Avenue and Winchester Road be shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
42. *That the surveyor Certificate be added on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
43. *That the Mortgage Certificate Provision and Notary Public be on the Plat if applicable at the time of Planned Development Final Plan submittal.*
44. *That all building set back should be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
45. *That all dimensions of all driveways be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
46. *That a Development Agreement shall be at the time of Planned Development Final Plan submittal, approved and executed prior to the adoption of any resolution or ordinance for this project.*
47. *That the Restrictive Covenants for the project shall be submitted for review at the time of Planned Development Final Plan submittal.*
48. *That the Engineering Cost Estimate shall be submitted at the time of Planned Development Final Plan submittal.*
49. *That a list of all private improvements owned and maintained by the homeowner association shall be submitted at the time of Planned Development Final Plan submittal.*
50. *That a list of all public improvements owned and maintained by the Village shall be submitted at the time of Planned Development Final Plan submittal.*
51. *That an Alta/ACSM Land Title Survey shall be submitted at the time of Planned Development Final Plan submittal.*
52. *That a Watershed Development Application Permit is required prior to the issuance of a Site Development Permit.*
53. *That a Sanitary sewer extension permit is required from the IEPA prior to the issuance of a Site Development Permit.*

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54. *That a Watermain Extension Permit is required from the IEPA prior to the issuance of Site Development Permit.*
55. *That a National Pollutant Discharge Elimination System (NPDES) Permit is required from the IEPA prior to the issuance of a Site Development Permit.*
56. *That a Storm Water Pollution Prevention Plan (SWPPP) shall be submitted prior to the issuance of a Site Development Permit.*
57. *That a document be provided to and signed by each original purchaser and subsequent purchase in the following form or such other form as may be approved by the Village Attorney:*

“As purchaser of unit # _____ in the Parkside _____ Development (the “Development”) I acknowledge that I have been provided with copies of : 1) a copy of ordinance number _____ , approving a planned development for Parkside _____; 2) a copy of the development agreement between the Village of Libertyville and Swanson Development, LLC; and 3) a copy of the Covenants Conditions and Restrictions for the Development. I understand that these documents contain certain conditions and restrictions regarding the Development and that as an owner of the Development I will be bound by these conditions and restrictions. I further understand that I will be required to provide copies of these documents to any subsequent purchaser of unit # _____ and will require the execution of this acknowledgment from any subsequent purchaser as a condition of closing for a subsequent sale of unit # _____. An executed copy of this document shall be delivered to the Village of Libertyville within fourteen (14) days of closing.

Motion carried 5 - 2.

Ayes: Moore, Flores, Oakley, Schultz, Semmelman
Nays: Cotey, Donahue
Absent: None

In the matter of PC 14-21, Commissioner Semmelman moved, seconded by Commissioner Schultz, to recommend the Village Board of Trustees approve a Planned Development Concept Plan in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District, subject to the following conditions:

1. *That the Developer address Affordable Housing with one of the three following ways:*
 1. *Require that 15% of all new units be affordable as defined by the ordinance. The draft ordinance would allow for an increase in density to offset the required number of units and waive Village fees for those units.*
 2. *Cash Payment in lieu of Affordable Housing Units: Provide a \$79,167 fee for each of the 8 townhome units or \$11,309 per each of the 56 townhomes to be deposited into a Housing Trust fund.*

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3. *Provide an equivalent number of Affordable Housing Units at another site(s) within the Village.*
2. *That the developer install MUTCD pedestrian warning signage to include a W11-2 pedestrian crossing warning sign with a W16-9P “ahead” sign in advance of the crosswalks (one for northbound and one for southbound motorists), and another W11-2 sign with a W16-7P “downward diagonal arrow” sign at each crosswalk in both directions. These sign plans shall be incorporated in the Planned Development Final Plans.*
3. *That the development change the existing yield to pedestrians sign currently used by the Township for their crosswalk on Ellis Avenue to a stop for pedestrians. These sign plans shall be incorporated in the Planned Development Final Plans.*
4. *The existing painted left turn lane for west bound traffic along Winchester Road into the current Bolander Park driveway will need to be removed/restriped to provide a painted median with diagonal stripes per Lake County DOT approval. Demonstrate that LCDOT permit has been applied for prior to submission of Planned Development Final Plan and Final Plat of Subdivision. Lake County DOT permit shall be issued to the developer prior to the Village issuing a Site Development Permit.*
5. *A revised Photometric Light Plan shall be required upon submission of Planned Development Final Plan.*
6. *That complete plans including detailed specifications of the proposed gazebo shall be required upon submission of the Planned Development Final Plan.*
7. *That a written narrative with detailed exhibits for phasing, staging, emergency access, construction routes planned for during the construction of the project shall be required upon submission of the Planned Development Final Plan.*
8. *That a scaled plat exhibit with legal description entitled Zoning Map Amendment from IB Institutional Buildings District to R-8 Multiple Family Residential District shall be required upon submission of the Planned Development Final Plan.*
9. *That Runoff Calculations shall meet Article IV.B.1.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
10. *That stormwater release rates and discharges shall meet Article IV.B.1.c. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
11. *That Runoff Volume Reduction (RVR) shall meet Article IV.B.1.d. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
12. *That the Stormwater Facilities design shall meet Article IV.B.1.e. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
13. *That the Stormwater Conveyance System design calculations shall meet Article IV.B.1.g. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
14. *That a Field tile survey shall be submitted and all provision shall meet Article IV.B.1.g.(c) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
15. *That Overland Flow Path calculations shall meet Article IV.B.1.g.(3) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*

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16. *That Water Quality Treatment calculations shall meet Article IV.B.1.h. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
17. *That a Wetland delineation report shall be submitted and all required permitting process shall be coordinated with Lake County Stormwater Management Commission or the Army Corps of Engineers in accordance to Article IV.E. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
18. *That a Soil Erosion and Sediment Control Plan shall meet Article IV.B.1.j. and Article IV.B.2.b.(8) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
19. *That all Application Requirements for Major Development shall meet Article IV. B.2.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
20. *That a topographic map of the existing conditions of the development site showing the location of all roads, all drainage ways, the boundaries of predominate soil types, the boundaries of predominate vegetation, and the location of drainage easements be provided upon submission of the Planned Development Final Plan. All elevations shall be referenced to North American Vertical Datum of 1988 (NAVD 88) per Article IV.B.2.b.(2) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
21. *That a Report describing the hydrology and hydraulic analysis performed for the project shall be submitted at the time of Planned Development Final Plan submittal.*
22. *That a maintenance Plan for the ongoing maintenance of all stormwater management system components shall be submitted at the time of the Planned Development Final Plan submittal.*
23. *That a copy of the Natural Resources Inventory (NRI) shall be submitted per Article IV.B.2.b.(13) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
24. *That all depressional storage volume shall be maintained.*
25. *That a copy of the consultation application to the Illinois Department of Natural Resources (IDNR) shall be submitted per Article IV.B.2.b.(16) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
26. *That a Clearance letter from the Illinois Historic Preservation Agency shall be submitted at the time of the Planned Development Final Plan submittal.*
27. *That a Subsurface Drainage inventory be submitted per Article IV.B.2.(17)(a) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
28. *That all proposed signage or monuments or any retaining wall be shown on the Planned Development Final Plan including the Civil Engineering exhibit sheets.*
29. *That a stormwater easement for the detention facilities and the conveyance system as required by the Lake County Watershed Development Ordinance and provided upon submission of the Planned Development Final Plan.*
30. *The Village shall own and maintain only watermain and sanitary sewer improvements within those specific easements identified on the Plat of Subdivision.*
31. *Any work within the Metra R.O.W. shall require permission or agreement with Metra, which shall be secured by the developer.*

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32. *That storm sewer conveyance system calculations shall be submitted at the time of Planned Development Final Plan submittal.*
33. *That all the utility crossings and vertical separations be shown on a utility profile exhibit at the time of Planned Development Final Plan submittal.*
34. *That the existing water main system along the East property limit be clearly marked on the plans at the time of Planned Development Final Plan submittal.*
35. *That the roadway is to be owned and maintained by the homeowners Association. Therefore, an easement shall be granted to the Village of Libertyville and the easement provision should be submitted and reviewed by the Village Attorney at the time of Planned Development Final Plan submittal.*
36. *That a Blanket Easement shall be granted to the Village over the entire property except the building parcels and shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
37. *That a drainage easement provision with Notary Public Certificate be shown on the Final Plat at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
38. *That a defined and clear easement provision for the detention ponds (Outlot B and C) be provided and the provision shall indicate that the maintenance and management will be the responsibility of the Home Owners Association.*
39. *That Outlot A shall be clearly marked and identified on the Final Plat of Subdivision and the Planned Development Final Plan at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
40. *That an Easement Provision for Outlot A be indicated on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
41. *That the roadway R.O.W. dedication document numbers for Ellis Avenue and Winchester Road be shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
42. *That the surveyor Certificate be added on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
43. *That the Mortgage Certificate Provision and Notary Public be on the Plat if applicable at the time of Planned Development Final Plan submittal.*
44. *That all building set back should be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
45. *That all dimensions of all driveways be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
46. *That a Development Agreement shall be at the time of Planned Development Final Plan submittal, approved and executed prior to the adoption of any resolution or ordinance for this project.*
47. *That the Restrictive Covenants for the project shall be submitted for review at the time of Planned Development Final Plan submittal.*
48. *That the Engineering Cost Estimate shall be submitted at the time of Planned Development Final Plan submittal.*
49. *That a list of all private improvements owned and maintained by the homeowner association shall be submitted at the time of Planned Development Final Plan submittal.*
50. *That a list of all public improvements owned and maintained by the Village shall be submitted at the time of Planned Development Final Plan submittal.*
51. *That an Alta/ACSM Land Title Survey shall be submitted at the time of Planned Development Final Plan submittal.*

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52. *That a Watershed Development Application Permit is required prior to the issuance of a Site Development Permit.*
53. *That a Sanitary sewer extension permit is required from the IEPA prior to the issuance of a Site Development Permit.*
54. *That a Watermain Extension Permit is required from the IEPA prior to the issuance of Site Development Permit.*
55. *That a National Pollutant Discharge Elimination System (NPDES) Permit is required from the IEPA prior to the issuance of a Site Development Permit.*
56. *That a Storm Water Pollution Prevention Plan (SWPPP) shall be submitted prior to the issuance of a Site Development Permit.*
57. *That a document be provided to and signed by each original purchaser and subsequent purchase in the following form or such other form as may be approved by the Village Attorney:*

“As purchaser of unit # _____ in the Parkside _____ Development (the “Development”) I acknowledge that I have been provided with copies of : 1) a copy of ordinance number _____ , approving a planned development for Parkside _____; 2) a copy of the development agreement between the Village of Libertyville and Swanson Development, LLC; and 3) a copy of the Covenants Conditions and Restrictions for the Development. I understand that these documents contain certain conditions and restrictions regarding the Development and that as an owner of the Development I will be bound by these conditions and restrictions. I further understand that I will be required to provide copies of these documents to any subsequent purchaser of unit # _____ and will require the execution of this acknowledgment from any subsequent purchaser as a condition of closing for a subsequent sale of unit # _____. An executed copy of this document shall be delivered to the Village of Libertyville within fourteen (14) days of closing.

Motion carried 5 - 2.

*Ayes: Moore, Flores, Oakley, Schultz, Semmelman
Nays: Cotey, Donahue
Absent: None*

In the matter of PC 14-22, Commissioner Oakley moved, seconded by Commissioner Schultz, to recommend the Village Board of Trustees approve a Preliminary Plat of Subdivision in order to construct 56 townhome dwelling units on approximately 5.2 acres of land in an R-8, Multiple Family Residential District currently located in an IB, Institutional Buildings District, subject to the following conditions:

1. *That the Developer address Affordable Housing with one of the three following ways:*
 1. *Require that 15% of all new units be affordable as defined by the ordinance. The draft ordinance would allow for an increase in density to offset the required number of units and waive Village fees for those units.*

