

DEVELOPMENT REVIEW COMMITTEE MEMORANDUM

**VILLAGE OF LIBERTYVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
200 EAST COOK AVENUE
LIBERTYVILLE, ILLINOIS 60048-2090**

FROM: PLANNING DIVISION

DATE: November 1, 2021

SUBJECT: Development Review Committee (DRC) Reports for Cases Scheduled for Consideration on **Monday, November 8, 2021**

The DRC Meeting was held on **Monday, October 18, 2021**. DRC members present included:

John Spoden	Director of Community Development
David Smith	Senior Planner
Chris Sandine	Associate Planner
Heather Rowe	Economic Development Coordinator
David Fischer	Building Commissioner
Jeff Cooper	Village Engineer
Mike Weaver	Fire Prevention Bureau

Attached herewith are the DRC Reports for the following cases:

Zoning Board of Appeals

Plan Commission

PC 21-18 thru PC 21-21

**CASE NOS.: PC 21-18 Zoning Map Amendment
PC 21-19 Special Use Permit for Planned
Development
PC 21-20 Planned Development Concept Plan
PC 21-21 Preliminary Plat of Subdivision**

DATE FILED: June 11, 2021

REQUESTED ACTION:

- PC 21-18 Request is for a Map Amendment to the Village of Libertyville Zoning Map in order to rezone certain land from C-3 General Commercial District to R-7 Single Family Attached Residential District for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.
- PC 21-19 Request is for a Special Use Permit for a Planned Development in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.
- PC 21-20 Request is for a Planned Development Concept Plan in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.
- PC 21-21 Request is for a Preliminary Plat of Subdivision for property approximately 15.3 acres in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.

APPLICANT INFORMATION:

Co-Applicant: Moises Cukierman – CHILM Libertyville Residential LLC
Co-Applicant: George Archos – 1783 N. Milwaukee Parking, LLC
Agent: Katriina S. McGuire, Thompson, Coburn LLP, Authorized Agent for Moises Cukierman
Agent: James E. Olguin, Buikema Law Group, Authorized Agent for George Archos
Owners: Diane Johnson, Dan M. Young and Aaron M. Young, as Trustees of the Young Family Trust
Address: 1761, 1765 and 1783 North Milwaukee Avenue

SITE INFORMATION:

Location: The property is commonly known as 1761, 1765 and 1783 North Milwaukee Avenue

Current Zoning and Land Use: C-3 General Commercial District

Size: The subject site is located on a lot approximately 15.3 acres in land area.

Surrounding Zoning:

North: C-3 General Commercial District

South: R-5 Single Family Residential District
O-1 Professional Services Office

East: C-3 General Commercial District

West: R-5 Single Family Residential District

Land Use Plan: Single-Family Attached Residential (SFAR)
Destination Commercial Corridor (DCC)

Road Classification: Peterson Road and Milwaukee Avenue are under the jurisdiction of the Illinois Department of Transportation, both maintained by I.D.O.T. and classified as Arterial Streets.

Physical Characteristics: The site is predominately vacant except for the existing Wildberry restaurant located at the northeast corner of the site.

STAFF ANALYSIS:

Background:

The Plan Commission may recall that the petitioners, Co-Applicant: Moises Cukierman – CHILM Libertyville Residential LLC and Co-Applicant: George Archos – 1783 N. Milwaukee Parking, LLC, appeared before the Plan Commission at their September 27, 2021 meeting requesting approval for the following zoning items:

1. A Map Amendment to the Village of Libertyville Zoning Map in order to rezone certain land from C-3 General Commercial District to R-7 Single Family Attached Residential District for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.
2. A Special Use Permit for a Planned Development in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.
3. A Planned Development Concept Plan in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.

4. A Preliminary Plat of Subdivision for property approximately 15.3 acres in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.

