

MINUTES OF THE PLAN COMMISSION
December 12, 2016

The regular meeting of the Plan Commission was called to order by Vice Chairman William Cotey at 7:42 p.m. at the Village Hall.

Members present: Vice Chairman William Cotey, Amy Flores, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Chairman Mark Moore and Matthew Krummick.

A quorum was established.

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

Commissioner Oakley moved, seconded by Commissioner Schultz, to approve the November 14, 2016, Plan Commission meeting minutes.

Motion carried 5 - 0.

OLD BUSINESS:

**PC 16-31 SA Station Square LLC, Applicant
 400 W. Lake Street**

Request is for a Map Amendment to re-zone approximately 2.8 acres of land from C-1, Downtown Core Commercial District and R-6, Single Family Residential District to R-8, Multiple Family Residential District in order construct a residential development on approximately 11 acres of land currently located in a C-1, Downtown Core Commercial District and R-6, Single Family Residential District.

**PC 16-32 SA Station Square LLC, Applicant
 400 W. Lake Street**

Request is for a Special Use Permit for a Planned Development in order construct a residential development on approximately 11 acres of land currently located in a C-1, Downtown Core Commercial District and R-6, Single Family Residential District.

**PC 16-33 SA Station Square LLC, Applicant
 400 W. Lake Street**

Request is for a Planned Development Concept Plan in order construct a residential development on approximately 11 acres of land currently located in a C-1, Downtown Core Commercial District and R-6, Single Family Residential District.

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PC 16-34 SA Station Square LLC, Applicant
400 W. Lake Street

Request is for a Preliminary Plat of Subdivision in order construct a residential development on approximately 11 acres of land currently located in a C-1, Downtown Core Commercial District and R-6, Single Family Residential District.

Mr. John Spoden, Director of Community Development, introduced the petitioner's requests. He stated that at the same time that the petitioner is requesting the Planned Development for the Trimm property, there is also the RTA sponsored Transit Oriented Development (TOD) plan for the Village's downtown.

Mr. Rick Swanson, petitioner, gave a presentation of the proposed re-development of the Trimm property and Metra parking lot. He stated that he is showing tonight a couple of different site plan layouts for the Plan Commission to give feedback on. He stated that he is proposing to remove the contaminated soil on the Trimm property. He stated that they will comply with all Lake County Storm Water Management regulations. He stated that the proposed housing type will not create a substantial impact upon the schools due the substantial number of apartment units in the development. He stated that the proposed housing types along Lake Street will relate to the other Lake Street residences both architecturally and in size.

Mr. Swanson stated that the alternate Site Plan (A) proposes 28 duplex units and 112 apartment units. He stated that Site Plan (B) proposes townhome buildings with four (4) units in each. He stated that in either plan he is proposing that the Brainerd Boulevard extension into the site incorporates a boulevard design.

Mr. Swanson stated that his proposed Site Plan (C) alternate plan shows two (2) apartment buildings shifted towards the west end of the site. He stated that this plan shows this plan shows townhome or row house type of units along Lake Street. He stated that the apartment building will include luxury type apartments and that the architecture for the townhomes will reflect a similar design as shown in the Site Plan (A) alternative.

Mr. Joe Damico, 1388 W. Lake Street, stated that he is concerned about the proposed parking availability. Mr. Swanson stated that the average parking availability will be approximately 1.5 parking spaces per dwelling unit.

Mr. Damico stated that he is concerned about the overcrowding of the schools. Mr. Swanson stated that he does not anticipate that there will be a substantial number of school age children with the apartments. He stated that he is considering an age restricted policy with the development. He stated that he anticipates an older demographic for the townhome portion of the development, but in the end it will be a market driven development.

Mr. Damico asked what the price points are expected to be for the proposed development. Mr. Swanson stated that the apartments may run \$215 per square foot with the average rent to fall around \$1,000. He stated that the townhome price point range may be between \$500,000 and \$600,000 per unit.

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Mr. Clay Ervine, 1100 Wellington, stated that he is concerned about the fact that there are multiple developments coming at the same time. He stated that the recent school building additions and how it will impact the tax bill is a concern. He stated that he is concerned that schools may be forced to re-district the school district boundaries and how this might impact the property values. He stated that there is too much growth in Libertyville and he is concerned about the impact upon the traffic. He stated that the whole Village should be examined and not just each development one at a time.

Ms. Ana Draa, 1100 Ashley Lane, stated that she is concerned about the increase in the number of school children and how it might impact the schools. She stated that she is concerned about the need to increase the Police and Fire Department protection services. She stated that the proposed project should be a lower density.

Mr. James Gregg, 332 Lake Street, stated that consideration should be given to providing an access across the Metra tracks. Mr. Swanson stated that they will explore the suggested access, but he does not expect that Metra will allow such an access.