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2. *Cash Payment in lieu of Affordable Housing Units: Provide a \$79,167 fee for each of the 8 townhome units or \$11,309 per each of the 56 townhomes to be deposited into a Housing Trust fund.*
 3. *Provide an equivalent number of Affordable Housing Units at another site(s) within the Village.*
-
2. *That the developer install MUTCD pedestrian warning signage to include a W11-2 pedestrian crossing warning sign with a W16-9P “ahead” sign in advance of the crosswalks (one for northbound and one for southbound motorists), and another W11-2 sign with a W16-7P “downward diagonal arrow” sign at each crosswalk in both directions. These sign plans shall be incorporated in the Planned Development Final Plans.*
 3. *That the development change the existing yield to pedestrians sign currently used by the Township for their crosswalk on Ellis Avenue to a stop for pedestrians. These sign plans shall be incorporated in the Planned Development Final Plans.*
 4. *The existing painted left turn lane for west bound traffic along Winchester Road into the current Bolander Park driveway will need to be removed/restriped to provide a painted median with diagonal stripes per Lake County DOT approval. Demonstrate that LCDOT permit has been applied for prior to submission of Planned Development Final Plan and Final Plat of Subdivision. Lake County DOT permit shall be issued to the developer prior to the Village issuing a Site Development Permit.*
 5. *A revised Photometric Light Plan shall be required upon submission of Planned Development Final Plan.*
 6. *That complete plans including detailed specifications of the proposed gazebo shall be required upon submission of the Planned Development Final Plan.*
 7. *That a written narrative with detailed exhibits for phasing, staging, emergency access, construction routes planned for during the construction of the project shall be required upon submission of the Planned Development Final Plan.*
 8. *That a scaled plat exhibit with legal description entitled Zoning Map Amendment from IB Institutional Buildings District to R-8 Multiple Family Residential District shall be required upon submission of the Planned Development Final Plan.*
 9. *That Runoff Calculations shall meet Article IV.B.1.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
 10. *That stormwater release rates and discharges shall meet Article IV.B.1.c. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
 11. *That Runoff Volume Reduction (RVR) shall meet Article IV.B.1.d. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
 12. *That the Stormwater Facilities design shall meet Article IV.B.1.e. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
 13. *That the Stormwater Conveyance System design calculations shall meet Article IV.B.1.g. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*

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14. *That a Field tile survey shall be submitted and all provision shall meet Article IV.B.1.g.(c) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
15. *That Overland Flow Path calculations shall meet Article IV.B.1.g.(3) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
16. *That Water Quality Treatment calculations shall meet Article IV.B.1.h. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
17. *That a Wetland delineation report shall be submitted and all required permitting process shall be coordinated with Lake County Stormwater Management Commission or the Army Corps of Engineers in accordance to Article IV.E. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
18. *That a Soil Erosion and Sediment Control Plan shall meet Article IV.B.1.j. and Article IV.B.2.b.(8) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
19. *That all Application Requirements for Major Development shall meet Article IV. B.2.b. of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
20. *That a topographic map of the existing conditions of the development site showing the location of all roads, all drainage ways, the boundaries of predominate soil types, the boundaries of predominate vegetation, and the location of drainage easements be provided upon submission of the Planned Development Final Plan. All elevations shall be referenced to North American Vertical Datum of 1988 (NAVD 88) per Article IV.B.2.b.(2) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
21. *That a Report describing the hydrology and hydraulic analysis performed for the project shall be submitted at the time of Planned Development Final Plan submittal.*
22. *That a maintenance Plan for the ongoing maintenance of all stormwater management system components shall be submitted at the time of the Planned Development Final Plan submittal.*
23. *That a copy of the Natural Resources Inventory (NRI) shall be submitted per Article IV.B.2.b.(13) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
24. *That all depressional storage volume shall be maintained.*
25. *That a copy of the consultation application to the Illinois Department of Natural Resources (IDNR) shall be submitted per Article IV.B.2.b.(16) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
26. *That a Clearance letter from the Illinois Historic Preservation Agency shall be submitted at the time of the Planned Development Final Plan submittal.*
27. *That a Subsurface Drainage inventory be submitted per Article IV.B.2.(17)(a) of the Lake County Watershed Development Ordinance and required upon submission of the Planned Development Final Plan.*
28. *That all proposed signage or monuments or any retaining wall be shown on the Planned Development Final Plan including the Civil Engineering exhibit sheets.*

