



**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, October 10, 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
Finance Director/Treasurer Peterson	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Economic Development Coordinator Zozulya	Economic Development Director Letendre

ROLL CALL

Mayor Brandt called the meeting to order at 7:09 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the September 12, 2016 Committee of the Whole Meeting Minutes

The minutes of the September 12, 2016 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

Mayor Brandt moved up Finance and Administration Item 3.21 and Public Works Item 3.31 on the agenda.

3.2 Finance and Administration

3.21 Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2016 Tax Levy to be Collected in Fiscal Year 2017 (Village of Lincolnshire)

Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2016 Tax Levy to be Collected in Fiscal Year 2017 (Village of Lincolnshire)

Finance Director/Treasurer Peterson officially announced the estimated amount of \$1,510,667 to be raised by Ad Valorem Taxes for the 2016 tax levy to be collected in Fiscal Year 2017. The first reading of the Ordinance will be November 14, 2016.

Trustee Hancock asked for more clarification regarding the Police Protection line item. Village Manager Burke explained preliminary projections from Lake County Assessor's Office indicates there was \$40.5 million growth over the previous year in the total amount of equalized assessed value of property to be taxed within the Village. This increase in property value would not result in an increase in property tax revenue received by the Village if Lincolnshire only levied a tax to fund the required pension contributions for the coming year. By implementing a levy for Police Protection, the Village is able to meet its pension obligations as well as capture property tax revenue from new assessed value while maintaining the tax rate at the same level it has been at for the past several years. Additionally, Village Manager Burke noted there could be a tax freeze in response to the state budget crisis and the freeze would be exclusive of Police Protection or Public Safety line items. Staff believes the introduction of this line item before such legislation would provide flexibility to the Village moving forward should a tax freeze be put in place. If a line item is not included on the Village's tax levy, the organization cannot collect taxes for that particular service. Trustee Hancock asked if traditionally, Police Protection expenditures were funded by sales tax revenue. Village Manager Burke confirmed the revenue would typically be captured in sales tax revenue. Trustee Hancock asked if the line item was not added, would the Village not have the flexibility to do so in the future and the total tax levy would then drop. Village Manager Burke stated the amount of revenue the Village would receive related to a specific tax rate would be less if the levy for Police Protection was eliminated.

Finance Director/Treasurer Peterson stated the plan is to discuss the addition of the Police Protection line item and overall tax rate in the coming budget meetings. At this point, staff simply needs to provide the Village Board with an estimated levy in accordance with state statute. No formal action by the Village Board is requested at this time.

3.3 Public Works

3.31 Consideration of a Joint Purchasing Agreement with Compass Minerals Incorporated in the Amount of \$28,176.00 and Cargill Incorporated in the Amount of \$13,556.00 for the Purchase of Rock Salt for the 2016-2017 Winter Season (Village of Lincolnshire)

Public Works Director Woodbury provided a summary of the proposed joint purchasing agreement with Compass Minerals Incorporated in the amount of \$28,176.00 and Cargill Incorporated in the amount of

\$13,556.00 for the purchase of rock salt for the 2016-2017 winter season.

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

3.1 Planning, Zoning and Land Use

3.11 Consideration of an Ordinance Amending Ordinance #11-3191-13A Related to Marriott's Lincolnshire Resort Master Sign Plans - 10 Marriott Drive (The Gettys Group)

Economic Development Coordinator Zozulya provided a brief summary of the proposed Ordinance related to Marriott Lincolnshire Resort Master Sign Plans.

Mr. Eric Bates, General Manager for the Marriott Lincolnshire Resort provided background information related to the Marriott's proposed renovations and master sign plan changes.

Ms. Gayle Soberg from Stantec provided a presentation highlighting proposed Marriott master sign plans and proposed renovation of the entrance feature to the resort.

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

3.12 Public Hearing Regarding a Major Amendment to the Lincolnshire Marketplace Center Planned Unit Development for Culver's Restaurant & Shopping Center Ground Signs (Lincolnshire Marketplace LLC – Northeast Corner of Milwaukee Avenue and Route 22)

Mayor Brandt recessed the Committee of the Whole meeting and opened the Public Hearing regarding a Major Amendment to the Lincolnshire Marketplace Center Planned Unit Development for Culver's Restaurant & Shopping Center Ground Signs.

Mayor Brandt read the procedures for Public Hearing.