Ms. Amy Robillard, 229 Lake Street, stated that she does not support the increase in the density along Lake Street. She stated that single family homes along Lake Street are more appropriate.

Mr. Bill Connall 314 Lake Street, stated that he is concerned about the trees proposed to be removed. He stated that he is concerned about the proposed architectural transition along Lake Street. He asked about the Transit Oriented Development (TOD) plan currently underway. Mr. Spoden stated that the Village was a recipient of an award granted by the Regional Transit Authority to plan a downtown TOD plan. He stated that TESKA & Associates were chosen as the authorized agency to develop the TOD plan on behalf of the Village. He stated that the Trimm property is in the center of the TOD study area and that TESKA has drafted their own version of a redevelopment plan for the Trimm property and Metra Station parking lot area. He stated that the Trimm property is zoned R-8, Multiple Family Residential District and that the developer has a right to apply for a permit to do a residential development.

Mr. Connall stated that consideration should be given to making the proposed residential structures along Lake Street single family homes.

Ms. Jacqueline Anderson, 1832 Old Peterson Road, stated that the proposal should not be an urban design.

Mr. Swanson stated that it is his intent to embrace the architecture and character of the surrounding community.

Ms. Anderson stated that she is concerned about the proposed high density, and air pollution and its impact on those with asthma. She stated that there is wildlife that lives in the area including the Red Fox that lives in the neighboring cemetery. She stated that there is a need for open green space and good schools. She stated that this project needs to be developed in a responsible way.

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Mr. Wes Swearingin, 533 Brainerd Avenue, stated that he is concerned about the impact on the traffic on Brainerd Avenue. He stated that there should be master planning done that incorporates all three new residential projects including the Trimm property, the Bolander property on Winchester Road, and the Archdiocese property on North Butterfield Road. He stated that the proposed architecture should have the look and feel of the Heritage area, especially along Lake Street and that anything along Lake Street should be single family homes.

Mr. Lev Sahagian, 237 Lake Street, stated that the new homes along Lake Street should be single family homes.

Mr. Swanson stated that single family homes will be more difficult to development financially. He stated that the alternate plan (B) showing the apartment building at the northwest corner of Brainerd Avenue and Lake Street includes ample green space and landscaping between the building and the existing Lake Street homes to the west.

Mr. Sahagian stated that any one of the alternative plans will have an impact upon the school district.

Mr. Jim Connell, 1215 Sussex Lane, stated that the Bolander townhome development on Winchester Road is very big. He stated that he is concerned about future disposition of a new residential development when the next economic downturn happens. Mr. Swanson stated that if the economy tanks again then the apartments become a more viable opportunity for new residents. He stated that the townhome option is best suited for residents who want to downsize.

Mr. Jeff Harger, 1015 Ashley Lane, stated that he is concerned about the lack of access to and from the subject site. He stated that access crossing different zoning districts is prohibited by code. Mr. Swanson stated that he is working out the access issues with the Village.

Mr. Tim DeBruler, 322 Lake Street, stated that he had an option to purchase the subject property in 2006. He stated that the proposed density is too high and that the traffic should not go to Brainerd Avenue and Lake Street. He stated that this development as proposed includes a land swap between the property owner and the Village. He stated that this should provide the leverage needed by the Village in order to get the proposed density reduced.

Mr. Clay Irvine, 1100 Wellington, asked for clarification of the proposed land swap. Mr. Spoden stated that there is land owned by the Village that is used as the Metra Station commuter parking lot that is proposed as part of the petitioner's development and there is private land that the petitioner is proposing to develop as a new reconfigured commuter parking. He stated that this will require a land swap between the property owner and the Village.

Mr. DeBruler asked if T.I.F. money will be used for this proposal. Mr. Spoden stated that this project does not qualify for T.I.F. funds. He stated that T.I.F. funds are used for public improvements.

Ms. Ana Draa, 1020 Ashley Lane, stated that she is concerned about the increase in density.

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Commissioner Schultz stated that the higher density to the west is better as shown in Site Plan alternate (A). He stated that he liked the clock tower in the plan as well.

Mr. Swanson stated that he likes Site Plan alternate (B) the most as it has more of a grid street pattern.

Commissioner Schultz stated that he likes option (B) for the reduction in parking, but the proposed apartment location is too close to Lake Street. He stated that more green space is needed along Lake Street. He stated that the proposed townhomes appear to provide a nice transition.

Mr. Swanson stated that he might consider three (3) single family homes along Lake Street and keep townhomes along Brainerd.

Commissioner Semmelman stated that he likes option (C) the most with single family homes along Lake Street.

Commissioner Flores stated that she does not like the apartment building as shown in option (B). She questioned the number of units in the apartment building. Mr. Swanson stated that the number changes with each option.

Commissioner Oakley asked about the impact upon the schools. Mr. Spoden stated that the Subdivision Code requires impact fees. He stated that Staff will look for the application to provide a Fiscal Impact Analysis.

Commissioner Oakley asked about the disposition of the driveway access next to the cemetery. Mr. Swanson stated that this will be converted into a pedestrian path.

Vice Chairman Cotey stated that the number of bedrooms in the apartments will have a significant influence on the number of school age children that may reside in this development. Mr. Swanson stated that they may explore an age restriction for some of the units.

Vice Chairman Cotey stated that consideration could be given to applying an age restriction on the one and two bedroom apartments and targeting younger residents for the other units. Mr. Swanson stated that he agrees that there is a need to find the right mix.

Vice Chairman Cotey stated that the density should be reduced and to include single family homes along Lake Street. He stated that access and traffic is an issue to contend with. He stated that consideration should be given to mixing commercial uses as it relates to the TOD. plan. He stated that he is concerned about the impact upon schools that this development may have.

In the matters of PC 16-31, PC 16-32, PC 16-33, and PC 16-34, Commissioner Semmelman moved, seconded by Commissioner Schultz, to continue these items to the January 23, 2017, Plan Commission meeting.

Motion carried 5 - 0.

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

NEW BUSINESS:

PC 16-41 Paul Swanson, Applicant
213, 317, 403, and 417 S. Butterfield Road

Request is for a Preliminary Plat of Subdivision in order to subdivide property and develop a single family residential subdivision for property in an R-5, Single Family Residential District.

Mr. David Smith, Senior Planner, introduce the request for a Preliminary Plat of Subdivision. Mr. Smith stated that the petitioner, Paul Swanson, is requesting approval of a Preliminary Plat of Subdivision in order to subdivide 7.6 acres of land into 19 single family lots for property located in an R-5, Single Family Residential District at 213, 317, 403, and 417 S. Butterfield Road.

Mr. Smith stated that the subject site is triangular in shape and bounded by the North Shore Bike Path on the north, Butterfield Road on the east, and the single family residences fronting Victory Drive along the south. He stated that the access to the proposal will be created with a new 645 foot long cul de sac street. He stated that the Subdivision Code limits the cul de sac length and therefore a variation from the Subdivision Code shall be required in order to permit the cul de sac street to be longer than 500 feet. He stated that the cul de sac length is not a Zoning Code variation, but shall require the approval of the Village Board. Mr. Smith stated that the proposal contemplates two-story single family homes containing three and four bedroom units.

Mr. Paul Swanson, petitioner, presented his plan. He stated that they are proposing 19 single family lots on 7.6 acres of land. He stated that the current Zoning District is R-5 and that the proposed lot sizes shall comply with the R-5 minimum lot size requirement. He stated that the proposed development will improve the area's storm water management conditions. He stated that the new homes will sell somewhere in the range of \$725,000 and that the home sizes will be commensurate with other existing R-5 District single family homes. Mr. Swanson stated that there is approximately a half acre of wetlands on the subject site. He stated that he is proposing to buy into the Lake County wetland bank as a way of mitigating the existing on site wetland. He stated that there are only 16 trees on the property that are worth preserving.

Mr. Carl Kupfer, 300 Margaret Drive, Wheeling, IL, stated that he is a land planner representing the residents living along Victory Drive. He stated that Victory Drive is located immediately to the south of the proposed subdivision. He stated that there is a stormwater management concern as there is a substantially depressed area. He stated that the area is prone to flooding and that the proposed subdivision should include storm water detention calculations. He stated that the petitioner appears to propose to fill the low lying topography and this will impact both trees and overland storm water directional flow. He stated that any resident in this propose subdivision

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will have to turn southbound onto Butterfield Road due to the existing curbed median on Butterfield Road.

Mr. Andris Slesers, 1320 Victory Drive, stated that 19 slots feels like they are trying to shoehorn too many homes onto the property and will be overly packed. He stated that the entrance with will be a right-in/right-out only which will cause people to enter their subdivision to turn around in Victory Drive. He stated that contributing to a wetland bank is not the best practice to reduce density.

Mr. Ray Landano, 527 Lothair Drive, stated that the proposed property values seem too high.

Ms. Marjorie Rohe, 1213 Victory Drive, stated that she has lived on Victory Drive since 1967. She is concerned about the impact upon traffic. She stated that cars already line up and down along Crane Boulevard.

Mr. Kupfer stated that there is a concern with the safety at the intersections.

Mr. Jeff Ciullo, 521 Stevenson Drive, stated that he is concerned about the impact on traffic and the potential increase in traffic doing u-turns along Butterfield Road.

