



- APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Thursday, May 21, 2015, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.
- PRESENT:** Chairman Manion, Members Kalina, Leider, Van de Kerckhove, and Bichkoff.
- STAFF PRESENT:** Stephen Robles, Village Planner.
- ABSENT:** Mayor Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:03 p.m.

1.0 ROLL CALL

The roll was called by **Village Planner Robles** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

- 2.1 Approval of the Minutes related to the Zoning Board Meeting held on Tuesday, April 14, 2015.

Member Van de Kerckhove moved and **Member Leider** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

- 3.1 PUBLIC HEARING regarding a rezoning from the R1, Single-Family Residence District, to the R2A, Single-Family Residence District, to permit the development of an environmentally sensitive large lot subdivision containing 17 single-family residential lots (Arthur J. Greene Construction Company).

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing. **Jeff Greene**, President of Arthur J. Greene Construction Company, introduced the proposed single-family residential subdivision associated with the R2A rezoning request and identified the proposed name would be Manors of Whytegate. He continued that A.J. Greene Construction had built the subdivisions north, south and west of the subject parcel and was originally proposed at 19 single-family lots and made adjustments to the plan, which reduced the number of lots to 17. **Mr. Greene** presented the subject site had been designed as an R2A subdivision based on such designation in the Village's Comprehensive Plan.

Glen Christensen, Land Planner with Manhard Consulting, Ltd., explained the subdivision had been designed over the past year and a half, and included comments provided by the Village Staff. He presented the current conditions of the property, the current zoning of surrounding subdivisions, and the elements of the proposed subdivision.

Member Van de Kerckhove sought clarification on the petitioner's presentation regarding the infiltration of ground water as it related to the proposed stormwater management system. **Mr. Christensen** explained the general process of stormwater management through the use of native plantings and their ability to allow infiltration of ground water due to their large root systems.

Member Leider sought further explanation why the vehicular access was not from the west or another location, and why the subdivision entrance was aligned with Briarwoods Lane to the east. He further expressed that the Briarwoods of Lincolnshire Subdivision contained larger sized single-family lots and the proposed road was essentially extending the street across Riverwoods Road; therefore, the lot sizes of the proposed subdivision should be consistent with the Briarwoods Subdivision. **Mr. Christensen** explained the proposed subdivision entrance was oriented to Riverwoods Road based on land planning and traffic management principles. As required by Lake County Department of Transportation regulations, the entrance was lined up with Briarwoods Lane to provide a suitable intersection in this area.

Chairman Manion sought verification by the petitioner to incorporate the rezoning findings of fact into the record. **Mr. Greene** confirmed.

Member Leider expressed his concern with proposed Lot 1 being located immediately adjacent to the Riverwoods Road, with no buffer or separation space like had been accomplished in the adjoining subdivision to the north. He further noted the proposed density was too much and by extending Briarwoods Lane from the west, there was no consistency with the existing lots in the Briarwoods Subdivision.

Mr. Greene explained the proposed subdivision was to fill a gap in the Whytegate Unit subdivisions, which was to match those adjacent subdivisions in design and density. However, he noted the proposed lot sizes would be slightly larger than that of the existing subdivisions to the north and south. He expressed any subdivision with larger lot sizes and reduced density would appear out of character from the existing development pattern along the west side of Riverwoods Road.

Chairman Manion questioned what the anticipated home size would be. **Mr. Greene** responded the typical home would range from 3,500 square feet to 4,000 square feet, pending customer demand. **Chairman Manion** then inquired about the expected price point of the proposed homes. **Mr. Greene** noted the anticipated price would start at one million dollars, pending market demand.

There being no further Zoning Board comments, **Chairman Manion** sought Staff's comments.

Village Planner Robles presented Staff's memorandum and explained the request was to rezone the subject site from the R1 Single-Family Residence District to the R2A Single-Family Residence District. The R2A District was designed to permit the development of environmentally sensitive large lot areas through responsible environmental preservation and other planning criteria. He continued that the intent of such zoning was to encourage a creative approach to the use of land, preserve natural vegetation, enhance the appearance of the neighborhoods by the conservation of forested areas and advance the various Lincolnshire planning policies of the Comprehensive Plan. **Village Planner Robles** explained that developments seeking

R2A zoning required a two-phase review process; the first was the policy phase and the second was the technical phase. In the first policy phase, the Zoning Board provides a recommendation on the proposed zoning change to the R2A District, based on conceptual subdivisions plans. A full analysis of the subdivision would not occur until the technical phase. However, he noted that any Zoning Board concerns regarding the proposed subdivision should be expressed and discussed during the rezoning consideration. **Village Planner Robles** continued that the parcel was identified as Critical Area 2 in the Update 2012 Comprehensive Plan due to the high level of visibility and potential level of impact upon adjacent residential subdivisions. He continued that the Comprehensive Plan recommended rezoning of the site to the R2A District to support *“development consistent with the existing neighborhoods to ensure uniformity, consistency and cohesion as an integrated component of the residential community”*. The proposed R2A zoning was not uncharacteristic with the adjacent residential developments and the proposed environmental enhancements were essential to demonstrating the environmental character of this area.

There being no questions to Staff from the Zoning Board, **Chairman Manion** sought any public comments.

Steve Mikus, 306 Whitmore Lane, sought clarification of a bioswale and the types of plants used in the bioswales. **Mr. Christensen** responded that a bioswale was essentially a ditch with native plants, where the plants specifically used were mixture of native plant types that had been shown to thrive in such conditions. **Mr. Mikus** also questioned where the proposed bike paths would be located. **Mr. Christensen** pointed out on the presentation board the proposed location of the bike path starting at the west end of the cul-de-sac and extended northwest to connect with Brampton Lane within existing dedicated right-of-way. **Mr. Mikus** inquired about the average lot size, to which **Mr. Greene** responded the proposed lots were bigger than the existing Whytegate subdivisions to allow for larger homes. **Mr. Mikus** expressed his concerns over the appearance of smaller lots with larger homes compared to the adjacent subdivisions. He then inquired about the anticipated timeline of construction. **Mr. Greene** identified a two year construction window and expressed they were seeking to start construction before winter.

Ken Ainger, 316 Whitmore Lane, questioned if the developer had experience with bioswales given that sub-soils in the area were very hard and stressed his concern over standing water that may result. **Jesse Conrad**, Project Engineer with Manhard Consulting, Ltd., noted Manhard's experience in the installation of bioswales and described their function to prevent standing water. **Mr. Ainger** inquired if the installation of bioswales was something that was required to be installed. **Mr. Conrad** affirmed and noted that both Lake County Stormwater Management Commission and the Village required bioswales. **Mr. Ainger** questioned if Manhard had experience with bioswales in the immediate area. **Mr. Conrad** responded that they have not constructed any bioswales in Lincolnshire, but in surrounding communities. **Mr. Ainger** then inquired about the location of utilities and whether they would be installed within the proposed street. **Mr. Conrad** confirmed the water and sanitary service lines would be within the street right-of-way. **Mr. Greene** commented that gas and electric would be in the front of each lot. **Mr. Ainger** questioned if any trees were being removed along the north side of the proposed development. **Mr. Greene** explained that all the existing trees along the north boundary of the subdivision would remain. **Mr. Ainger** concluded by noting his concerns regarding the proposed density and of the larger building footprints compared

to the lot sizes. He also expressed that without the presence of existing woodlands, the density would feel much higher.

Harry Goldshall, 315 Whytegate Court, expressed concerns about the current stormwater drainage and standing water during rain storms. **Mr. Conrad** explained that all stormwater would be redirected east to the proposed detention basin at the southeast corner of the subdivision. **Mr. Goldshall** expressed his support over the proposed lot sizes noting they would be bigger than the surrounding subdivisions.

Susan Banas, 224 Brampton Lane, inquired as to whether there was any historic designation on the home or the property. **Mr. Conrad** responded that a historic study was currently being conducted on the property. **Mrs. Banas** expressed her concerns of the Village discussing zoning without confirmation of any historic designation. She continued noting her concern of the proposed density and number of lots related to the Riverwoods Road traffic. **Mr. Greene** responded that the proposed subdivision was intentionally designed to provide the largest lots of the subdivision at the western end, adjacent to her property, and would be near 40,000 square feet in lot area. He further expressed that traffic would be less than any other of the Whytegate subdivisions. **Mrs. Banas** noted traffic on Riverwoods Road north of Route 22 was becoming very congested. She questioned how a rain event would be handled when grading on the western lots was shown to pitch to the west towards the back of her home. **Mr. Christensen** explained that the proposed grading was designed to direct rain water away from the homes and towards the rear of the lots, which would then be funneled towards the detention basin at the front of the subdivision. **Mrs. Banas** inquired if a berm was going to be installed for those lots next to the bike path.

Julie Galassini, 311 Whytegate Court, questioned if the proposed bioswales were the same as rain gardens. **Mr. Christensen** explained the difference was that rain gardens tended to be at the end of the line, rather than bioswales that are in-line of the drainage system and clean the water before it's released. She noted that as a real estate attorney, she had observed failed bioswales and further expressed her concerns with flooding on her property that had been received from the subject property. **Mr. Christensen** noted the proposed subdivision presents the opportunity to collect the rain water and direct to the basin. **Mrs. Galassini** expressed the current traffic on Riverwoods Road was beyond the road's capabilities and would not be able to support further traffic. **Mr. Greene** pointed to the other surrounding subdivision and noted the number of homes was higher than that being proposed. **Mrs. Galassini** lastly expressed her support for the addition of berming along the southern perimeter. **Mr. Christensen** noted that they will review the landscaping plan to look for additional opportunities for screening but that berming would not solve any drainage problems.

Linda Spungen, 219 Brampton Lane, expressed her concerns regarding drainage impacting her property to the west. She continued that when she purchased her property, she understood the property across the street to the east was not buildable, and although not constructing any buildings, a bike path would be constructed and questioned how many trees would be removed. **Mr. Greene** explained the bike path was requested by the Village to provide connection between subdivisions, rather than constructing a road. **Mr. Christensen** noted that a survey of tree removal had not been conducted and they would need to review the existing tree growth before constructing the path to understand how many trees would need to be removed. **Ms. Spungen** also reiterated the traffic conditions of Riverwoods Road, especially in the morning when trying to take her children to Stevenson High School. **Mr. Greene** commented that

Riverwoods Road served as a main thoroughfare for the school buses and served a high number of outside traffic.

Mr. Mikus (306 Whitmore Lane) inquired if the Village had a zoning district for $\frac{3}{4}$ acre lots. **Village Planner Robles** explained there was no such zoning and that while the minimum lot size of the requested R2A District was 20,000 square feet, the petitioner was proposing a variety of lots sizes, including at the $\frac{3}{4}$ acre size.

Mrs. Banas (224 Brampton Lane) inquired to the location of the right-of-way and how close it was to her property line. **Mr. Christensen** responded the right-of-way was immediately adjacent to her northern property line. Minor discussion ensued regarding the right-of-way location related to **Mrs. Banas'** property, and the question was clarified as to the location of the bike path and how close it would be to **Mrs. Banas'** property. **Village Planner Robles** clarified the final location of the bike path had not been established as that would occur in the technical phase. He continued, since the existing right-of-way was 60 feet wide, the developer would have flexibility in placing the bike path so far as 50 feet away from her property. **Mrs. Banas** questioned who owned the property within the right-of-way. **Chairman Manion** confirmed the Village was the owner. **Member Leider** noted a similar situation of two properties on Pembroke Drive that were divided by right-of-way. In that situation, a road was built between those two properties based on the right-of-way, and that could happen on the subject property if the Riverwoods Road access was questioned and determined access should be provided from Brampton Lane. **Mrs. Banas** questioned the integrity of the zoning application being considered before determining the historical significance of the existing estate on the property. **Village Planner Robles** explained that since the property or the home was not designated as a historical landmark, the Village could consider the rezoning and subdivision request as presented. However, if during the Village's zoning review, the historical designation changes on the property, such review would need to consider any change in historical status.

Joseph Cloonan, 302 Whitmore Lane, explained the R2A zoning is for environmentally sensitive development and the proposal did not seem to provide that given removal of various wetlands. **Village Planner Robles** noted the petitioner had provided an environmental study, which identified the presence of wetlands on the property. The study noted the wetlands were under the authority of Lake County Stormwater Manager Commission and it would be their determination if the wetlands had to remain or could be remediated elsewhere. He continued, the largest wetland was being preserved and was incorporated into the proposed subdivision design. Additional discussion ensued regarding the various location and qualities of the wetlands on the subject property. **Mr. Cloonan** echoed the concerns of ratio of lot size to the home, but noted there had not been any discussion on house placement to prevent the appearance of row homes. He continued to present his concerns regarding the lack of open space within the proposed subdivision plan, and appeared to be designed with as many homes that could be placed on the property.

Member Leider requested Staff provide the audience with a description of the various single-family zoning district based and the frequency of zoning terminology used. **Village Planner Robles** explained the various single-family zoning district and their corresponding lots sizes.

Mrs. Banas inquired if there was any reason why the property could not be developed under the R1 requirements. **Village Planner Robles** noted the property is currently

zoned R1 and he did not see any reason why the property could not be developed in per the R1 regulations. However, since the Village has received an application for a zoning change to the R2A District, the Village must consider the suitability of the requested R2A zoning based on the findings of fact and consistency with the Comprehensive Plan.

Mr. Cloonan expressed his support for the Village acquiring the subject property and turning it into a natural area.

Chairman Manion sought any further comments from the public. There being no further comments, **Chairman Manion** closed the public hearing and reconvened the Zoning Board meeting.

Member Leider expressed he would not support an R2A zoning, but felt the R2 District would be suitable. He also conveyed his concerns regarding Riverwoods Road traffic and stormwater management related to the proposed subdivision.

Member Bichkoff sought clarification on comments regarding density and lot sizes based on the exhibit provided by the petitioner comparing lot sizes of surrounding subdivision, as the proposal provided the second largest average lot size. He also questioned if the development's density were cut in half, would that make that significant of impact on the Riverwoods Road traffic. Discussion ensued over comparable lot sizes and density to surrounding subdivisions and the compatibility of the proposed subdivision.

Member Van de Kerckhove commented that the proposed R2A District was consistent with past trends and the Village's Comprehensive Plan.

Member Kalina expressed his two issues regarding the request as traffic and the best use of the property. He continued that a zoning change from the R1 to the R2A District was too big of a step, which the R2 was a better step in development as there needed to be control in growth and density.

Chairman Manion commented the economic aspect of the development is part of the overall decision, and he felt the rezoning was reasonable as the proposed subdivision was consistent with the adjoining lots. He further noted that the development would not add any major amounts of traffic to Riverwoods Road.

Member Bichkoff summarized the three key issues expressed by public comment of traffic, stormwater, and historic designation that could have big impacts on development of the property and until resolved, the Zoning Board may be spinning its wheels. **Member Van de Kerckhove** noted that traffic and stormwater are technical issues that would be addressed during the technical review of the subdivision.

Chairman Manion sought any further comments from the Zoning Board. **Member Leider** expressed his support of a zoning to the R2 District. **Member Van de Kerckhove** commented the application met the standards of the R2A District. **Member Kalina** expressed that R2A seem, begrudgingly, reasonable.

There being no further comments, **Chairman Manion** sought a motion from the Zoning Board.

Member Van de Kerckhove moved and Member Bichkoff seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on May 21, 2015, of a rezoning from the R1, Single-Family Residence District, to the R2A, Single-Family Residence District, in conjunction with approval of the Policy Phase, to permit the development of an environmentally sensitive large lot subdivision, subject to Staff's memorandum.

The roll call vote was as follows:

Ayes: Chairman Manion, Members Van de Kerckhove, Bichkoff, and Kalina.
Nays: Member Leider.

- 4.0 UNFINISHED BUSINESS (None)**
- 5.0 NEW BUSINESS (None)**
- 6.0 CITIZENS COMMENTS (None)**
- 7.0 ADJOURNMENT**

There being no further business, **Chairman Manion** sought a motion for adjournment. **Member Kalina** moved, and **Member Van de Kerckhove** seconded the motion to adjourn. The meeting adjourned at 9:10 p.m.

Minutes Submitted by Stephen Robles, Village Planner