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29. *That a stormwater easement for the detention facilities and the conveyance system as required by the Lake County Watershed Development Ordinance and provided upon submission of the Planned Development Final Plan.*
30. *The Village shall own and maintain only watermain and sanitary sewer improvements within those specific easements identified on the Plat of Subdivision.*
31. *Any work within the Metra R.O.W. shall require permission or agreement with Metra, which shall be secured by the developer.*
32. *That storm sewer conveyance system calculations shall be submitted at the time of Planned Development Final Plan submittal.*
33. *That all the utility crossings and vertical separations be shown on a utility profile exhibit at the time of Planned Development Final Plan submittal.*
34. *That the existing water main system along the East property limit be clearly marked on the plans at the time of Planned Development Final Plan submittal.*
35. *That the roadway is to be owned and maintained by the homeowners Association. Therefore, an easement shall be granted to the Village of Libertyville and the easement provision should be submitted and reviewed by the Village Attorney at the time of Planned Development Final Plan submittal.*
36. *That a Blanket Easement shall be granted to the Village over the entire property except the building parcels and shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
37. *That a drainage easement provision with Notary Public Certificate be shown on the Final Plat at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
38. *That a defined and clear easement provision for the detention ponds (Outlot B and C) be provided and the provision shall indicate that the maintenance and management will be the responsibility of the Home Owners Association.*
39. *That Outlot A shall be clearly marked and identified on the Final Plat of Subdivision and the Planned Development Final Plan at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
40. *That an Easement Provision for Outlot A be indicated on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
41. *That the roadway R.O.W. dedication document numbers for Ellis Avenue and Winchester Road be shown on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
42. *That the surveyor Certificate be added on the Final Plat of Subdivision at the time of Planned Development Final Plan and Final Plat of Subdivision submittal.*
43. *That the Mortgage Certificate Provision and Notary Public be on the Plat if applicable at the time of Planned Development Final Plan submittal.*
44. *That all building set back should be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
45. *That all dimensions of all driveways be shown on the Planned Development Final Plan at the time of Planned Development Final Plan submittal.*
46. *That a Development Agreement shall be at the time of Planned Development Final Plan submittal, approved and executed prior to the adoption of any resolution or ordinance for this project.*
47. *That the Restrictive Covenants for the project shall be submitted for review at the time of Planned Development Final Plan submittal.*
48. *That the Engineering Cost Estimate shall be submitted at the time of Planned Development Final Plan submittal.*

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49. *That a list of all private improvements owned and maintained by the homeowner association shall be submitted at the time of Planned Development Final Plan submittal.*
50. *That a list of all public improvements owned and maintained by the Village shall be submitted at the time of Planned Development Final Plan submittal.*
51. *That an Alta/ACSM Land Title Survey shall be submitted at the time of Planned Development Final Plan submittal.*
52. *That a Watershed Development Application Permit is required prior to the issuance of a Site Development Permit.*
53. *That a Sanitary sewer extension permit is required from the IEPA prior to the issuance of a Site Development Permit.*
54. *That a Watermain Extension Permit is required from the IEPA prior to the issuance of Site Development Permit.*
55. *That a National Pollutant Discharge Elimination System (NPDES) Permit is required from the IEPA prior to the issuance of a Site Development Permit.*
56. *That a Storm Water Pollution Prevention Plan (SWPPP) shall be submitted prior to the issuance of a Site Development Permit.*
57. *That a document be provided to and signed by each original purchaser and subsequent purchase in the following form or such other form as may be approved by the Village Attorney:*

“As purchaser of unit # _____ in the Parkside _____ Development (the “Development”) I acknowledge that I have been provided with copies of : 1) a copy of ordinance number _____ , approving a planned development for Parkside _____; 2) a copy of the development agreement between the Village of Libertyville and Swanson Development, LLC; and 3) a copy of the Covenants Conditions and Restrictions for the Development. I understand that these documents contain certain conditions and restrictions regarding the Development and that as an owner of the Development I will be bound by these conditions and restrictions. I further understand that I will be required to provide copies of these documents to any subsequent purchaser of unit # _____ and will require the execution of this acknowledgment from any subsequent purchaser as a condition of closing for a subsequent sale of unit # _____. An executed copy of this document shall be delivered to the Village of Libertyville within fourteen (14) days of closing.

Motion carried 5 - 2.

Ayes: Moore, Flores, Oakley, Schultz, Semmelman
Nays: Cotey, Donahue
Absent: None

NEW BUSINESS: None.

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that the revisions to the Sign Code will be going to the Village Board. He stated that Staff made a recommendation to the

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Water and Sewer Committee to keep the current Code on residential lot coverage the same as the Village is fairly conservative as compared to other communities.

Commissioner Oakley moved, seconded by Commissioner Donahue, to adjourn the Plan Commission meeting.

Motion carried 7 - 0.

Meeting adjourned at 9:07 p.m.