Ms. Barbara Wilcox, 1129 Pine Tree Lane, stated that she is concerned about the increase in traffic, losing trees, and that there is too much infill development in the Village overall.

Ms. Ana Draa, 1020 Ashley Lane, stated that she is concerned about the increase in traffic, the impact upon the schools, and the mitigation of the wetlands.

Mr. John Linden, 1406 Victory Drive, stated that he is concerned about the proposed lot sizes and the storm water management. He stated that this area seems to be prone to frequent flooding.

Ms. Mara Slesers, 1320 Victory Drive, stated that there should be a closer evaluation of the existing wildlife within the vicinity and how this proposal will impact the wildlife. Mr. Ron Adams, civil engineer for the petitioner, stated that an Eco Cat (Ecological Compliance Assessment Tool) evaluation was completed and they found no endangered species in the area. He state that an archeological survey was done as well and there are no historical buildings on site either.

Mr. Steven Loblillo, 1206 Victory Drive, stated that he is concerned about the increase in the traffic volumes.

Ms. Debbie Wilson, 1312 Victory Drive, stated that she has lived in Victory since 1986. She stated that this area is prone to flooding. She stated that she is concerned about the traffic speed along Butterfield Road.

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Mr. Adams stated that the proposal is to fill the site and the wetlands in order to provide the depressional storage with a by-pass storm sewer. He stated that they will route the storm sewer around the detention pond.

Mr. Craig Hammett, 1220 Victory Drive, presented a Google Map photo. He stated that he is concerned about the impact upon the existing wildlife in the area.

Ms. Ariel Landvick, 1306 Victory Drive, stated that the existing trees provide a natural barrier. Mr. Swanson stated that there will be an ample landscaping replacement plan.

Ms. Landvick stated that consideration should be given to not touching the wetland.

Ms. Lisa Roti, 1212 Victory Drive, asked what will happen if the building goes bankrupt before he finishes the project. Mr. Swanson stated that he does not expect that the building will go bankrupt.

Mr. Barry Holdfelder, 1412 Victory Drive, stated that he is concerned about the impact upon the quality of life for the residents of the Village.

Ms. Mara Slesers, 1320 Victory Drive, does not support the removal of the trees. She stated that this proposal does not appear to provide a park. She stated that she is concerned about the impact upon the school district.

Ms. Debbie Wilson stated that she is concerned about the impact upon the school district.

Mr. Johannes Van Der Wagt, 1430 Victory Drive, asked about the detention area. Mr. Swanson stated their proposed storm water management system will not allow storm water to go onto adjacent properties.

Ms. Glenda Peifer, 527 Lothair Drive, stated that she is concerned about the routing that traffic will take including cut through traffic and u-turns causing a safety concern.

Mr. Kupfer stated that there is a stormwater management and detention concern.

Commissioner Schultz stated that out of over 500 trees on site the tree inventory indicates that there are 22% that are rated in fair or better condition. He asked what kind of tree replacement program the petitioner is proposing. Mr. Swanson stated that they will comply with the Village ordinance relative to the trees on site. He stated that it is his understanding that there are 16 trees that have been identified as belonging to the Village's favorable trees species list.

Commissioner Schultz asked the petitioner how they would respond if Lake County required an additional 20 feet of right of way dedication. Mr. Swanson stated that they would redesign their plat of subdivision and plan.

Commissioner Schultz stated that he is concerned about the removal of so many trees. He stated that this area is the western front door into the Village. He stated that he would like to see more

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green. He stated that he is concerned about bringing up the grade. He stated that the existing wetland seems to be of poor quality and isolated. He stated that he is concerned about the impact upon the traffic.

Commissioner Semmelman stated that he notes that the subject site is private property and zoned residential.

Commissioner Flores stated that she is skeptical that these homes will sell for more than \$700,000, especially the ones abutting the Butterfield Road right-of-way. She stated that it seems to be an impediment that traffic exiting the site cannot turn northbound due to the curbed barrier median.

Vice Chairman Cotey asked the petitioner to address all of the Staff review comments and the public concerns with revised plans and additional materials prior the next meeting.

In the matter of PC 16-41, Commissioner Oakley moved, seconded by Commissioner Flores, to continue this item to the January 23, 2017, Plan Commission meeting.

Motion carried 5 - 0.

Ayes: Cotey, Flores, Oakley, Schultz, Semmelman

Nays: None

Absent: Moore, Krummick

COMMUNICATIONS AND DISCUSSION: None.

Commissioner Schultz moved, seconded by Commissioner Flores, to adjourn the Plan Commission meeting.

Motion carried 5 - 0.

Meeting adjourned at 11:15 p.m.