The applicant, CHILM Libertyville Residential LLC, is the contract purchaser of approximately 11.6 acres of land owned by the Young Family Trust. Since the initial application, CHILM Libertyville Residential LLC has made the following significant changes to their plans:

- They reduced the proposed number of single-family attached (townhome) dwelling units from 90 to 80. The sixteen proposed buildings will have five (5) townhome units each.
- The orientation of the buildings adjacent to the neighbors to the west (buildings 7 and 8) has been rotated 90 degrees so that the ends of the buildings face the western property line instead of the access drives and exposed garage doors of the earlier 12 units that had faced to the west.
- The detention areas have been consolidated from four basins to two while expanding the open space area in the center of the site.
- The landscape plan has been modified to concentrate landscape screening along the west and south property line borders. Four (4) foot high vinyl fencing is included to screen vehicle headlight glare onto neighbor residential properties to the west and south.
- The applicant has proposed an alternative street intersection design at the intersection of Wildberry Lane (new north-south road) and Adler Drive. This alternate configuration is reflected in the Libertyville 2030 Comprehensive Plan. That alternate design shows Adler Drive curved slightly to redirect vehicles towards the new north-south Wildberry Lane. This is intended to calm traffic and discourage thru-traffic on nearby streets to the west. The alternate design is shown to be a three-way stop-sign controlled.

Deviations from the Zoning Code as part of the request for the Planned Development:

The applicant is requesting the following deviations from Zoning Code requirements as part of the petition for a Special Use Permit for a Planned Development.

1. Increase height of townhomes to 39 feet. The Zoning Code allows a height of not more than 37 feet in the R-7 district.
2. Reduction in the required front yard setback from 44 feet to 30 feet for building number 16 fronting the new public road right of way property line.
3. Reduction in the minimum perimeter landscaped open space of the Wildberry parking lot expansion from 10 feet to less than 5 feet along the southern property line of lot 18 which is the Wildberry Restaurant parking lot expansion lot; and a reduction in the minimum perimeter landscaped open space of the Wildberry parking lot expansion from 10 feet to less than 6 feet along the western property line of lot 18 which is the Wildberry Restaurant parking lot expansion lot.

Attainable Housing:

The Village of Libertyville Human Relations Commission has met for the past 18 months crafting

an ordinance for a Text Amendment to the Libertyville Zoning Code to include a chapter on Attainable Housing and is currently in the process of scheduling the public hearing in front of the Plan Commission for their review and recommendation to the Village Board of Trustees. It is Staff's understanding that the petitioner is proposing a fee in lieu of providing attainable dwelling units. According to the draft ordinance, payment would be based on 15% of the total number of dwelling units or twelve units in this case.

APPEARANCE REVIEW COMMISSION:

The petitioner appeared before the Appearance Review Commission at their June 21, 2021 and August 16, 2021 meetings for their review and recommendation. The ARC meeting minutes were provided to the Plan Commission prior to the September 27, 2021 meeting.

CIVILTECH ENGINEERING, INC.:

Please note that the Village traffic engineering consultant Civiltech Engineering has reviewed and made comments on the applicants amended traffic impact study and offers comments on the attached Technical Memorandum dated October 27, 2021.

CHRISTOPHER B. BURKE ENGINEERING, LTD.

Please note that the Village storm water management engineering consultant Christopher B. Burke Engineering, LTD. has reviewed the revised civil engineering plans dated October 11, 2021 and made comments on the applicants site engineering for conformance with the Village of Libertyville Village Code and the Lake County Watershed Development Ordinance (WDO) and offers comments on the attached Engineering Review Memorandum dated October 25, 2021.

Staff has completed a review of the petitioner's revised application materials and offers the following comments for your consideration.

PLANNING DIVISION COMMENTS:

The following Planning Division comments are from the September 23, 2021 Development Review Committee Staff Report. The bold italic represents the applicant's response and Village Staff's position regarding the applicant's response.

1. Staff recommends that the residential townhome development, Wildberry restaurant parking lot expansion and the grading and seeding of the vacant commercial lot south of the Wildberry restaurant parcel shall be developed in a unified and concurrent manner.
 - ***The applicant has committed to submitting a construction/phasing plan for Staff review to address this issue. A preliminary schedule is attached for review.***
 - ***Village Staff will coordinate with applicant to finalize construction/phasing plan and recommend this be a condition for approval at time of Planned Development Final Plan and Final Plat submission.***

2. Staff recommended that the existing Wildberry restaurant lot be incorporated into the Planned Development land area in order to simplify covenant and maintenance responsibilities for all parcels impacted by the Planned Development.

- *The applicant has stated that they will not incorporate the Wildberry restaurant lot into the Planned Development.*
 - *Village Staff acknowledges that the applicant's position is to not incorporate the Wildberry restaurant into the Planned Development.*
 - *The applicant has indicated that the owner of the Wildberry restaurant will commit to executing a private agreement regarding the use and maintenance of the parking lot expansion parcel which is part of the Planned Development.*
 - *Village Staff will consult with the Village Attorney regarding the provisions of the private agreement at time of Planned Development Final Plan and Final Plat submission.*
3. Staff recommends that the intersection of the new public road and Adler Drive be configured to reflect the Libertyville 2030 Comprehensive Plan concept plan for this area so that Adler would curve slightly and redirect vehicles towards the new road to help calm traffic and discourage thru-traffic on nearby streets. Please note Engineering comment #18.
- *The applicant has proposed an alternative street intersection design at the intersection of Wildberry Lane and Adler Drive that is also reflected in the Libertyville 2030 Comprehensive Plan. That alternate design shows Adler Drive curved slightly and to redirect vehicles towards the new north-south Wildberry Lane intended to calm traffic and discourage thru-traffic on nearby streets. The applicant has proposed that the alternate design to be a three-way stop-sign controlled.*
 - *Staff supports the alternate intersection design.*
4. **RESIDENTIAL PROPERTY** - Please revise the Sight Line Location Exhibits by Pearson, Brown & Associates, Inc. to include the proposed landscaping and fencing screening.
- *The applicant stated that the exhibits were prepared only to show the similar sight lines between two similar buildings heights to the upper portions of the buildings. However, these exhibits did not show the proposed landscaping and fencing.*
 - *Staff will recommend that as a condition for approval of the Planned Development Concept Plan the applicant shall provide the requested revised Sight Line Location Exhibits to include the proposed landscaping and fencing screening cross sections at the time of Planned Development Final Plan and Final Plat of Subdivision submission.*
5. **WILDBERRY PROPERTY** - Per the Zoning Code (26-13-3.1), every parking lot shall be buffered and screened with appropriate screening devices such as decorative walls, fences, or berms. The landscaping and screening treatment shall be designed and maintained to a height of at least six (6) feet along every lot line abutting a Residential District and to a height of at least three (3) feet along every other lot line (See Figure 13-2). Provide the required screening along the western and southern edge of the improved parking lot in accordance with the Zoning Code standards.
- *That applicant included additional landscaping to include at least three (3) feet of screening along the southern and southwestern corner of the proposed*

Wildberry Restaurant parking lot expansion in the revised plans.

- *Staff supports this landscape revision.*
6. **WILDBERRY PROPERTY** - Per the Zoning Code (26-13-3.2)(c), interior landscaping shall consist of tree planting islands with a minimum area of one hundred seventy-one (171) square feet and a minimum width of nine (9) feet, measured from back of curb to back of curb. One (1) shade tree having a minimum trunk size of three (3) inches in diameter shall be included for every one hundred seventy-one (171) square feet of tree planting islands. Document the size of the landscape islands and plant trees where applicable.
- *The applicant has sized the parking lot islands to the minimum required dimensions and to accommodate the requested trees where applicable.*
 - *Staff supports this landscape revision.*
7. **WILDBERRY PROPERTY** - Per the Zoning Code (13-3.2)(b), interior landscaping shall constitute at least ten percent (10%) of the area of the parking lot. The updated Narrative, dated August 9, 2021, indicates a deviation is being requested to reduce the required amount of landscaping for the parking lot expansion area to 9.57%.
- *The applicant has committed to meeting the minimum 10% interior parking lot as part of the development of both commercial lots as a whole.*
 - *Staff supports this approach and will recommend that this be a condition for approval for the Planned Development Concept Plan.*
8. **WILDBERRY PROPERTY** - Staff notes that the maximum permitted lot coverage for a property in the C-3 district is permitted to be up to 85%. The applicant is asking for a deviation from the Zoning Code for lot coverage of 75%. This looks to be a typo as documents note 86% coverage. Please revisit the lot coverage calculation and clarify that the proposed lot coverage includes the existing Wildberry restaurant building lot and expanded parking lot area as one Zoning Lot.
- *The applicant has committed to not exceeding the maximum permitted Lot Coverage as part of the development of both commercial lots as a whole.*
 - *Staff supports this approach and will recommend that this be a condition for approval for the Planned Development Concept Plan.*
9. **WILDBERRY PROPERTY** – Please revise the Wildberry parking lot photometric plan by KSA Lighting & Controls to include property lines.
This has been complied with.
10. **COMMERCIAL PROPERTY** – Per the Zoning Code (26-11-12)(d)(2), only one multi-tenant sign may be permitted for each development; provided, however, that no multi-tenant sign shall be permitted on a zoning lot containing a freestanding business sign. Wildberry contains an existing masonry monument sign. A future multi-tenant masonry monument sign shall be considered at the time of redevelopment for the commercial property. Please be advised, all future signs shall comply with the requirements (height, square footage, illumination, landscaping) set forth in the Zoning Code.
The additional commercial sign proposal has been withdrawn at this time.

11. **RESIDENTIAL PROPERTY AND NEW PUBLIC ROAD** - The Photometric Plan shows ten (10) light poles to be installed throughout the site. Provide cutsheets for the proposed light poles, including their overall height, color, and style.
The cut sheet schematics have been provided.

The following Planning Division new comments are based upon the review of revised plan materials dated October 11, 2021.

12. At the time of Planned Development Final Plan submittal please indicate dimension lines for the perimeter landscaped open space width on all relevant plan sheets including the Civil Engineering geometric sheet, site plan and landscape plan.
13. Staff notes that the 10.6 acres that is currently zoned C-3 General Commercial District and subject to the zoning change to R-7 Single Family Attached Residential District would allow for up to 22.9 multiple family dwelling units per acre or a total of 243 dwelling units. This far exceeds the proposed 7.5 townhome units per acre or a total of 80 townhomes. See table below. Staff supports the requested down zoning from C-3 to R-7 and supports the reduced density.

Zoning/Proposal	Maximum Height	Density
C-3 District (current zoning)	45 feet	22.9 units/acre
R-7 Single Family Attached District	37 feet	12.1 units/acre
Comprehensive Plan Concept B (townhomes)	37 feet	6.1 units/acre
Proposed Development (townhomes)	39 feet	7.5 units/acre

14. Staff notes that any commercial or residential development of the property will generate some level of traffic. Civiltech has noted to Staff that retail development of the entire 10.6 acres would increase the traffic counts from 4 to 10 times more than the current residential proposal.
15. During the hearing, the necessity of having a north-south road was questioned. Staff supports the road as it gives residents of the development options to access and leave the site without going through the existing neighborhood. If a road was not included and the traffic was forced to flow directly out to Milwaukee Avenue, Staff anticipates the following:
 - IDOT would likely limit any proposed accesses along Milwaukee Avenue, between Peterson Road and Adler Drive, to right-in/right-out movements.

- Any traffic exiting the site would be forced south on Milwaukee Avenue. Any of the vehicles wishing to go north or east would logically turn right on Adler and proceed to Cass to complete their exit.
- If no additional access is granted to Milwaukee Avenue, use of the southern Wildberry entrance would require northbound traffic to cross the mountable median which is a safety concern.
- Generally, concentrating all traffic at a single location increases congestion and decreases safety, and spreading out traffic to provide several options to drivers evens out the delays to drivers and provides alternative paths if, for some reason, one of the paths has to be closed off.

FIRE DEPARTMENT COMMENTS:

At the time of submission of the Planned Development Final Plan please provide the following:

1. Updated AutoTurn turning template diagrams of the entire development that includes the residential parcel and the Wildberry Restaurant parking lot expansion. Please use the Libertyville Fire Department Ladder Truck in the diagrams.
2. Ensure the fire department maintains access to the FDC, knox box and sprinkler riser room at Wildberry.
3. Per section 503.2.3 (as amended by the Libertyville Municipal Code) "The minimum weight the road shall support is 80,000 lbs."
4. Note: all residential buildings require a sprinkler system, minimally NFPA 13D.
5. Note: once the configuration of the new water main is approved, the development will require a hydrant layout approved by the Fire Department. Layout will be reviewed against Section 507 and Appendix C of the International Fire Code (2018 edition).
 - Note that the project may contain a mixture of public and private hydrants. Maintenance of private hydrants remains the responsibility of the property owner or designee.

PUBLIC WORKS DEPARTMENT COMMENTS:

The Public Works Department offers the following comments related to the preliminary submittal for the project. It should be noted that comments provided at this time are those that staff felt were requiring attention in accordance with the requested Plan Commission actions. The developer(s) should anticipate additional comments upon the provision of subsequent plan submittals.

The following items were provided within the original Development Review Committee (DRC) report as items that were to be addressed during this preliminary phase of the project. These items have been predominantly addressed by the applicants. Each comment has been reincluded below with reference, along with **bold** updates to each:

Director of Public Works Comments

1. The Traffic Impact Study (TIS) indicates that existing counts were taken back in January 2021. Given that these were gathered during the height of the COVID-19 pandemic, additional counts need to be obtained now that school activities have resumed.
No further comment. Item has been addressed in the revised TIS.
2. The TIS indicates that the AM delay time for the eastbound Adler Drive approach (left turn onto Milwaukee) will increase by 18 seconds. It is anticipated that this time will increase upon the update of traffic counts as requested in the previous comment.
No further comment. Item has been addressed in the revised TIS.
3. The TIS indicates only 35 trips out and in for the peak-hours for the proposed 90-unit townhome development. This value seems low. Please verify and provide additional feedback on this matter.
No further comment.
4. The TIS indicates that the PM delay time for the left turn from Milwaukee onto Adler will not increase. Please verify and provide additional feedback on this matter.
No further comment. Item addressed within revised TIS.
5. Please include the Bulletin 75 routing table within the Preliminary Stormwater Management Report. It will need to be verified that all provided detention is based on this new rainfall data in accordance with the current Lake County Watershed Development Ordinance.
No further comment. Bulletin 75 rainfall data is being utilized for the stormwater calculations.
6. Four separate ponds are not conducive to best stormwater management practices. Can any of these be combined into one or two larger ponds?
No further comment. The detention system has been revised to utilize two (2) larger basins in place of the previous design of four (4) smaller basins.
7. Stop signs should be indicated throughout the site on the plans to identify how traffic is intended to be controlled throughout the development and along the proposed public roadway.
This comment remains to be addressed during the final engineering phase. The plans appear to show some stop signs on the Alternate Intersection Plan for the connection at Adler Drive, but do not indicate signage at other anticipated locations throughout the development.
8. The Village would not be able to accept perpetual ownership and maintenance of the water main system as currently designed. The ‘serpentine’ layout and proximity to buildings and private features would cause the system to be very difficult for long-term maintenance. Please explore alternative layouts for the system that would be similar to those implemented by the design engineers for the Parkside of Libertyville development. That development utilized a main line along the roadway that is publicly-owned and maintained, but also provided ‘private loops’ that were routed between and around buildings as needed for individual services and/or hydrant coverages. In this instance it would be preferred if the publicly owned portion was

routed predominantly along the private roadway while being ‘looped’ between the proposed public roadway and potentially alongside the southernmost detention system to an Adler Drive connection. The Engineering Division would encourage the opportunity to work together with the design engineers towards a preferred layout.

This item has been predominantly addressed. The water main system has been redesigned to accommodate a layout more acceptable to the Village with regards to ownership and maintenance. As previously suggested, a private maintenance agreement will need to be established during the final engineering phase to identify and separate responsibilities for those portions that are to be ‘public’ versus those that will be ‘private’. The Village will likely have further comments with regards to proximities to structures, layouts of the private loops, etc. upon further review with the Streets & Utilities Division, but this is an item that would be applicable to the final engineering phase of the project.

9. The sanitary sewer system must be routed to the existing system parallel to Milwaukee Avenue and should not discharge to the system along Adler Drive. The previous use of the site discharged to the Milwaukee Avenue system, and the proposed conditions should reflect the same. The Adler Drive sanitary sewer is ultimately tributary to a lift station that is not intended to take the discharge from this site. Based on initial review of the proposed elevations in relation to the existing sanitary sewer inverts along Milwaukee, it appears that a gravity feed to this sewer is feasible. *(Additional Note: A public sanitary sewer easement exists which is depicted on the survey and which was required when Wildberry was constructed, because the sewer served more than one property at the time. If a connection is not made to the existing manhole within the Wildberry property, the easement would likely need to be vacated, as it appears the sewer currently serves only one property.)*

No further comment. The sanitary system has been redesigned as requested to discharge to the existing Milwaukee Avenue system. The applicant should note that the italicized “Additional Note” in the original comment above will apply given the proposed design.

10. A 2-foot sump should be incorporated to the upstream side of the Outlet Control Structure.

No further comment.

11. Add a 4-inch CA-6 base to the roadway pavement section and increase the thickness of the asphalt pavement to 12-inches for the public roadway due to its shared use between residential and commercial properties.

This item will remain to be addressed during the final engineering phase, as was acknowledged in the applicant’s response letter to the previous DRC report. The current plans appear to show a total thickness of 10.5” for the asphalt pavement.

12. All street lighting will need to incorporate LED light fixtures.

No further comment.

Engineering Division Comments

13. The development as currently designed is reliant on two (2) significant factors that are critical to the stormwater management functions of the site. It is staff’s opinion that analyses of each of these items need to be provided and reviewed as part of the preliminary approval process

due to the integral nature of their impacts to the site design:

- a. The preliminary documents indicate that restricted flows from the on-site detention system, along with ‘some’ of the emergency overflows from the site, are to be routed through the existing public storm sewer system along Adler Drive. Storm sewer modeling and calculations are needed to demonstrate that sufficient capacity exists within these and downstream sewers. *(Note: It would be staff’s preference to utilize the existing sewer system for at least a portion of site overflows rather than the adjacent rear yards (see #1b below) if determined that sufficient capacity exists).*

No further comment as part of the preliminary phase of this project. The design engineer has provided sufficient supporting documentation to demonstrate that the release rates from this site to the existing Adler Drive storm sewer system are being maintained or decreased under the proposed conditions.

- b. Emergency overland flows are to exit the site at the far northwest corner of the development and would be required to travel through the rear yards along the north side of Cedar Glen Ct. and Cedar Glen Drive. Detailed topography will need to be gathered for this path and stormwater modeling and analyses will need to be performed for the full extent of the overland flow path to identify any potential impacts to downstream properties. The analyses will need to include ‘existing’ and ‘proposed’ conditions to allow for comparisons that depict the true impacts of the design.

No further comment as part of the preliminary phase of this project. The design engineer has provided sufficient supporting documentation to demonstrate that the emergency overland flows at the NW corner of the site will be maintained or decreased under the proposed conditions for the design storm events. This item will be further reviewed during the final engineering phase.

14. An exhibit should be provided to identify existing depressional areas within the property, along with the existing volume for each. The Preliminary Stormwater Management Report should also be expanded to identify that the on-site detention basins are accounting for both the existing depressional area that requires compensation as well as the development’s detention requirements. It is anticipated that depressional areas exist, at a minimum, at the northwest corner of the property and at the south end adjacent to Adler Drive.

No further comment at this time. The design engineer has provided supporting exhibits and is now accommodating the existing depressional storage volumes within the proposed detention basins.

15. Emergency overland flow routes should be delineated through the site on the preliminary plans.
No further comment at this time. The design engineer has noted that all on-site storm sewers and inlets will be sized to accommodate 100-year storm event capacities.

16. The current design shows proposed public storm sewers along the new roadway being connected to private sewers within the Wildberry site. The roadway storm sewer system should be designed so that it is separate and not reliant on a downstream connection to a private

system, and should rather be routed and connected directly to the existing public system along Milwaukee Avenue.

No further comment. The plans have been revised to separate the ‘public’ and ‘private’ sections of storm sewer for the north half of Wildberry Lane as requested. It is acknowledged that the south half of the road does have 2 roadway inlets and a connecting public storm sewer that will need to discharge to the private storm sewer system within the townhome development due to location and proximity. The applicants should note that only the inlets and connecting sewer will be publicly-owned and maintained, and everything west of these would be owned and maintained by the Homeowners’ Association for the townhome development.

17. Staff is not aware of any formal feedback being received from the Illinois Department of Transportation (IDOT) regarding the currently proposed entrance location along Peterson Road for the proposed public roadway. Given the crucial nature of IDOT acceptance of this entrance location to the overall site plan, staff is requesting that at least some form of feedback be received from IDOT concurring with the entrance location at this preliminary stage of the project.

Comment remains. Staff is looking for satisfactory confirmation from IDOT on their acceptance of the entrance type and location at the connection to Peterson Road (IL Route 137). It will be staff’s recommendation that this confirmation from IDOT be provided by the applicant prior to Final Plan/Final Plat submission.

(Additional Note: It should also be noted by the applicant that neither Final Plat execution by the Village nor final site development permit issuances can occur until the Plat of Subdivision has been executed by all parties, which will need to include IDOT. This comment is only included for reference at this time due to the potential critical nature of this item with regards to overall timing.)

18. Additional means and/or an alternate configuration needs to be explored by the development team for the new roadway connection to Adler Drive that would address concerns about cut-through traffic and/or vehicles missing the turn and requiring turnarounds within the Adler Drive subdivision. The Village’s Comprehensive Plan identifies a complete reconfiguration of Adler Drive to provide a curved roadway into the proposed development. Given that this layout was heavily vetted and adopted as part of the Comprehensive Plan, staff would be supportive of a similar layout for this development, but with certain modifications to address snow removal operations.

The revised plans now include an “Alternate Intersection Plan” to reflect the layout that was included within the Comprehensive Plan. It remains staff’s recommendation that this design be incorporated.

19. All review comments provided within the Civiltech Technical Memorandum should be addressed on a point-by-point basis.

An updated Technical Memorandum has been provided by Civiltech. Each comment shall be addressed on a point-by-point basis in a subsequent submittal at the time of Planned Development Final Plan and Final Plat application submission.

20. All review comments provided within the Christopher B. Burke Engineering review letter should be addressed on a point-by-point basis.

An updated Technical Memorandum has been provided by Christopher B. Burke Engineering. Each comment shall be addressed on a point-by-point basis in a subsequent submittal at the time of Planned Development Final Plan and Final Plat application submission.

21. Please provide a construction sequencing summary for the overall development. It will be an important consideration of the construction phasing that parking be accommodated for the Wildberry restaurant. The proposed public roadway is eliminating some of the overflow gravel parking areas, and staff is well aware of the parking demands for this site.
No further comment as part of the preliminary phase of this project. A tentative construction schedule was provided by the applicant and is attached to this DRC Report, which shows the Wildberry parking lots being constructed concurrently with the on-site work for the townhome development. Staff may request additional information or exhibits during the final engineering phase of the project for further clarity.
22. In correlation with the comment above, please provide a demolition plan within the preliminary plan set for the residential development to clarify the full extent of removals required for this portion of the development, including any existing parking areas for the Wildberry site.
No further comment.
23. Please extend the sidewalk along the entire east side of the proposed public roadway into the IL Route 137 right-of-way, and then east to connect to the existing sidewalk/crosswalk at the intersection of IL Route 137 and Milwaukee Avenue.
No further comment as part of the preliminary phase of this project. The sidewalk is now shown to extend along the south side of Wildberry Lane to the IL Route 137 right-of-way, and then east to the intersection as requested. The final engineering plans will need to show the existing sidewalk at this intersection for further detail on the connection location, slopes, etc.
24. Expand the note on Sheet 4 of the civil plans to further clarify that striping will not be installed for the parallel parking stalls as shown on the plans.
No further comment.
25. Provide a dimension on Sheet 4 to identify how close the proposed asphalt turnaround is to the southernmost unit of Building 8.
No further comment. The layout of Building 8 has been completely revised and the asphalt turnaround is no longer proposed.
26. Please provide preliminary layouts for proposed easements on the Preliminary Plat as feasible. Legal descriptions and detailed dimensions are not required at this time but will need to be included on the Final Plat.
Comment remains. The Plat of Subdivision will need to incorporate easements throughout the site to accommodate items such as public utilities, ingress-egress, and stormwater management areas. These are items that will be further discussed and reviewed during the final engineering phase of the project.

Comments #27 through #35 in the original Development Review Committee (DRC) report, dated August 20, 2021, reflected items that were noted for information purposes only that would need to be addressed as the project advances. Each of those comments should be addressed during the final engineering phase.

STAFF RECOMMENDATION -- PRIOR TO PUBLIC HEARING:

Regarding **PC 21-18**, Staff recommends **APPROVAL** for a Map Amendment to the Village of Libertyville Zoning Map in order to rezone certain land from C-3 General Commercial District to R-7 Single Family Attached Residential District for property currently located in the C-3 General Commercial District at 1765 North Milwaukee Avenue subject to the following condition:

1. That the Ordinance for the approval of the Amendment to the Zoning Map not be adopted by the Village Board until after the Village Board approves the Planned Development Final Plan and Final Plat of Subdivision.
2. That the applicant submit a plat of rezoning exhibit that defines the residential parcel and commercial parcels with legal descriptions at the time of Planned Development Final Plan and Final Plat of Subdivision submission.
3. That the proposed new road be incorporated into the commercial zoning district.

Regarding **PC 21-19**, Staff recommends **APPROVAL** for a Special Use Permit for a Planned Development in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue subject to the following condition:

1. That upon approval of the Planned Development Final Plan and Final Plat of Subdivision the Village Board of Trustees shall approve a pay a fee in lieu of providing attainable for up to 12 units (15% of 80 townhome units) and this fee shall be incorporated into a Development Agreement to be approved by the Village Board at time of adopting the relative ordinances and resolutions. The amount of the fee shall be subject to review and recommendation by the Village Administrator and final approval by the Village Board of Trustees.

Regarding **PC 21-20**, Staff recommends **APPROVAL** for a Planned Development Concept Plan in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue subject to the following conditions:

1. **That the following items be submitted for Village Staff review at the time of Planned Development Final Plan and Final Plat application submission:**
 - a.) That a further detailed construction/phasing plan be submitted and reviewed and approved by the Director of Community Development. Said construction/phasing plan shall incorporate the entire Planned Development area including the residential development, the Wildberry Restaurant parking lot expansion and the grading and seeding of the vacant commercial lot south of the Wildberry Restaurant, Lot 19 as shown on the proposed Plat of Subdivision.

- b.) That the intersection of the new public road, Wildberry Lane, and Adler Drive be configured to reflect the Libertyville 2030 Comprehensive Plan concept plan and as shown in the applicant's alternate intersection design in Pearson, Brown & Associates, Inc. Preliminary Engineering for 1783 N. Milwaukee Parking, LLC drawing Geometric Plan Sheet Number 4 labeled Alternate Intersection Plan.
 - c.) That the applicant provide revised Sight Line Location Exhibits to include the proposed landscaping and fencing screening cross sections for both along the west property line and along the south property line.
 - d.) In addition to meeting the requirements of Municipal Code Section 22-56 (Form and Contents of Final Plat), the Final Plat and Final Engineering Plans shall identify the location of all proposed utilities necessary to serve the proposed subdivision and demonstrate that sufficient easements are provided to serve the utilities, in accordance with the requirements of Municipal Code Section 22-54 (Form and Contents of Preliminary Plat).
 - e.) The comments within the DRC Staff Report dated November 1, 2021, including all referenced review comments provided by consultants, shall be satisfactorily addressed.
 - f.) The satisfactory documentation be provided confirming concurrence from the Illinois Department of Transportation on the location and type of the proposed access to Illinois Route 137.
2. **That the following item be completed prior to Village execution of the Final Plat:**
- a.) The Final Plat shall be approved and executed by the Illinois Department of Transportation.
3. **That the following items be addressed prior to final engineering approval or the issuance of any site development permit:**
- a.) A Development Agreement between the petitioners and the Village shall be approved by the Village Board of Trustees by way of Resolution, and shall be fully executed and recorded with the Lake County Recorder of Deeds.
 - b.) Declarations of Protective Covenants, Conditions, and Restrictions shall be established for the residential and commercial components of the subdivision in a manner satisfactory to the Village and shall be executed and recorded with the Lake County Recorder of Deeds.
4. **That the following items be conditions of an Ordinance to Approve the Final Plat:**
- a.) Prior to the issuance of temporary occupancy, the installation of the public road improvements shall be completed in accordance with the approved Final Engineering Plans, except if only the surface course remains to be placed.
 - b.) Prior to the issuance of temporary occupancy, Property Owners' Associations shall be established for the residential and commercial components of the subdivision.
 - c.) Prior to temporary occupancy, a Private Water Main Maintenance Agreement between the petitioners and the Village shall be approved by the Village Board of Trustees by way of Resolution and shall be fully executed and recorded with the Lake County Recorder of Deeds.

5. **At the time the Wildberry Restaurant parking lot expansion is constructed, and at the time the vacant commercial Lot 19 is developed with a new commercial land use, the following shall apply:**
- a.) The minimum 10% interior parking lot landscaping shall be required as part of the development of both commercial lots as a whole. This shall include lots 18 and 19 in the new Plat of Subdivision.
 - b.) The maximum permitted Lot Coverage shall be calculated as part of the development of both commercial lots as a whole. This shall include lots 18 and 19 as shown in the new Plat of Subdivision. The overall lot coverage shall not exceed 85%.

Regarding **PC 21-21**, Staff recommends **APPROVAL** for a Preliminary Plat of Subdivision for property approximately 15.3 acres in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District at 1761, 1765 and 1783 North Milwaukee Avenue.