Economic Development Coordinator Zozulya provided information regarding the proposed Culver's Restaurant and summary of the Architectural Review Board recommendation of the proposed Major Amendment to the Lincolnshire Marketplace Center Planned Unit Development for Culver's Restaurant & Shopping Center ground signs.

Mayor Brandt swore in Mr. Mike Mallon with Draper and Kramer; Mr. Mike Mele, Design Consultant with Priority Signs; and Mr. Mike Fitzgerald with OKW Architects.

Mr. Mallon, Senior Vice President with Draper and Kramer, project developer and contract purchaser introduced Mr. Kevin Weasler who is the owner and operator of Culvers and Mr. Steven Leonard with Strategic Real Estate Services who is the Broker representing Culver's for this project. Mr. Mallon provided a brief summary and presentation regarding the revised plans related to the Lincolnshire Marketplace Center and ground signs.

Mr. Fitzgerald provided a presentation regarding the proposed Culver's Restaurant and Shopping Center ground signs, landscaping, Culver's master plan and architectural plans for the proposed restaurant.

Mr. Mallon provided additional information regarding Culver's request for proposed ground signs, wall signs and blade sign. Mr. Mallon provided and read the Findings of Fact into the record for the public hearing.

Mayor Brandt swore in Mr. Howard Leon, resident at 400 Village Green. Mr. Leon asked staff and the Board to provide more information and better communication to the residents when conveying information regarding petitioners and projects. Mr. Leon asked if there would be sidewalk access on the east side of Milwaukee Avenue south from Walgreens to Lincolnshire Marketplace Center.

Mr. Mallon expressed his agreement on improvements that could be made to the resident notices and noted in the future petitioners could provide residents a site plan. Mr. Mallon stated there will be a sidewalk put in to the north for access to the site.

Mayor Brandt noted a pocket park would be put in to make the site more pedestrian friendly. Mr. Mallon pointed out on the plan where the pocket park and proposed sidewalk would be. Village Manager Burke noted the Milwaukee Avenue and Route 45 intersection are under State of Illinois jurisdiction and noted the reconstruction of this intersection contemplates a pedestrian connection as a part of those plans.

Mayor Brandt swore in Mr. Paul Riehman, resident at 34 Cumberland Drive. Mr. Riehman noted concern regarding traffic cutting through the site during rush hour and asked if a traffic study was done. Mr. Mallon stated he did not know for sure if a traffic study was completed but most recently Lincolnshire Marketplace had Sam Schwartz Engineering take a look at the existing flow on the spine road to find out what impact Culver's would have on the overall traffic on the site. Mr. Mallon shared Sam Schwartz Engineering noted there would be no negative impact due to traffic based on the proposed plan.

Trustee Feldman noted there is a significant amount of signage proposed. Trustee Feldman also inquired whether the outdoor patio umbrellas designed in Culver's blue color can be scaled back or toned down.

Trustee Hancock asked how far back the proposed Fresh Market monument sign would be set from the right-in-right-out on Route 22 to reduce conflicts regarding drivers' vision when turning right out of the subdivision onto Half Day Road. Economic Development Coordinator Zozulya stated the minimum code requirement is 15' from the front property line; the Village Engineer has reviewed this and it is compliant. Mr. Mallon stated the monument sign is located on the east side of the right-in for safety purposes. A brief conversation regarding signage on the site followed.

Trustee Leider noted concern regarding the proposed electronic message board and expressed he was not in favor of this. Trustee Feldman agreed with Trustee Leider. Trustee Hancock asked what alternative could be used in place of the electronic message board. Mr. Mallon noted a possible manual, changeable copy sign was discussed for an alternate but noted he did not know if the project would move forward without the electronic message board. A conversation regarding the features of the electronic message board followed. Trustee Leider suggested toning the overall site signage down a bit. Mayor Brandt noted the sign code was revised recently and one of the concerns of the Board is setting a precedent for other retailers that will want an electronic message sign if this is allowed. Economic Development Coordinator Zozulya stated staff reached out to the villages of Glenview and Lincolnwood where new Culver's restaurants are being considered and learned the electronic message board sign request has not been favorably received.

Mayor Brandt swore in Mr. Kevin Weasler, owner of Culver's. Mr. Weasler provided information regarding the Culver's prototype and corporate signage plans. Mr. Weasler noted his opinion is the changeable letter signs are worse than an electronic message sign. Mr. Weasler stated the sign could be used to get community messages out but the primary use is to promote the "flavor of the day". A conversation regarding the proposed electronic message board and possible options followed. Economic Development Coordinator Zozulya noted code permitted alternatives were discussed and the best possible options were a window sign or an a-frame sign. Trustee Feldman asked how long the electronic message board sign would be illuminated. Mr. Weasler stated the latest the sign would be illuminated is 11:00 p.m. Mr. Mele provided additional information regarding the proposed electronic message board sign.

Mayor Brandt asked if there was Board comments regarding the size of the Culver's wall signs. Trustee Hancock asked staff why they had concern with the size. Economic Development Coordinator Zozulya noted the proposed signs would be located in the most restrictive area covered by the downtown subdivision guidelines; other signs on this location are much smaller. A conversation regarding the image, illumination, and size of the proposed monument sign followed. Mr.

Mallon noted he did not feel the current signage at the sight was inappropriate for the site.

The Mayor and Board noted concern regarding the amount of exceptions being requested for the proposed Culver's and the impact they will have on future development requests if approved.

Trustee Leider recommended Culver's revise the proposed signage based on Board concerns prior to approving the signage exceptions. The Village Board also requested the developer provide local and national examples of similar wall and electronic message board signs proposed for Culver's.

It was the consensus of the Board for Lincolnshire Marketplace to work with staff prior to bringing this request back to the Board for discussion.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 8:45 p.m.

3.13 Consideration of Architectural Review Board Recommendation of design plans for Culver's Restaurant and Shopping Center Ground Signs for the Lincolnshire Marketplace Center (Lincolnshire Marketplace LLC – Northeast Corner of Milwaukee Avenue and Route 22)

Mayor Brandt noted this item was discussed as part of 3.12.

3.14 Public Hearing Regarding Rezoning from R1 Single-Family to R4 Single-Family Attached Residence District – Lincolnshire Trails Townhome Subdivision (KZF Development/Stack Real Estate – 14600 Riverside Road)

3.15 Public Hearing Regarding a Special Use for a Planned Unit Development – Lincolnshire Trails Townhome Subdivision (KZF Development/Stack Real Estate – 14600 Riverside Road)

3.16 Public Hearing regarding an Annexation Agreement – Lincolnshire Trails Townhome Subdivision (KZF Development/Stack Real Estate – 14600 Riverside Road)

Mayor Brandt opened up Items 3.14 through 3.16 together.

Mayor Brandt recessed the Committee of the Whole meeting and opened the Public Hearing regarding rezoning from R1 Single-Family to R4 Single-Family Attached Residence District, a Special Use for a Planned Unit Development, and an Annexation Agreement for Lincolnshire Trails Townhome Subdivision

Economic Development Coordinator provided an update and summary of the requests made by KZF Development/Stack Real Estate for the

proposed Lincolnshire Trails Townhome Subdivision. Economic Development Coordinator Zozulya provided information and staff recommendations related to proposed exceptions.

Mayor Brandt swore in Mr. Lawrence Freedman, attorney representing KZF Development/Stack Real Estate; Mr. Jeff Rothbart with KZF Real Estate; Mr. Steve Friedman with KZF Development; and Mr. William Hupperich, Engineer with Manhard Consulting.

Mr. Rothbart provided background and a presentation related to the requests for the proposed Lincolnshire Trails Townhome Subdivision.

Mr. Freedman noted KZF Development/Stack Real Estate (KZF) has been working closely with staff in order to address their requests. Mr. Freedman addressed staff concerns related to construction schedules and asked the Board to allow them to re-visit this with staff in order to provide staff with the documentation and justification for the request. Mr. Freedman stated KZF is withdrawing their relief requests for non-code-compliant pavement, curb and gutter. Mr. Freedman stated KZF is in agreement with staff recommended park development donation credit of \$98,360. The developer will pay \$484,354 in park donations at the approval of the Final Plat of Subdivision, as required by code.

Mr. Freedman asked the Board to consider the request for installation of an off-premises subdivision marketing sign since KZF feels no one can see the proposed subdivision as it is set back from Riverside Road. Mr. Rothbart provided information regarding the need for the off-premises subdivision marketing sign. Trustee Hancock asked Economic Development Coordinator Zozulya what the concerns were from staff regarding the off-premises subdivision marketing sign. Economic Development Coordinator Zozulya stated the concern was putting a sign on a portion of land KZF did not own. Trustee Hancock asked who the owner of the proposed sign site may be. Economic Development Coordinator Zozulya stated the area discussed to date is the property Pulte is deeding to the Village for the trail-head park and noted Arthur J. Greene was not permitted to put a similar proposed sign up for their project. Trustee Hancock stated he was not opposed to the sign since KZF stack will be helping with the improvement of the roadway. Trustee Hancock suggested time expiration be put on the sign display period. Mayor Brandt noted location, size and visual impacts would need to be discussed prior to permission being granted for such a sign. Mr. Freedman noted this could all be worked out as it got closer to the time the sign was needed. Trustee Feldman asked if there would be a permanent monument sign on Milwaukee Avenue once the subdivision is built. Mr. Freedman said there would be no entrance sign on Milwaukee Avenue. A conversation regarding signage followed. Mr. Freedman suggested Village Attorney Simon craft language in the Annexation Agreement to come back regarding the possibility of an off-premises subdivision marketing sign.

Village Attorney Simon noted two things KZF asked the Board to address in the comments; site work being done before the final plat and building model homes before the public improvements were completed. Mr. Freedman stated KZF would like the ability, in the Annexation Agreement, to re-visit these requests subject to staff or Board approval as long as they could provide the necessary paperwork to justify the relief. Village Manager Burke noted staff previously requested the justification for this request and once KZF provides the paperwork, staff can review it and possibly recommend relief. Village Attorney Simon asked if the Board was in agreement with staff reviewing and recommending relief. It was the consensus of the Board staff could review and approve this request once the paperwork has been submitted and reviewed.

Economic Development Coordinator Zozulya stated one remaining item to consider is the Lake County Forest Preserve's request regarding an adjustment to the proposed bike path along the north side of Riverside Road. Mr. Freedman stated KZF would like the opportunity to meet with the Lake County Forest Preserve to discuss the scope of this requested adjustment in the location of the path.

Mayor Brandt swore in Mr. Charles Edwards, resident in Rivershire. Mr. Edwards asked how close the exit on Milwaukee Avenue is to Tower Road; how close it is to the Rivershire entrance. Mr. Edwards noted concern regarding the traffic at the exit in relation to the Rivershire entrance. Mayor Brandt noted this will become a fully signalized intersection at Tower Parkway and Riverside Drive. Mr. Edwards noted concern that the subdivision is too dense for the area and asked the Board not to approve.

Mayor Brandt swore in Mr. Pete Gruber, resident of 305 Rivershire Court. Mr. Gruber noted concern regarding the timing of the proposed intersection light and possible backup into Rivershire. Mr. Gruber asked if there is a way to adjust the timing of the light to prevent backup. Mr. Gruber asked about the speed limit on Riverside Road and asked the Board to consider speed bumps. Village Manager Burke noted he spoke with IDOT regarding the concerns with the timing of the light.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 9:10 p.m.

3.17 Consideration of a Preliminary Plat of Subdivision and Preliminary Development Plans (KZF Development/Stack Real Estate – 14600 Riverside Road)

Trustee Servi stated he would like to see comparison of the density on the sight to other area developments. Economic Development Coordinator Zozulya provided density of comparable developments.

Mayor Brandt stated she liked the Architectural changes KZF has made.

It was the consensus of the Board for Village Attorney Simon to work on revised language for the Annexation Agreement prior to presenting this at the Regular Village Board meeting.

3.2 Finance and Administration

~~3.21 Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2016 Tax Levy to be Collected in Fiscal Year 2017 (Village of Lincolnshire)~~

This item was moved and discussed first under Items of General Business.

3.3 Public Works

~~3.31 Consideration of a Joint Purchasing Agreement with Compass Minerals Incorporated in the Amount of \$28,176.00 and Cargill Incorporated in the Amount of \$13,556.00 for the Purchase of Rock Salt for the 2016-2017 Winter Season (Village of Lincolnshire)~~

This item was moved and discussed second under Items of General Business.

3.4 Public Safety

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

4.1 Public Hearing Process

Trustee Servi noted he would like to clarify or modify the Public Hearing process to ensure the public has an opportunity to address the Village Board prior to Village Board discussion.

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

Trustee Leider moved and Trustee Servi seconded the motion to go into Executive Session for the purpose of discussing Litigation, Land Sale and Personnel. The roll call vote was as follows: AYES: Trustees Hancock, Servi, Leider, and Feldman. NAYS: None. ABSENT: Trustees McDonough and Grujanac. ABSTAIN: None. The Mayor declared the motion carried and the Board went into Executive Session at 9:13 p.m. and came out of Executive Session at 9:41 p.m.

7.0 ADJOURNMENT

Trustee Leider moved and Trustee Hancock seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 9:42 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk