



AGENDA
COMMITTEE OF THE WHOLE MEETING
Village Hall – Community Room
Monday, June 22, 2015
Immediately following Regular Village Board Meeting

Reasonable accommodations / auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need special accommodations to attend.

The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the June 8, 2015 Committee of the Whole Meeting Minutes

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 Continued Discussion of a Preliminary Development Plan Related to a Planned Unit Development (PUD) for a Proposed Townhome Community (Pulte Homes)

3.2 Finance and Administration

3.3 Public Works

3.31 Consideration and Discussion Regarding IDOT Resolution Regarding Construction on State Highways (Village of Lincolnshire)

3.4 Public Safety

3.41 Consideration and Discussion of an Amendment to Section 3-3-2-6 of Title 3-3, Liquor Control, for the Creation and Issuance of a Class "P" Liquor License for Regal Cinema (Regal Cinema)

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT



**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, June 8, 2015**

Present:

Mayor Brandt	Trustee Feldman
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee McAllister	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Chief of Police Kinsey	Treasurer/Finance Director Peterson
Public Works Director Woodbury	Community & Economic Development Director McNellis
Village Planner Robles	Operations Superintendent Phippen
Engineering Supervisor Horne	

ROLL CALL

Mayor Brandt called the meeting to order at 7:14 p.m., and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the May 26, 2015 Committee of the Whole Minutes

The minutes of the May 26, 2015 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 Consideration and Discussion of an Ordinance Amending Chapter 2 of Title 13, Landscaping, of the Lincolnshire Village Code to update the Village's landscaping regulations (Village of Lincolnshire).

Village Planner Robles provided a brief presentation highlighting requested changes related to the proposed Ordinance amending Chapter 2 of Title 13, Landscaping, of the Village Code to update landscaping regulations previously presented at the May 11, 2015 Committee of the Whole Meeting. The Board previously requested red-line copies of all the proposed code changes which staff included in the agenda materials for this meeting.

Trustee Grujanac asked if a lot had evergreens surrounding it, would it still be required to have other trees. Village Planner Robles noted there are still requirements in the code for diversity in materials.

Trustee Hancock asked for clarification regarding minimum tree requirements for new residential development lots. Village Planner Robles confirmed new resident lots are required to have 4 trees; with at least one tree to be planted in the front yard. Trustee Hancock and Mayor Brandt expressed concern with the requirement of only four trees may be low. Village Manager Burke stated the Tree Preservation requirements may need to be mentioned since this requirement does not mean all the existing trees on the property, for a new subdivision would be removed. If the new residential lot was the site of existing trees, there would be tree preservation measures required or the developer would be required to plant the number of trees required for those that may be removed to build the new home. Trustee McAllister asked if any Homeowner's Associations in the Village had landscaping requirements. Village Planner Robles and Community & Economic Development Director McNellis both stated they were not aware of any Homeowner Association landscape requirements found in the association codes and covenants. Trustee Servi recommended changing the requirements of minimum trees based on lot size. Mayor Brandt suggested staff look at surrounding municipalities for landscaping requirements and report back at the next Regular Village Board meeting prior to the Board's consideration of the ordinance for approval.

Trustee McDonough noted in the online version of the Village Code, conservancy requirements in the code was missing some pertinent information found in the original appendices to those ordinances and requested assurance that this be added. Village Manager Burke noted the conservancy code language is complete but the pertinent information is missing online. Staff will post the missing information.

There was a consensus of the Board for staff to look at surrounding municipalities for landscaping requirements and report back on items of general business at the next Regular Village Board meeting.

3.2 Finance and Administration

3.3 Public Works

3.31 Consideration and Discussion of an Ordinance Adopting the Prevailing Wage Rates to be paid to Laborers, Mechanics and Other Workers Performing Construction of Public Works for the Village of Lincolnshire (Village of Lincolnshire)

Engineering Supervisor Horne noted the adoption of this Ordinance is required by the state of Illinois prevailing wage act. The proposed Ordinance establishes minimum wage rates for laborers, mechanics and others performing construction work on public projects in the Village.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.32 Consideration and Discussion of Agreement between the Village of Lincolnshire and the Des Plaines River Watershed Workgroup (Village of Lincolnshire)

Engineering Supervisor Horne noted the proposed Agreement is necessary to establish bylaws for the group and to allow the Lake County Stormwater Management Commission to act as the financial processor of payments on behalf of the committee.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.33 Consideration and Discussion of a Joint Purchasing Agreement with Palatine Oil, Inc., Schaumburg, IL for Purchase of Gasoline and Diesel Fuel 2015 (Village of Lincolnshire)

Public Works Director Woodbury summarized the agreement for joint purchasing with Palatine Oil to purchase gas and diesel fuel for 2015.

Trustee Hancock asked what the downside was to fixed pricing. Public Works Director Woodbury noted with fixed pricing, when gas prices drop, the Village would not be able to take advantage since the Village would be locked into the fixed pricing. Village Attorney Simon noted another downside to a fixed pricing contract is that the vendor could put themselves at risk and most likely add costs in the initial bid response/pricing to account for higher fuel prices at a future date.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.34 Consideration and Discussion of Awarding Bid to Waukegan Roofing for Utility Building Roof Replacement Project (Village of Lincolnshire)

Operations Superintendent Phippen provided a summary of awarding a bid to Waukegan Roofing for utility building roof replacement noting this was the third time this project has been bid.

Trustee McDonough noted the use of alternative or more cost effective materials was previously discussed and asked if these alternatives could be used for the proposed roof project. Operations Superintendent Phippen noted the bid includes an alternate for the Village Hall roof to use composite shingles rather than cedar shake shingles. Trustee McDonough noted the life expectancy of the non-cedar shake materials is longer. Village Manager Burke noted staff will need to have further discussions regarding revising roof materials for the Village Hall and as part of the upcoming budget cycle to assist in determining estimated budgets for 2016.

A brief discussion followed regarding the Village Hall roof.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

~~3.35 Consideration and Discussion of Draft 2015 – 2024 Village of Lincolnshire Capital Plan and Five-Year Financial Forecast (Village of Lincolnshire)~~

3.36 Consideration and Discussion of Update to Lincolnshire Flood Response Manual (Village of Lincolnshire)

Public Works Director Woodbury provided a presentation regarding a proposed update to the Lincolnshire Flood Response Manual.

Trustee McDonough asked if staff has noticed any impact from the state removing dams down the river. Public Works Director Woodbury noted staff would have to monitor this to see if there was any noticeable impact.

Trustee McDonough noted the age limit of volunteers in the proposed manual is 16, and when the 2013 flood occurred, many of the volunteers were under the age of 16. Trustee McDonough suggested eliminating the age limit and making the tasks more age specific so all ages could volunteer. Director of Public Works Woodbury noted staff would identify tasks as not to limit age.

Trustee Grujanac suggested putting the volunteer sign-in sheet on the Website and gathering this information even during non-flood events. Mayor Brandt noted staff has an e-mail database that could be expanded on to solicit additional volunteers and distribute information. Mayor Brandt suggested other Trustees could expand on the current list.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.4 Public Safety

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee McDonough moved and Trustee Grujanac seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 8:05 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

**REQUEST FOR BOARD ACTION
Committee of the Whole
June 22, 2015**

Subject:	Camberley Club – Pulte Townhome PUD Proposal
Action Requested:	Continued Discussion of a Preliminary Development Plan Related to a Planned Unit Development (PUD) for a Proposed Townhome Community (Camberley Club – Pulte Homes)
Petitioner:	Pulte Homes
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Village Board, Architectural Review Board

Background:

- At the May 26th Committee of the Whole meeting, the Board held public hearings on the petitioner's requests to amend existing Special Use and Annexation Agreement for the development of Lot 2 within Sedgebrook, and consideration of an ARB recommendation of Preliminary Development Plans for a proposed townhome planned unit development (PUD).
- At the close of the discussion of this development, consideration of this item was continued to allow the petitioner to address the following Board comments/concerns:
 1. Site layout was described as too symmetrical and did not appear natural.
 2. Stagger buildings to avoid uniform row of townhomes.
 3. Open spaces were described as too open and not natural.
 4. Pulte was advised to analyze how much density can be decreased and still remain marketable/reduce density.
 5. Provide anticipated student generation for each School District and how students will be allocated based on the District boundary lines.
 6. School bus service between all School Districts was also questioned.

Prior to any further Village Board consideration of amendments to the existing Sedgebrook Special Use and Annexation Agreement and new Special Use for a PUD, the petitioner seeks Board consideration on a revised concept site plan and density reduction.

Project Summary:**• Items 1 – 3, Site/Building Layout:**

In response to the Board's input from the May 26th COW meeting, the petitioner revised the site layout (see attached packet). Similar to the prior site design, the revised perimeter streets and building layouts are influenced by the lot shape. However, the turning radius of the street network has increased introducing a more organic layout. Select buildings have been repositioned to follow the new road curvature. Reduction in total units (see Item 4 below) and building distribution creates expanded open space opportunities from the previous plan.

Staff discussed concerns with the petitioner regarding internal streets parallel to Milwaukee Avenue and Riverside Road remaining linear and opportunities to change building orientation along the street curvature and add landscaped medians to break up the linear corridor. The petitioner is exploring these opportunities, which may result in further revisions to be presented at Monday night's meeting.

- **Item 4, Density:**
Density is reduced to 95 total units (4.73 units per acre), a 6.86% reduction from the initial 102 unit proposal (5.08 units per acre). Approximately 50 units will be located in Lincolnshire-Prairie View School District 103, down from 56 units of the prior site plan.
- **Item 5 & 6, School District Impacts:**
The Board requested anticipated student generation and further detail on school busing service based on the School District boundaries. Information has not been provided at this time as the petitioner seeks the Board's determination on the site layout and density prior to conducting such analysis.

Recommendation:

Village Board review and comment on the proposed conceptual site layout and density reduction prior to further consideration of Special Use Amendment, Annexation Agreement Amendment and Preliminary Development Plan.

Reports and Documents Attached:

- Petitioner Presentation Packet.
- Location Map, prepared by Staff.
- Staff Memorandum to the May 26, 2015 Committee of the Whole.

Meeting History	
Village Board Preliminary Evaluation (COW):	September 22, 2014
Continued Village Board Preliminary Evaluation (COW):	November 10, 2014
ARB Preliminary Design Review:	February 17, 2015
Architectural Review Board (ARB):	March 17, 2015
Committee of the Whole (Public Hearing opened and continued)	May 11, 2015
Committee of the Whole (Continued Public Hearing):	May 26, 2015
Current Committee of the Whole (Continued Public Hearing):	June 22, 2015



June 16, 2015

Via Email

Mr. Stephen McNellis
Community and Economic Development Director
Village of Lincolnshire
One Half Day Road
Lincolnshire, IL 60069-3035

Re: Revised Site Plan:

Camberley Club
An upscale private gated townhome community
Located on the east side of Milwaukee Avenue, south of Riverside Road
Lincolnshire, IL

Dear Steve:

I am pleased to present our Revised Site Plan for Camberley Club, an upscale private gated townhome community in the Village of Lincolnshire. Pulte Homes is the contract purchaser for the subject property.

Based on the Village Board's valuable guidance and input at the May 26 COW Meeting, we made a number of changes to the site plan. Much thought and creative effort was utilized in this process. The end result is a better plan for Camberley Club. One that accomplishes the following:

- Reduction in density – down to 95 units (7% reduction from the original 102 units)
- Curvilinear design – redesigned entry sequence, increased turning radiuses, softened park geometry, angled building conditions, more organic and naturalized landscape plantings and pathways
- Loosen up the plan – redistribution of remaining units, increase in total open space, improved balance of open space throughout the neighborhood

We are confident this enhanced site plan provides the village with a very attractive high quality residential development that fits within the character of the Lincolnshire community, and provides a unique upscale housing opportunity.



Please see the attached exhibits summarizing a more complete list of enhancements. We look forward to presenting our Revised Site Plan to the Committee of the Whole Meeting on June 22nd. Please call if we can be of any assistance.

Sincerely,

A handwritten signature in blue ink that reads "Mark Mastrovoco". The signature is written in a cursive style with a large initial "M".

Mark Mastrovoco
Director of Land Acquisition
Pulte Homes – Illinois Division
Telephone: (847) 230-5281
Email: mark.mastrovoco@pulte.com

Camberley Club - 95 Units

- 1 Redesign road to introduce a more organic entry sequence overlooking park, terminating on front facades in the distance.
- 2 Angle building to follow curve of entry road.
- 3 Introduce more curvilinear entry park geometry and utilize more naturalized landscape plantings and pathways.
- 4 Remove one (-1) unit, increase park size and building spacing along Milwaukee Avenue.
- 5 Increase turning radius for a more organic street layout and remove two (-2) units resulting in greater rear yard open space along Milwaukee Avenue.
- 6 Replace two 3 unit buildings with one 4 unit building (-2) to allow for increased turning radius and introduce new corner park space.
- 7 Remove one (-1) unit to increase open space and provide more natural rear-lot landscape plantings.
- 8 Redistribution of units to provide additional landscaped open space along Riverside Road.
- 9 Continue to preserve mature landscape buffers along Milwaukee Avenue and Riverside Road and respect 100 foot building setbacks.



project:

Camberley Club

Lincolnshire, Illinois

sheet description:

Preliminary Landscape Plan

owner:

Pulte Homes
1901 Roselle Road
Schaumburg, Illinois 60195



north: scale: 1" = 60'0"

6.12.2015	Per Village Board Comments
3.30.2015	Per ARB Approved Conditions
2.27.2015	Per Village & ARB Review

revisions:

original issue date: **6 January 2015**

drawn by:

checked by:

project no.: **24005**

sheet no.:

L.100

Design of Outlot 2 is conceptual and will be further studied with cooperation from the Park Board

SEE SHEET L.101 for Entrance Area Enlargement

PLANT MATERIAL LEGEND : (Sheets 100 - 101)

- Parkway Trees, 3" Caliper
- Shade Trees, 3" - 4" Caliper
- Ornamental Trees, 6' - 10' m/s
- Evergreen Trees, 6' - 8' tall
- Evergreen Shrubs, 18" - 24" wide
- Deciduous Shrubs, 18" - 36" tall
- Perennials & Grasses, 1 Gal.

• See Sheet L.109 for Preliminary Plant Material List, Notes and Details

■ Proposed Group Mailbox Location - 12

• See Sheet L.106 & L.107 For Typical Townhome Landscape Plans

• See Sheet L.109 For Plant Material List, Notes and Details



Proposed Bike Trail - 8' Wide

Milwaukee Ave.

Existing Berm & Evergreen Buffer - to be preserved

Proposed Bike Trail - 8' Wide

Existing Berm & Evergreen Buffer - to be preserved

Existing Retaining Wall - to be preserved

End Fence 5' from wall for Maintenance Access

North Riverside Drive

Existing Berm & Evergreen Buffer (25' tall) - to be preserved

Existing Ornamental Fence - Full North Perimeter - To be preserved

Proposed Gate with FPD Knox Box Proposed Fire Lane

Existing Berm & Evergreen Buffer (25' tall) - to be preserved

End Fence at Buffer Limit

Proposed 7' tall Wood Privacy Fence (Detail 103.E)

Future Sedgebook Expansion

Proposed 7' tall Wood Privacy Fence (Detail 103.E)

Optional 48" Backyard Aluminum Fence

Maintain Maintenance Utility Corridor

Camberley Commons Open Play Lawn

Pocket Park

Playground

Camberley Park

Model Building

Model Building

Model Building

Model Building

Model Building



-  Village Boundary
-  Zoning Districts
-  Building
-  Water Feature
-  Parcel
-  Subject Location



REQUEST FOR BOARD ACTION
Committee of the Whole
May 26, 2015

Subject:	Camberley Club – Pulte Townhome PUD Proposal
Action Requested:	<p>3.13 - Continued Public Hearing: Amendment to Ordinance No. 03-1864-41 which established a Special Use for a Planned Unit Development (PUD) for Sedgebrook Continuing Care Retirement Community, as amended, to remove Lot 2 from the development restrictions related to Sedgebrook.</p> <p>3.14 - Continued Public Hearing: Amendment to Ordinance No. 03-1861-38, which authorized an Annexation Agreement for the Sedgebrook Continuing Care Retirement Community, as amended, to permit the development of Lot 2 for a proposed 101-unit townhome PUD.</p> <p>3.15 - Consideration and Discussion of an Architectural Review Board recommendation regarding a Preliminary Development Plan for a proposed 101-unit townhome PUD.</p>
Petitioner:	Pulte Homes
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Village Board, Architectural Review Board

Background:

- The subject property, known as Sedgebrook Resubdivision Lot 2, consists of the northern 20 acres previously part of the Sedgebrook Continuing Care Retirement Campus (“Sedgebrook”). This northern lot was established by a plat of resubdivision approved by Ordinance No. 14-3321-47A on March 10, 2014.
- The subject property was initially part of the original Sedgebrook development, planned for the future “neighborhood 3” expansion of the retirement campus. After acquiring the entire retirement campus property, Senior Care LLC determined the undeveloped northern 20 acres were no longer financially sustainable for expansion of the existing Sedgebrook community. This determination led to the 2014 subdivision which created a separate lot for this “excess land”.
- Per Village Code, the Board serves the traditional role of the Plan Commission in performing zoning analysis of Planned Unit Developments (PUD’s), which occurs in two steps:
 1. Preliminary Development Plan: The Preliminary Development Plan provides the basic scope, character, and nature of the entire proposed PUD and is the basis on which the required public hearing is held. The Preliminary Development Plan is deemed only as an expression of the Village’s acceptance of the concepts and details, and serves as a specific guide in preparing the Final Development Plan. Acceptance of the Preliminary Development Plan becomes null and void if a Final Development Plan is not submitted within one year from the date of approval, unless an extension is granted by the Village Board of Trustees

2. Final Development Plan: The Final Development Plan designates the specifics of lots, common open space areas, building areas, shows the exact location of each structure to be constructed, and designates the specific uses of each structure. The Final Development Plan also details any restrictions placed on the land and serves as the zoning control device.

Agenda Item 3.13 - Special Use/Amendment:

- The Petitioner requests an amendment to Special Use Ordinance 03-1861-41 as the subject parcel (Lot 2) is subject to the zoning regulations of the existing Sedgebrook PUD for a continuing care retirement campus.
- The 2003 Ordinance was most recently amended March 2014 (Ordinance No. 14-3322-48), to permit the subdivision into Lot 1 and Lot 2 (subject site), and modified the final PUD plans to reduce the future expansion of the retirement campus solely to the new boundaries of Lot 1. The Petitioner seeks to remove Lot 2 from the conditions and restrictions of that Ordinance to permit the proposed townhome PUD.
- The Petitioner also seeks a new Special Use for a Planned Unit Development (PUD) specifically for the development of the new Lot 2 as a 101-unit townhome development.
- The attached presentation packet includes the Petitioner's response to the Findings of Fact for Special Use for a PUD.
- *Note: Pulte Homes is under contract to purchase the subject property from Senior Care LLC, upon zoning approval of the proposed townhome PUD. If Pulte fails to acquire the property following Village approval, Staff will return to the Board with a petition to revoke any such approvals, and Lot 2 will revert to the zoning jurisdiction of the Sedgebrook PUD.*

Agenda Item 3.14 – Annexation Agreement Amendment:

- The Petitioner requests amending the existing Sedgebrook Annexation Agreement (approved by Ordinance No.14-3321-47) to incorporate the proposed 101-unit townhome development.
- **Summary of Key Annexation Agreement Requests:**

The Village Attorney and Staff worked with the applicant in developing the proposed Annexation Agreement Amendment (see attached), which contains the following key points:

 1. **Voiding the Agreement** – Pulte requests a stipulation if they fail to acquire the subject property within 18 months following Village approval of the amended Annexation Agreement, the agreement is immediately null and void. *Village Code has no such requirement.*
 2. **Recapture Agreement** – Pulte requests execution of a Recapture Agreement, to their benefit, to receive proportionate reimbursement for the cost of the Milwaukee Avenue intersection improvements and Riverside Road realignment for properties along Riverside Road, excluding Sedgebrook. This would include the 19 acre property upon which a 52-unit townhouse project was recently proposed and the Gus Boznos homestead. *Village Code permits Petitioner's to request Recapture of costs for improvements benefitting other properties.*
 3. **Construction before Final PUD Approval** – Pulte seeks to undertake initial mass grading and excavation of the site, excluding any activity related to the existing earthen berms, upon Preliminary Development Plan approval and obtaining permits

- from authorizing agencies, but **prior** to Village approval of **Final PUD plans**. *Village Code states no permits shall be issued prior to approval of Final PUD plans. Staff supports this request as excavation will remove an existing abandoned water line (requires removal for any future development at the site) and mass grading will not alter the existing berms and be limited to internal earth work at Pulte's sole risk.*
4. **Permits before Public Improvements Acceptance** – Pulte requests permission to obtain building and occupancy permits for any townhome **prior** to Village Board **acceptance of public improvements**, except occupancy shall not be permitted prior to sanitary sewer mains and potable water mains approved by Staff and appropriate agencies. *Village Code states no occupancy permits can be approved prior to Village Board acceptance of public improvements. Staff recommends Pulte's requested course of action, as it defers Village acceptance of public improvements until a later time, protecting the Village in the event of damages to the public improvements.*
 5. **Model Homes Permits** – Pulte requests the ability to obtain building and occupancy permits for Model Homes **prior** to **approval and acceptance** of any public improvements. Pulte seeks flexibility to open Model Homes without service from water and sewer. *Village Code states no occupancy permits can be approved prior to Village Board acceptance of public improvements. Staff supports this request as the model homes will only be occupied for marketing purposes and not for dwelling purposes.*
 6. **Certificates of Occupancy prior to Intersection Improvements** – Pulte requests authorization to receive a maximum of 35 Certificates of Occupancy **prior** to completion of the Riverside Road intersection improvements. Given IDOT and weather constraints, Pulte requests this relief. Per Staff's recommendation, temporary limited access to/from Milwaukee Avenue will be maintained at all times. *Village Code does not apply here. This is a Village determination regarding the number of homes/residents in the new townhouses permitted to be impacted by road construction at the main access to Milwaukee Avenue, which Staff believes is reasonable.*
 7. **Ground Floor Area per Unit** – Pulte requests a reduction in the minimum livable ground floor area per dwelling unit for buildings more than one story to 693 square feet. *Village Code requires minimum 1,000 square feet of livable area per unit. Staff supports this request since the Codes' intent is to prevent construction of undersized homes. All proposed townhome units will exceed the minimum 1,000 square foot livable area through the combined first and second floors, rather than solely the first floor.*
 8. **Fence Requirements** - Pulte requests an increase in the maximum permitted perimeter fence height to 7 feet, and the maximum opacity of a 7-foot tall perimeter fence to 100% for the first 6 feet, as measured from grade. *Village*

Code requires residential yard fences have a maximum height of 4' and have a maximum 60% opacity. The purpose of the fence is to screen the townhome development from the adjoining Sedgebrook development, which are differing uses, which Staff supports.

9. **Parkway Trees** – Pulte requests a reduction in the minimum required spacing of parkway trees to 20 feet, and permissibility of parkway tree species other than those permitted in Appendix IV of the Landscaping Code (Title 13). *Village Code requires parkway trees be spaced 25 feet apart and that they be from Appendix IV only. Staff is in support since the request results in an increase in the amount of parkway trees and differing tree palette.*
10. **Tree Survey Requirements** – Pulte requests waiver of requirement to provide a detailed tree survey for those portions of the Milwaukee Avenue and Riverside Road landscaped berms on Lot 2 left undisturbed by the Development. *Village Code requires Tree Surveys cover the entire developable lot; however, this requirement has been partially waived in other similar circumstances. Since the existing landscaped berms will be preserved, a tree survey is not necessary.*
11. **Timing of Underground Improvements** – Pulte requests ability to install water and sanitary service connections and storm sewers not located under paved streets after construction of surface improvements has begun, due to potential weather conflicts and construction staging. *Village Subdivision Code requires all underground improvements be completed prior to any surface improvements being started. Staff supports this request as this affects timing of construction as it relates to unfavorable weather conditions. No certificates of occupancy can be issued until all underground and surface improvements are completed and inspected.*
12. **Pavement Specifications** – Pulte requests alternate pavement improvement specifications in lieu of those required in the Village Code, including 10 inches of CA-6 stone, 2.5 inches of binder course and 1.5 inches of bituminous surface course. *Village Code requires 12" crushed aggregate base course (type A) with a 3" bituminous surface course or 4" aggregate sub-base (type B) + 6" bituminous base course with a 2" bituminous surface course. Since the internal streets will be private, Staff does not have a position on this request.*
13. **Park Donations** – Pulte requests the required park donation be distributed as described in the next memo section. Pulte also requests the cash contribution portion of the park donation be submitted upon the issuance of the final building permit of the last dwelling unit based on the final construction costs of the Outlot 2 trailhead park improvements and

Milwaukee Avenue path (from south property line to Sedgebrook entrance). *Village Code requires park donations be provided prior to recording the Final Plat. Should the Board accept Pulte's requested park donation contribution/method, Staff recommends Pulte's request to defer final cash contribution be granted. This would allow all costs for construction to be settled and a final accurate payment amount to be determined.*

- **Additional Key Annexation Agreement Request - Parkland Dedication:**

The Petitioner proposes providing the required park donation of 2.45 acres through a combination of land and cash (fee-in-lieu-of) contributions, per the Subdivision Code:

1. **Land Donation:** The proposed park land dedication consists of 0.287 acres at the northwest corner of the site (identified as "Outlot 2"), created by the realignment of the Riverside Road intersection. This park land is designed to function as a trailhead and respite area to the nearby Des Plaines River Trail.
2. **Cash (Fee-in-lieu-of) Donation:** An additional 2.163 acres of park donation is required, with a value of \$1,178,835. The Petitioner proposes to provide the cash value of that acreage through four means: a) Construction of all trailhead improvements, including site grading, utility installation, a gazebo, bike rack, and landscaping (value = \$150,000), b) 50% of the value of land and improvements on private parkland within the townhome development, for reasons stated in the Petitioner's cover letter (estimated value = \$633,890), c) construction of a path extension along Milwaukee Avenue, from the southern lot line of the subject property to the Sedgebrook entrance/signalized pedestrian crossing of Milwaukee Avenue (estimated value = \$13,800), and d) cash contribution at the end of the project, once all construction costs have been verified (estimated value = \$381,145).

On May 18, 2015, the Park Board unanimously recommended approval of the Preliminary Trailhead Plans/improvements for Outlot 2, subject to:

- a. Inclusion of a below-ground irrigation system, in conformance with Lincolnshire regulations, installed respective of the proposed plantings identified on the Landscape Plan.
- b. Inclusion of an electrical supply for lighting.

- **Improvement/Recapture Agreements:**

Staff continues to coordinate with the Petitioner regarding a small number of outstanding items within both the Improvement Agreement and Recapture Agreement, so that both documents comply with Village requirements and practices. Staff anticipates reaching agreement prior to Tuesday night's meeting and will provide further information at that time.

Agenda Item 3.15 – Preliminary Development Plans:

- **Summary of ARB Discussion:** The attached Preliminary Development Plans were presented at two ARB meetings (February and March, 2015), which the ARB discussed the following issues in-depth:
 1. **Site Layout:**

At the 2014 preliminary evaluation, Staff noted the triangular shape of the site influenced the proposed development layout, which created a linear, gridded block effect. The ARB accepted a blended approach to the development layout per two options presented; retaining the large triangular open space element at the entrance, an internal street network containing both linear and curvilinear approaches, and enlarged park space in the southern section of the site (Outlot 7) to increase functional open space.
 2. **Riverside Road Realignment:**

The Riverside Road intersection realignment requires authorization from Illinois Department of Transportation (IDOT) as the realignment intersects with Milwaukee Avenue. Pulte has consulted with IDOT in developing the preliminary engineering plans. IDOT's preliminary review indicates they will require modifications to the existing Tower Parkway intersection (west side of Milwaukee Avenue) to add a second left-turn lane. To satisfy IDOT's intersection improvements request, the proposed plans significantly reduces the width of the existing Tower Parkway median, requiring relocation or removal of the existing Lincolnshire Corporate Center identification sign owned by Van Vlissingen and Company. As the proposed intersection improvements will disturb the Tower Parkway side, including the existing corporate sign, Staff directed Pulte to reach a solution with Van Vlissingen prior to Monday night's meeting. Staff has not been provided a status update on this matter, despite our continued requests.
 3. **Building Elevations:**

The "Villas" and "Terraces" townhome product incorporates brick, stone, and siding of earth color tones, with an overall reduction in material palette. In response to Staff's initial comments at preliminary evaluation, the architectural designs establish multiple design themes to create diversity between townhome units.
 4. **Density:**

During ARB review, Staff consistently communicated Village Board's concern regarding density and the need for reduction from the original 102 units (5.08 units per acre). Prior to final ARB review, the density was reduced to 101 total units (5.03 units per acre). The ARB supported the reduction to 101 total units, noting the increased open space within the development would help reduce the impression of higher density.
- On March 17, 2015, the Architectural Review Board unanimously recommended approval of Preliminary Development Plans for a Planned Unit Development (PUD) for a proposed 101-unit townhome development , subject to:
 1. Revise the landscaped traffic island design to improve vehicular access/movement.
 2. Incorporate a combination of deciduous and evergreen trees and shrubs along the southern fence line of each Lot to further screen the fence from residents.
 3. Confirm proposed grading of the berm along Riverside Road will not damage the existing evergreen trees on the berm. If the change to the berm will result in minimal tree damage/removal, the Landscape Plans must be revised to identify the replacement trees that will help retain the natural buffer.
 4. Building elevations be revised to incorporate the following:

- a. Simplify the materials and/or color used on the windowsill and head flashing for second-story windows on all façades.
- b. The transition of materials and/or colors should not occur without a corresponding architectural element to provide a logical transition.

The attached presentation packet responds affirmatively to all ARB conditions referenced above.

Recommendations:

Village Board review and comments on the proposed Special Use Amendment, Annexation Agreement Amendment and Preliminary Development Plan.

Reports and Documents Attached:

- Location Map, prepared by Staff.
- Draft Ordinances regarding Amendment to the Annexation Agreement and Special Use Amendment and Special Use for a Planned Unit Development, prepared by Village Attorney Simon (including exhibits of the Preliminary PUD Plans).
- Staff Memorandum and Approved Minutes of the February 17, 2015 and March 17, 2015 ARB.
- Staff Memorandum to the September 22, 2014 and November 10, 2014 Committee of the Whole.

Meeting History	
Village Board Preliminary Evaluation (COW):	September 22, 2014
Continued Village Board Preliminary Evaluation (COW):	November 10, 2014
ARB Preliminary Design Review:	February 17, 2015
Architectural Review Board (ARB):	March 17, 2015
Committee of the Whole (Public Hearing opened and continued)	May 11, 2015
Current Committee of the Whole (Continued Public Hearing):	May 26, 2015

REQUEST FOR BOARD ACTION
COMMITTEE OF THE WHOLE
June 22, 2015

Subject:	IDOT Resolution Regarding Construction on State Highways
Action Requested:	Consideration and Discussion of a Resolution for Construction on State Highways (Village of Lincolnshire)
Originated By/Contact:	D. Scott Pippen, Operations Superintendent
Referred To:	Village Board

Summary / Background:

In order to perform the required maintenance of the sanitary sewer and water distribution systems located in the rights-of-way of State Highways Route 21 and Route 22, the Illinois Department of Transportation (IDOT) requests the Village pass a resolution stating that any required maintenance will be performed in accordance with IDOT permit requirements. The resolution also states the Village will assume liability for any damages which may occur due to such maintenance work.

This resolution was originated in 2001, and IDOT requires its renewal bi-annually. IDOT requests the resolution cover a two year period to save time and reduce the paperwork associated with an annual resolution.

Budget Impact:

N/A

Service Delivery Impact:

N/A

Recommendation:

Staff recommends placement of the resolution for construction on State highways on the July 13, 2015, Consent Agenda.

Reports and Documents Attached:

- Draft Resolution

Meeting History	
Initial Referral to Village Board (COW):	June 22, 2015
Regular Village Board Meeting:	July 13, 2015

RESOLUTION NO. ____

WHEREAS, the Village of Lincolnshire, hereinafter referred to as MUNICIPALITY, located in the County of Lake, State of Illinois, desires to undertake, in the years of 2015 and 2016, the location, construction, operation and maintenance of driveways and street returns, watermains, sanitary and storm sewers, street light, traffic signals, sidewalk, landscaping, etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as DEPARTMENT, and,

WHEREAS, an individual working permit must be obtained from the DEPARTMENT prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY.

NOW, THEREFORE, be it resolved by the MUNICIPALITY:

FIRST: That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with the conditions of the permit to be granted by the DEPARTMENT, and to hold the State of Illinois harmless during the prosecution of such work, and to assume all liability for damages to persons or property due to accidents or otherwise by reason of the work which is to be performed under the provision of said permit.

SECOND: That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

ADOPTED THIS 13th day of July, 2015 pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 13th day of July, 2015.

Mayor

ATTEST:

Village Clerk

**REQUEST FOR BOARD ACTION
JUNE 22, 2015 COMMITTEE-OF-THE-WHOLE**

Subject: Consideration and Discussion of an Amendment to Section 3-3-2-6 of Title 3-3, Liquor Control, For the Creation and Issuance of a Class "P" Liquor License for Regal Cinemas, Inc. (Regal Cinemas)

Action Requested: Referral to July 13, 2015 Regular Village Board Meeting Consent Agenda for approval.

**Originated
By/Contact:** Peter D. Kinsey, Chief of Police

Referred To: Village Board

Summary / Background:

Regal Cinemas, Inc. submitted a completed "Petition for the Creation of a Village Retailer's License - Alcoholic Liquor," for a Class "P" liquor license for their Lincolnshire-Stadium 21 movie theater complex located at 300 Parkway Drive. The license will be for the retail sale of alcoholic liquor for consumption on the specified premises, as a secondary and accessory use to a principal movie theater business.

In addition to the above information, the following areas were checked for compliance and conformity as required under Village Code:

1. The Petition for the Creation of a Village Retailer's Liquor License was submitted in its completed form. A check in the amount of \$250.00 was remitted with the application. The corporate officers were subjected to local, state and federal (FBI) criminal records checks. The driver's licenses of each were also checked to confirm information provided on the petition.
2. A check through the Illinois Secretary of State's Corporate Business Office on April 20, 2015 indicates Regal Cinemas, Inc. is a Tennessee corporation licensed to conduct business and in "Good Standing" in Illinois. The Registered Agent is CT Corporation System, 208 S. LaSalle Street, Suite #814, Chicago, IL 60604 which is consistent with the applicant's petition.
3. A photocopy of an executed lease agreement, dated November 11, 1996, between ECD-Lincolnshire Theatre, LLC and Regal Cinemas, Inc. has been submitted to the Village. The term of the initial lease agreement is twenty-five (25) years with options for two (2) successive and consecutive periods of ten (10) years each.
4. A photocopy of a Lake County Health Department Permit valid through December 31, 2015 was submitted with the petition.
5. A valid State of Illinois Liquor Retailer's License will be secured and forwarded to the Village subsequent to the issuance of the Village of Lincolnshire Liquor License. The State Liquor Commission requires a local liquor license prior to the issuance of a State Liquor License.
6. A Certificate of Insurance with the required liquor liability coverage having policy limits meeting or exceeding Village Code requirements was submitted with the petition. The policy period is valid through March 2, 2016.

7. The local manager (who will be responsible for oversight of liquor sales) will be Karissa M. McGill, 1308 Witchwood Court, Round Lake Beach, Lake County, IL 60073. Both Village Code and Illinois State Statute require an owner or manager/agent to reside within the county in which the licensed premises is located. The listed manager meets that requirement.
8. The fee for a Class "P" liquor license is \$2,500.00. Below is the Village Code definition for a Class "P" liquor license for reference.

CLASS P (Movie Theaters)

Issued to authorize the retail sale of alcoholic liquor, for consumption on the licensed premises, as a secondary and accessory use to a principal movie theater business.

Service of alcoholic beverages shall be limited to a designated lobby bar area.

Service of alcoholic beverages may be made only to persons purchasing a movie ticket and wearing a tamper-resistant wristband approved by the Village. The wristband shall be valid only for the date on which it is obtained from the movie theater. A wristband may only be issued by theater personnel who meet the requirements of Section 3-3-6 of this Chapter.

Alcoholic beverages may be consumed in the movie theater auditoriums, but may not be delivered or served in any movie theater auditorium.

The containers in which alcoholic beverages are served must be of a different color, size and design than those in which non-alcoholic beverages are served.

No more than one alcoholic beverage may be delivered to a customer in any one trip to the bar, and no customer shall be served more than three (3) alcoholic beverages on any day. The number of alcoholic beverages served to a customer each day shall be recorded on that customer's wristband.

There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies. Under no circumstances may alcoholic beverages be served more than one hour prior to the advertised showing time of the first movie to be shown on any day, except for private rentals and events.

Attached in ordinance form is an amendment to the Liquor Code increasing the number of authorized Class "P" liquor licenses by one (1).

Budget Impact:

Approval of this request will not result in any adverse impact to the current budget.

Service Delivery Impact:

Not Applicable.

Recommendation:

At this time, nothing has been found to preclude the issuance of the requested license. Staff recommends approval and requests this item be placed on the July 13, 2015 Consent Agenda for Board approval.

Reports and Documents Attached:

- Ordinance Amending Section 3-3-2-6 of Title 3, Chapter 3 of the Village of Lincolnshire Village Code (Liquor Control)

Meeting History	
Initial Referral to Village Board (COW):	June 22, 2015
Regular Village Board Meeting:	

ORDINANCE NO. 15-
AN ORDINANCE AMENDING SECTION 3-3-2-6
OF TITLE 3, CHAPTER 3,
OF THE VILLAGE OF LINCOLNSHIRE VILLAGE CODE
(LIQUOR CONTROL)

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lincolnshire, Lake County, Illinois, as follows:

Section 1: That pursuant to Title 3, Chapter 3, Section 3-3-2-6 of the Lincolnshire Village Code, the number of Class “P” liquor licenses which are authorized for issuance in the Village of Lincolnshire shall be increased to one (1). (This increase in Class “P” liquor licenses reflects the issuance of a Class “P” license to Regal Cinemas, Inc. for the retail sale of alcoholic beverages).

Section 2: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

PASSED this 13th day of July, 2015, by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES: Trustees:

NAYS:

ABSENT:

APPROVED by the Mayor of the Village of Lincolnshire this 13th day of July, 2015.

Village Mayor

ATTEST:

Village Clerk