



MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, May 9, 2016

Present:

Mayor Brandt	Trustee Feldman
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Chief of Police Kinsey	Public Works Director Woodbury
Village Treasurer/Finance Director Peterson	Sergeant Covelli
Economic Development Coordinator Zozulya	

ROLL CALL

Mayor Brandt called the meeting to order at 7:35 p.m., and Village Clerk Mastandrea called the Roll.

2.1 Approval of the April 25, 2016 Regular Village Board Meeting Minutes

Trustee McDonough moved and Trustee Hancock seconded the motion to approve the minutes of the Regular Village Board Meeting of April 25, 2016 as presented. The roll call vote was as follows: AYES: Trustees Hancock, McDonough, Servi, and Grujanac. NAYS: None. ABSENT: None. ABSTAIN: Trustees Feldman and Leider. Mayor Brandt declared the motion carried.

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

3.11 Proclamation Recognizing Public Works Week in the Village of Lincolnshire (May 16-22, 2016)

Mayor Brandt made note of the Proclamation recognizing Public Works Week May 16 – 22, 2016. Mayor Brandt recognized all the outstanding hard work Public Works does to take care of Village streets, parks, paths, and water. Mayor Brandt also noted appreciation for all the time Public Works staff devotes to special events.

3.12 Recognition of Lincolnshire Police Officer Adam Hyde – Officer of the Year 2015

Chief of Police Kinsey provided a summary of the Officer of the Year award and National Police Week. Chief of Police Kinsey summarized the accomplishments of Police Officer Adam Hyde during 2015. Chief of Police Kinsey highlighted specific cases Officer Hyde worked during the past year. Chief of Police Kinsey presented Police Officer Adam Hyde with the Officer of

the Year award.

Chief of Police Kinsey introduced Mr. Stan Roelker, President of the Lincolnshire Morningstar Rotary. Mr. Roelker noted the Lincolnshire Morningstar Rotary would like to honor all the years Officer Hyde has dedicated to the Village of Lincolnshire and presented him with a monetary gift from the Lincolnshire Morningstar Rotary.

Officer Hyde thanked the Village for being supportive of the Police Department and supporting the efforts of all Police Officers.

Mayor Brandt congratulated Officer Hyde and invited his family up for a photo to help celebrate his award.

3.13 Consideration of Various Board and Commission Appointments

Mayor Brandt recommended the appointment of Mr. Lee Fee to replace the remaining three year term due to Ms. Kelly Dupont's resignation and the reappointment of Ms. Suzi Seigel to a three year term both for the Park Board. Mayor Brandt recommended the reappointment of Ms. Ann Barranco as the Alternate to the Architectural Review Board for a one-year term.

Trustee Grujanac moved and Trustee Feldman seconded the motion to approve Appointment to various Boards and Commissions as recommended by Mayor Brandt. The roll call vote was as follows: AYES: Trustees Feldman, Leider, Hancock, McDonough, Servi, and Grujanac. NAYS: None. ABSENT: None. ABSTAIN: None. Mayor Brandt declared the motion carried.

3.2 Village Clerk's Report - None

3.3 Village Treasurer's Report

3.31 Revenues and Expenditures Summary for the Month of April, 2016

Village Treasurer/Finance Director Peterson noted the Revenues and Expenditures for the month of April 2016 have been reviewed and funds appear to be in order.

3.4 Village Manager's Report - None

4.0 PAYMENT OF BILLS

4.1 Bills Presented for Payment on May 9, 2016 in the amount of \$410,407.88

Village Treasurer/Finance Director Peterson provided a summary of the May 9, 2016 bills prelist presented for payment with the total being \$410,407.88. The total amount is based on \$154,900 for General Fund; \$131,400 for Water & Sewer Fund; \$65,500 for Retirement Fund; \$40 for Fraud, Alcohol, Drug Enforcement, \$13,900 for Vehicle Maintenance; \$24,100 for E911 Fund; and \$20,600 for the General Capital Fund.

Trustee Feldman moved and Trustee Grujanac seconded the motion to approve the bills prelist as presented. The roll call vote was as follows: AYES: Trustees Feldman,

McDonough, Grujanac, Leider, Servi, and Hancock. NAYS: None. ABSENT: None. ABSTAIN: None. Mayor Brandt declared the motion carried.

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)

6.0 PETITIONS AND COMMUNICATIONS

7.0 CONSENT AGENDA

- 7.1 Approval of an Architectural Review Board Recommendation to Approve a Sign Code Variation to Permit Front-Lit Interior-Illuminated Wall Signs Rather than Code-Required Back-Lit Interior-Illuminated Wall Signs, in Conjunction with a New Center-Wide Wall Sign Package (430 Milwaukee Avenue - FREP Lincolnshire, LLC)**
- 7.2 Approval of a Contract with Chicagoland Paving for the 2016 Pavement Patching Project in an Amount not to Exceed \$36,000 (Village of Lincolnshire)**
- 7.3 Approval of a Contract for the Construction of the Village's 2016 Road Resurfacing Project with J.A. Johnson Paving Company in an Amount not to Exceed \$266,962.85 (Village of Lincolnshire)**
- 7.4 Approval of a Contract with HBK Water Meter Service, Inc. in an Amount not to Exceed \$42,000 for the Installation of Automated Meter Reading (AMR) Systems in the Commercial District (Village of Lincolnshire)**

Trustee Hancock moved and Trustee Feldman seconded the motion to approve the Consent Agenda. The roll call vote was as follows: AYES: Trustees Feldman, Leider, Grujanac, Hancock, McDonough, and Servi. NAYS: None. ABSENT: None. ABSTAIN: None. The Mayor declared the motion carried.

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.11 Consideration of Approval of an Ordinance Rezoning Property Commonly Known as 1700 Riverwoods Road (Manors of Whytegate - Arthur J. Greene Construction Company)

Economic Development Coordinator Zozulya noted staff comments and changes provided by Arthur J. Greene as a result of Village Board feedback from the April 4, 2016 Committee of the Whole meeting. Economic Development Coordinator Zozulya noted Arthur J. Greene reviewed the spreadsheet prepared by the Village's GIS Consortium staff depicting average home sizes for various subdivisions in the community and noted the information may not accurately reflect the true sizes intended to be shown to the Village Board. Economic Development Coordinator Zozulya stated the information used by the Village's GIS Consortium staff is based on the assessor's office but may be too low due to the omission of garage square footage in the calculation of average home size.

Economic Development Coordinator Zozulya stated the memo provided outlines the review process. Staff received a letter of support from Mr. Alan Mons, owner of the property. Economic Development Coordinator Zozulya noted staff recommends rezoning the property from R-1 to R-2A.

Mr. Jeffrey Greene, President of Arthur J. Greene Construction Company introduced Mr. Tim Golotta, Vice President of Arthur J. Green Construction Company and Mr. Glenn Christensen, Project Planner from Manhard Consulting.

Mr. Greene reviewed the main points of adjustment made to the plan since it was first presented.

Mayor Brandt asked if the numbers provided included the garage. Economic Development Coordinator Zozulya stated she believes the numbers include the garage but has not been able verify this information with the GIS Consortium staff who assembled the data. A conversation regarding the numbers presented for average home size followed. Trustee Leider stated since there is a dispute on the accuracy of the information presented to the Village Board, there is not enough information to move forward with the project at this time. Trustee Grujanac noted agreement with Trustee Leider. Mr. Greene noted they supplied the information on the potential discrepancy to staff and stated he received an e-mail from the assessor's office to clarify the numbers. Trustee Hancock asked for comparison of garage square footage to other projects in the area. Mr. Greene provided approximate square footage for area homes and garages. Trustee Hancock noted concern being the percentage of house size relative to the average lot size.

Trustee Hancock asked about zoning and house size as it relates to pricing. Mr. Greene stated the proposed house size would be smaller than the houses at Brampton Woods; approximately 4,600 going up to 5,400. Trustee Grujanac noted concern regarding the house sizes proposed and asked what price range Arthur J. Greene is estimating. Mr. Greene stated the price range would start at \$1,100,000. Trustee Grujanac asked if the houses proposed will look consistent to what is currently built. Mr. Greene noted they have been very conscious of the current homes on the corridor, and it is his opinion, they have the right size and blend to compliment the neighboring subdivisions.

Trustee Grujanac noted some of the plans appear as if the driveways are butting up to one another. Mr. Greene noted there will be 40' – 60' between houses which gives them the ability to flip houses if needed to eliminate driveways being situated side by side.

Mayor Brandt compared Preston Court to what Arthur J. Greene is proposing.

Mayor Brandt asked Trustee Hancock if Arthur J. Greene addressed his concerns related to putting in more landscaping, color schemes of homes, and materials. Trustee Hancock noted he felt Arthur J. Greene tried to

address these issues as best they could and expressed his opinion the current zoning is lacking of what it should be for new developments. Mr. Greene noted no two elevations would be the same. A conversation regarding zoning and surrounding house sizes compared to the proposed subdivision followed.

Mayor Brandt stated her opinion is the house sizes proposed are the right fit, and if they got any bigger, the price point and taxes would become an issue for Lincolnshire. Trustee Hancock noted based on current zoning, his opinion was Arthur J. Greene Construction was the right builder for this location. Trustee Feldman suggested putting covenants in place for the subdivision. Mr. Greene stated he would not be opposed to putting a reasonable maximum size limitation covenant in place. Trustee Hancock agreed with putting a covenant in place for a maximum size limitation.

Mayor Brandt invited Mr. Gray, resident at 308 Whitmore, to ask questions of the developer. Mr. Gray asked to see calculations regarding water flow and pointed out areas of concern on the current plan. Mr. Christensen noted drainage has been looked at on an initial basis. The Village Engineer will review the plans along with Lake County Stormwater Management Commission. Mr. Christensen noted current drainage and indicated what would be proposed for the site. Mr. Christensen noted the current wetland will continue to be maintained. Public Works Director Woodbury stated nothing can be built until Lake County Stormwater Management Commission approves it and the Village falls under their Stormwater Management Ordinance. Village Manager Burke noted staff can look at possible issues in the area of concern on Whitmore Lane to see if it is working as originally designed and see if there are areas that need to be addressed.

Mr. Harry Goldsholl, resident at 315 Whytegate Court, noted his current lot has water issues and his concern is the water situation will get worse once the proposed project is built. Mr. Christensen stated they were aware of the current flow of water and the issues at 315 Whytegate. Arthur J. Green Construction is proposing to change the flow of water to accommodate the issue with the proposed project.

Trustee Hancock stated he did a quick calculation and proposed the covenant for maximum house size be put in place for 85% of the current buildable space. Mr. Greene asked if his calculation included square footages for the lots. Trustee Hancock noted the bigger lots would be approximately 6,600 square feet and the smaller lots would be approximately 4,400 square feet. Mr. Greene stated he would like to look at the numbers before agreeing to the covenant but noted he did not have any issues with a covenant being put in place.

Trustee Leider noted continued concern regarding the density. Trustee McDonough stated initially he had concern with the density but is satisfied with what Arthur J. Greene has done to address density. Trustees Servi,

Feldman, and Grujanac stated they are satisfied with the current proposed density.

Village Attorney Simon stated this is a two-phase rezoning and the current approval before the Village Board is the policy phase; the technical phase would come back before the Board for approval at a later date.

Trustee Lieder noted his opinion is if the property is rezoned, the Board loses control. Village Attorney Simon stated his opinion was that if the rezoning was approved, the Board will continue to exercise control.

Trustee Hancock asked why there is a split between the policy phase and technical phase. Village Attorney Simon stated the split is due to the way the code is written for R2A zoning. Trustee Hancock asked what happens if the Board does not approve the technical phase of the development. Village Attorney Simon responded that Arthur J. Greene would need to work on the technical phase until they got it right. Economic Development Coordinator Zozulya stated the critical part of the technical phase is on the final plat of subdivision; nothing gets built and no permits are issued until the plat is approved following the Zoning Board's recommendation.

Trustee McDonough moved and Trustee Servi seconded the motion to approve an Ordinance Rezoning Property Commonly Known as 1700 Riverwoods Road. The roll call vote was as follows: AYES: Trustees Feldman, Grujanac, Hancock, McDonough, and Servi. NAYS: Trustee Leider. ABSENT: None. ABSTAIN: None. The Mayor declared the motion carried.

8.12 Consideration of Approval of an Ordinance Amending a Special Use for a Planned Unit Development (PUD) and Approving a Preliminary Development Plan and Preliminary Plat of Subdivision for the Property at the Southwest Corner of Aptakistic Road and Parkway Drive (Regal Cinemas/404 Social Apartments)

Economic Development Coordinator Zozulya summarized the proposed ordinance amending a special use for a PUD and approving a preliminary development plan and preliminary plat of subdivision for Regal Cinemas/404 Social Apartments. The Village Board held the Public Hearing regarding this Ordinance and closed it at the April 25, 2016 Committee of the Whole meeting.

Mr. Scott Greenberg, President of ECD Company noted he has a presentation related to the proposed project if any of the Board Members would like go through it again. Mr. Greenberg noted he is available to answer any questions along with Mr. Steve Bauer, Attorney with Meltzer Purtil & Stelle, LLC and architects and consultants for the project are available at the meeting as well.

Mayor Brandt asked if the Board had any questions or comments.

Trustee McDonough asked if the plan was not to hire a real estate management company. Mr. Greenberg stated ECD is planning on managing the property. Trustee McDonough asked if ECD has ever managed an apartment complex before. Mr. Greenberg noted he has managed apartments in the past and provided background from previous experience.

Trustee McDonough asked for the criteria needed in order to approve renters. Mr. Greenberg stated they would follow housing law first, then general criteria as it relates to asking questions and gathering information for affordability and self-selection. Trustee McDonough asked if criminal background checks would be done. Mr. Greenberg stated that is part of the process they can perform under housing law. Trustee McDonough asked if there would be any EB-5 financing on the project. Mr. Greenberg stated he is planning for approximately 18% of the project to be funded with EB-5 financing. Trustee McDonough asked if there were any plans for Section 8 housing. Mr. Greenberg stated there were no plans for Section 8 housing.

Trustee Feldman noted her opinion is she likes the project and thinks the density is appropriate. Trustee Grujanac noted agreement with Trustee Feldman. Trustees Servi and McDonough stated they thought the project was too dense and would not follow the comprehensive plan. Trustee McDonough stated for many years Lincolnshire Board's reviewed the comprehensive plan and each time did not approve apartments, and in his opinion he did not think residential apartments belonged in this location. Trustee Servi noted he did not disapprove of apartments; just the density. Mayor Brandt noted the last meeting it was asked what density was desired but no one on the Board made any recommendations. Mr. Greenberg stated the desired density for the project is 350 units to support the investment in the theatre but also in the amenities of the development. Mr. Greenberg summarized the ideas and design behind the density of the project and the potential for the surrounding commercial areas and community.

Trustee Hancock noted he is in favor of the proposed project and thought there is a real fear of losing the Regal and surrounding businesses. Trustee Hancock stated he likes the fact that this would bring younger, more vital residents to the community.

Trustee Leider stated concern with the density but was in approval with the concept and thought it would drive long-term success for the Village.

Trustee McDonough asked if it was Mr. Greenberg's intent to pay 100% of the impact fees owed for the project. Mr. Greenberg noted there is a requirement by code to pay all impact fees but as far as the Park portion of the fees, he is working at supplying information to the Village and it is not necessarily complete. Mr. Greenberg stated he took this as a separate issue and would like to deal with impact fees at a separate meeting. Trustee McDonough noted an earlier correspondence provided by ECD mentioned the intent was not to pay 100% of the park impact fees. Mr. Greenberg noted he plans to work with staff, provide information and see what the appropriate fees are. Village Attorney Simon noted the current request is not related to a

request for reduction of impact fees and this is not the approval to do so. Village Attorney Simon noted if the project is approved, impact fees are due and ECD would have to come back before the Board to request a reduction to impact fees. Mr. Bauer noted there is a proposal contemplated relative to park fees but no discussion relative to library or school impact fees. Mayor Brandt provided some background regarding the potential request for reduction of park impact fees. A conversation regarding impact fees ensued.

Mayor Brandt provided information regarding density compared to other units requested by Trustee Hancock. A conversation regarding density and the comprehensive plan followed.

Trustee Hancock moved and Trustee Leider seconded the motion to approve an Ordinance Amending a Special Use for a Planned Unit Development (PUD) and Approving a Preliminary Development Plan and Preliminary Plat of Subdivision for the Property at the Southwest Corner of Aptakasic Road and Parkway Drive. The roll call vote was as follows: AYES: Trustees Feldman, Grujanac, Hancock, and Leider. NAYS: Trustees McDonough and Servi. ABSENT: None. ABSTAIN: None. The Mayor declared the motion carried.

8.2 Finance and Administration

8.3 Public Works

8.4 Police

8.41 Consideration of Approval of an Ordinance Regulating Electronic Smoking Devices (Village of Lincolnshire – Waiver of First Reading Requested)

Chief of Police Kinsey provided a summary of an ordinance regulating electronic smoking devices. Staff requests waiver of the first reading.

Trustee Grujanac moved and Trustee Servi seconded the motion to waive the first reading for an Ordinance regulating electronic smoking devices. The roll call vote was as follows: AYES: Trustees McDonough, Grujanac, Hancock, Leider, Feldman, and Servi. NAYS: None. ABSENT: None. ABSTAIN: None. Mayor Brandt declared the motion carried.

Trustee Grujanac moved and Trustee Servi seconded the motion to approve an Ordinance regulating electronic smoking devices. The roll call vote was as follows: AYES: Trustees McDonough, Grujanac, Hancock, Leider, Feldman, and Servi. NAYS: None. ABSENT: None. ABSTAIN: None. Mayor Brandt declared the motion carried.

8.5 Parks and Recreation

8.6 Judiciary and Personnel

9.0 REPORTS OF SPECIAL COMMITTEES

10.0 UNFINISHED BUSINESS

11.0 NEW BUSINESS

12.0 EXECUTIVE SESSION

13.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Feldman seconded the motion to adjourn. The voice vote was unanimous and Mayor Brandt declared the meeting adjourned at 9:08 p.m.

Respectfully submitted,
VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk