

**MINUTES OF THE PLAN COMMISSION**  
**March 14, 2011**

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:09 p.m. at the Village Hall.

Members present: Chairman Mark Moore, Scott Adams, William Cotey, Dan Donahue, Kurt Schultz, and David Semmelman.

Members absent: Walter Oakley.

A quorum was established.

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

Commissioner Cotey moved, seconded by Commissioner Schultz, to approve the January 10, 2011, Plan Commission Workshop meeting minutes.

Motion carried 6 - 0.

Commissioner Cotey moved, seconded by Commissioner Schultz, to approve the January 24, 2011, Plan Commission Workshop meeting minutes.

Motion carried 6 - 0.

**OLD BUSINESS:**

**PC 10-24      Lake County Government, Applicant  
                  400-800 W. Winchester Road  
                  1125-1303 N. Milwaukee Avenue**

**Request is for a Special Use Permit for a Planned Development in order to further develop the approximately 172 acre Lake County Farm Government Center Campus in an IB, Institutional Buildings District.**

**PC 10-25      Lake County Government, Applicant  
                  400-800 W. Winchester Road  
                  1125-1303 N. Milwaukee Avenue**

**Request is for a Planned Development Master Plan in order to further develop the approximately 172 acre Lake County Farm Government Center campus in an IB, Institutional Buildings District.**

Mr. David Smith, Senior Planner, stated that the petitioner was before the Plan Commission at their

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October 25, 2010 and January 24, 2011 meetings requesting a Special Use Permit for a Planned Development and a Planned Development Master Plan in order to further develop the approximately 172 acre Lake County Farm Government Center Campus in an IB, Institutional Buildings District located at 400-800 W. Winchester Road and 1125-1303 N. Milwaukee Avenue.

Mr. Smith stated that the Plan Commission continued this item at their October 25, 2010 meeting to December 20, 2010, at which time Lake County requested another continuance to the January 24, 2011 meeting and then again to the February 28, 2011 meeting in order to have an opportunity to revise their petition in response to review comments by Village Staff, concerns expressed by the Plan Commission and Village residents.

Mr. Smith stated that the petitioner has held five (5) separate information meetings with various groups from neighboring properties, most of which were with residents from the Cedar Glen and Adler Park Estates subdivisions.

Mr. Smith stated that in response to the discussions held during the January 24, 2011 Plan Commission meeting, the petitioner has submitted revised and additional plan materials. Mr. Smith stated that the revised materials include further clarification of the proposed permitted and special permitted land uses for the Lake County Government campus, further clarification of tree species, changes to maximum permitted building heights, and a reduction in the maximum permitted F.A.R.

Mr. Smith stated that Staff has compiled a list of permitted and special permitted land uses from the NAICS manual that correspond to the proposed land uses by Lake County Government. He stated that the NAICS land uses are sub-categories that would belong under the more general categories provided by Lake County.

Mr. Matt Guarnery, Lake County Government, presented the history of the subject site. He stated that the County purchased the subject parcel of land in 1847. He stated that although the current Zoning Code would allow for institutional and government uses, the County has agreed to prohibit correctional institution land uses. He stated that the County has worked hard to reach out to the public to discuss the Master Plan proposal.

Mr. John LaMotte, consultant for the petitioner, presented the proposed revisions to the Master Plan. He presented the current Lake County facilities on the site and the remaining developable land. He presented the proposed Site Plan for the Development Zones and proposed roadways and their entrances to the site. He stated that the public works facility is referred to as the Working Zone. He stated that the intent is to develop the new Winchester House nursing home in Development Zone (5) Five located further west on the property. He stated that the Optional Development Zone located in the southeast corner of the property is intended to allow Lake County to either keep this area for government land uses or to sell it to a developer for commercial/residential development.

Mr. LaMotte stated that the intent is to create a framework for development of the property. He stated that some of the recent revisions include the prohibition of correctional institutions from the list of potential land uses. He stated that the maximum permitted F.A.R. has been lowered in the

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Optional Development Zone (ODZ) from 0.75 to 0.48. He stated that there are other bulk chart changes.

Mr. LaMotte stated that the size of the ODZ is larger than Libertyville's two-block downtown core area and merits consideration to include possible stand-alone residential structures with commercial development. He stated that the area is conducive for commercial along Milwaukee Avenue and residential adjacent and to the west of the commercial development in the ODZ.

Mr. LaMotte presented other revisions to the Master Plan petition including stricter setbacks and building heights, additional information to the landscape standards, building lighting standards. He reviewed the pedestrian and vehicular circulation plan as well.

Mr. William Eidson, Christopher Burke Engineering, presented the traffic study to the Plan Commission. Mr. Eidson explained the definitions of Levels of Service including their grades and categories. He stated that the proposed intersections of Winchester and the West County Road entrance and the East County Road entrance are planned to improve site access. He stated that the reduction in the maximum permitted F.A.R. will improve the projected Levels of Service.

Mr. Dusty Powell, Lake County Government, stated that the revisions to the plan will reduce vehicular trip generations by 18%. He stated that Lake County will widen Winchester Road near the Metra rail tracks with other supplemental improvements. He stated that Lake County will also construct the propose IDOT improvements at and near the intersection of Rt. 21 and Rt. 137.

Mr. Rick Marder, 243 Adler Drive, stated that he is concerned about four major issues. He stated that these issues include the land uses, the berms, the campus glow, and the traffic. He stated that the Staff compiled list of NAICS uses that include many social service uses that are undesirable. He stated that he is concerned that only Development Zones 6 and 8 are more restrictive on certain uses and not the other zones.

Mr. Guarnerly stated the Development Zones 6 and 8 are identified as zones to require land uses that operate on a 24 hour per day basis to obtain Special Use Permits. He stated that Lake County is mandated by law to care for the indigent. He stated that there was a women's residential treatment care facility on this campus between 1986-1999. He stated that the County is not prepared to prohibit this type of service. He stated that the County also provides behavioral mental health social services in the County and they are not prepared to prohibit this type of service.

Mr. Marder stated some of the uses may be nefarious without protection. He stated that it is better to not be general. Mr. Marder stated that Mr. Guarnerly did not respond to meet when asked.

Mr. Marder stated that he is also concerned about the development of the berm.

Mr. LaMotte stated that in respecting the neighbors' concern about what impact the berm may have on the existing perimeter vegetation, they plan to undulate the path of the berm in order to have less

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negative impact of the existing trees. He stated that the berm/landscape standards have been revised in order to protect the perimeter trees.

Mr. Marder stated that he is concerned about the timing of the installation of the berm.

Mr. LaMotte stated that that installation of the berm and its landscaping should be executed when a specific site is planned for development as the development will have an impact on the shape of the berm.

Mr. Marder stated that the berm should be constructed now.

Mr. LaMotte stated that the berm will be designed with the approved landscape standards at the time of development of a particular site or development zone.

Mr. Marder stated that rather than waiting, could the berm be put in now.

Mr. LaMotte stated that if the funding was there, that may be possible.

Mr. Marder stated that if the berm and its landscaping were put in sooner than later, it will give the landscaping a chance to grow and mature. He stated that there may be an overlay between the tree drip line and the existing crop line edge.

Mr. Guarnerly stated that the crop line is generally 15' to 20' south and west from the property lines.

Mr. Marder presented a Google Earth photo showing the property and crop line.

Mr. Marder stated that he is concerned about the light pollution that will be produced by future development of the property. He presented a night photo of the existing Permitting Facility and its parking lot and building lights. He stated that the two-story stairwell can be seen through glass windows and that the stairwell lights are on all the time. He stated that Lake County does not want to address the interior lighting that spills outside. He stated that consideration should be given to adopting LEED standards for interior lighting regulations.

Mr. Marder asked about the timing of the installation of additional traffic signals.

Mr. Powell stated that Winchester Road is under the County's jurisdiction and that IL. Rt. 21 is under IDOT jurisdiction.

Mr. Marder asked what the distance is between Walnut Road and Winchester Road. Mr. Powell stated that it is about 1/4 mile.

Mr. Marder asked if a traffic signal at Walnut Road and Milwaukee Avenue improve the traffic or not. Mr. Powell stated that the traffic congestion problem is at IL. Route 137 and Milwaukee Avenue. He stated that there will be an I.D.O.T. staff person station at the Libertyville Lake County

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Government campus. He stated that money has already been appropriated for the future improvements at the intersection of Rt. 137 and Milwaukee Avenue.

Mr. Marder asked what the consequences would be if the traffic does not improve after the improvements are complete at Milwaukee Avenue and IL. Route 137. He asked if a traffic signal at Walnut and Milwaukee will aggravate the traffic congestion further. Mr. Powell stated that when the ODZ is commercially developed, a traffic signal can be installed by a developer at Milwaukee and Walnut intersection.

Mr. Marder stated that the installation of a traffic signal at Milwaukee and Walnut should wait until after the improvements are complete at Milwaukee and Rt. 137.

Mr. John McWilliams, 716 Hillcrest, stated that Lake County has used a referendum in the past to buy more green space. He stated that he understands that it has been Lake County's history to assist the indigent. He stated that Lake County should use the referendum process in order to sell land for commercial development. He stated that public officials should be held accountable. He stated that he likes to bike on the existing trails and that he is concerned about the proposed Lake County Government pedestrian path in the Master Plan.

Mr. Guarnerly stated that the existing bike path will remain.

Mr. McWilliams stated that he is concerned about how the funds from any land sale will be managed.

Mr. Greg McDonnell, 1218 Parliament Court, stated that Lake County has made some meaningful concessions thus far, but he is still concerned about the proposed uses and their potential adverse effects. He stated that the safety function on the campus is still vague. He stated that the 20 year requirement for the Master Plan is too long.

Mr. John Spoden, Director of Community Development, stated that the traditional Special Use Permit is good for one year prior to the start of construction.

Mr. Guarnerly stated that it is likely that the County will provide some social services at the subject site.

Mr. Bruce Priebe, 415 East Lincoln, asked if Lake County expands their facilities at the subject site, who would maintain the interior roadway system. Mr. Spoden stated that the intent of the Master Plan is for the interior roadways to be private, therefore it would be Lake County Government to maintain those roads on the campus.

Mr. Les Zematis, 207 Adler Drive, stated that he is concerned that there is a lack of specifics in the Master Plan. He is concerned that the ODZ has no plan for development. He stated that the berm and trees should be installed first in order to allow the trees to mature.

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Ms. Bernadette Baumstark, 1905 Halifax Street, stated that she is concerned about the safety of the children. She stated that she wants a guarantee that any development will not harm small children.

Mr. Tim Bowling, 1126 Loyola Drive, stated that the Master Plan is a good idea. He stated that the Lake County plan is too general and not specific enough. He stated that he is concerned about an increase in traffic congestion.

Mr. Ken Chalifoux, 211 West Cook Avenue, stated that he worked 11 years as a prosecutor and is not concerned about having a jail on the campus, but is concerned about having treatment facilities or parole and probation services on the campus.

Mr. John Bloom, 249 Kenloch, stated that the foot traffic to the downtown will be affected by the proposed plan.

Mr. Eric Meerschaert, 1412 Plumwood Drive, stated that he is concerned about the impact upon the tax base and property values.

Mr. Bob Waddick, 1679 Young Drive, stated that he is concerned about the potential for additional light pollution. He stated that he is especially concerned about the parking lot lights for developments in Development Zones 6 and 8. He stated that there should be more specifics in the plan.

Ms. Lynda Waddick, 1679 Young Drive, stated that she is concerned about the safety for the children if the County includes probation services. She stated that she pays a lot of money to live in Libertyville.

Mr. Jeff Roleck, 211 Adler Drive, stated that he is concerned about where the excavated dirt will go.

Mr. Guarnerly stated that the excavated dirt may be useful as they construct the loop drive within the campus.

Ms. Jami Verba, 220 Adler Drive, stated that she has small children. She stated that she left Gurnee to move to Libertyville 20 years ago. She stated that she is concerned about the cut through traffic along Adler Drive.

Mr. Joe Sartin, 1490 S. Lancaster, stated that the some of the services proposed will have a negative impact on the neighborhood.

Mr. Liam Gillup, 233 E. Ellis, stated that he is concerned about the development. He stated that there are not enough sports fields in Libertyville for kids. He stated that there should be a park constructed for the kids. He stated that he does not have a problem with a permit facility.

Ms. Jean Solice, 1004 Wellington, stated that she is concerned about paying Lake County to make

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plans for a private development. She stated that she is concerned about the traffic. She stated that Lake County should state what they will do with the property.

Mr. Jim McLaughlin, 206 West Cook Avenue, stated that he is concerned about families being raised next to the County property.

Mr. Philip Cavicchia, 1716 Cedar Glen, stated that he is concerned about some of the NAICS code classifications that have been proposed land uses.

Mr. David Wacnik, 1656 Cass Avenue, stated that the Master Plan process is a valuable process, but the plan horizon should be reduced from 20 years to 10 years.

Commissioner Schultz stated that he is concerned about the proposed list of permitted uses. He stated that the objectionable land uses should be classified as Special Permitted Uses.

Mr. Guarnerly stated that the Village ordinance provides for the Planned Development Master Plan process which has provided this opportunity for the public review. He stated that Development Zones 6 and 8 have been identified as areas to require land uses that operate 24 hours per day as Special Permitted Uses. He stated that if probation reporting facilities are needed it would be based upon the needs of the local population. He stated that the County is merely seeking to protect its property rights.

Commissioner Semmelman stated that consideration should be given to placing other County proposed uses as Special Permitted Uses.

Commissioner Adams stated that he is concerned about security issues. He stated that he understands why the community may have a fear of the unknown. He stated consideration should be given to allowing the formation of an ad hoc committee with the neighbors to help bring a resolution to some of the objectionable land uses.

Commissioner Cotey stated that consideration should be given to not selling the ODZ as that action may not be compliant with Zoning Code Section 16-13.5 the Standards for the Planned Development approval. He stated that by selling the ODZ for commercial development may compete with the Village's downtown area.

Mr. LaMotte stated that the ODZ provides flexibility for the County and potentially provide a larger tax base for the Village.

Commissioner Cotey stated that hospice care should be considered for the ODZ corner before selling it. He stated that further consideration should be given to the disposition of the ODZ corner. He stated that the campus as a whole seems to have a surplus of land in the interior.

Mr. LaMotte stated that commercial along Milwaukee Avenue is preferable and that the ODZ could accommodate creative development.

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Commissioner Cotey stated that he is concerned about the proposed density within the ODZ.

Mr. Guarnerly stated that that County has worked closely with Village Staff when determining the options for development within the ODZ.

Commissioner Cotey stated that the need of the public use outweighs the need to allow commercial development in the ODZ.

Commissioner Donahue stated that he agrees with the other Commissioners. He stated consideration should be given to reducing the plan horizon for the Master Plan.

Mr. Spoden stated that the purpose of the Master Plan is intended as an alternative to the Development Concept Plan, to address those situations involving larger parcels upon which an applicant intends to develop a Planned Development in phases, but does not intend to submit all elements of the Master Plan for Final Plan approval within one year of approval of the Master Plan. He stated that the Master Plan is the basis on which the required public hearing is held, thus permitting public consideration of the proposal at the earliest possible stage. He stated that the Master Plan option is only available for parcels which are fifty (50) acres, or larger, in total area.

Mr. Spoden stated that the construction of all elements of the Master Plan must be completed not later than 20 years following approval of the Master Plan by the Board of Trustees. He stated that following the expiration of such time period, any further construction commenced or completed shall no longer be subject to nor benefited by the provisions of the Master Plan and any construction commenced or completed thereafter shall be subject to all of the then applicable provisions of the Zoning Code.

Chairman Moore asked for further clarification of the berm location. Mr. LaMotte stated that the intent of the placement of the berm is to be sensitive to the existing perimeter vegetation, its drip line and the crop lines. He stated that this would allow the berm line to undulate.

Chairman Moore stated that in reference to the complaints of the Permit Facility's light glare issue, the future development of the Lake County campus should incorporate a balanced approach towards cost appreciation, building design and the neighboring residents.

Mr. Guarnerly stated that the Permit Facility is code compliant and in some cases exceeds the standards.

Chairman Moore asked what transitional uses is Lake County considering for the existing Winchester House Nursing Home building once they construct a new Winchester House Nursing Home facility.

Mr. Guarnerly stated that they have not considered other uses for the Winchester House building at this time.

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Chairman Moore stated that the County has owned the 172 acres since 1847. He stated that residents have been living with the possibilities they are now concerned about for longer than they've realized. He stated that these are and have been risks for the residents since they have bought their property. He stated that it has bubbled up at this time because the County is doing what the Village has asked them to do by applying for this Master Plan.

Chairman Moore asked if the County is willing to meet with the residents outside of the public hearing forum one more time to discuss the disposition of the land uses that are objectionable to the residents.

Mr. Guarnerly stated that he agrees to meet with the residents one more time.

*In the matters of PC 10-24 and PC 10-25, Commissioner Adams moved, seconded by Commissioner Schultz, to continue these items to the April 11, 2011, Plan Commission meeting.*

*Motion carried 6 - 0.*

**NEW BUSINESS:** None.

**COMMUNICATIONS AND DISCUSSION:**

Commissioner Adams moved and Commissioner Cotey seconded a motion to adjourn.

Motion carried 6 - 0.

Meeting adjourned at 10:30 p.m.