

**MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, July 23, 2012**

Present:

Trustee Brandt	Trustee Feldman (Arrived at 7:05)
Trustee Grujanac	Trustee McDonough
Trustee Saltiel	Trustee Servi
Mayor Blomberg	Village Clerk Mastandrea
Chief of Police Kinsey	Director of Community Development McNellis
Director of Public Works Hughes	Village Attorney Simon
Village Treasurer Curtis	Interim Village Manager/Director of Financial Systems Roelker

Location: Village Hall, Public Meeting Room, One Olde Half Day Road, Lincolnshire, Illinois 60069

CALL TO ORDER**ROLL CALL**

Mayor Blomberg called the meeting to order at 7:00 p.m. and Interim Village Manager Roelker called the Roll.

2.1 Approval of the July 9, 2012 Regular Village Board Meeting Minutes

Trustee Brandt moved and Trustee McDonough seconded the motion to approve the minutes of the Regular Village Board Meeting of July 9, 2012 as presented. The roll call vote was as follows: AYES: Trustees Brandt, Saltiel, McDonough and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: Trustee Grujanac. The Mayor declared the motion carried.

3.0 REPORTS OF OFFICERS**3.1 Mayor's Report****3.11 Appointments to Village Boards**

Mayor Blomberg said he made a few modifications from the original list based on terms. Mayor Blomberg made the following recommendations for the Architectural Review Board: The reappointment of Wes Grover as Chairman for a three-year term, to expire in 2015. The reappointment of Ramesh Gulate for a one-year term, to

expire in 2013. The reappointment of Roger Hardnock for a one year term, to expire in 2013. The reappointment of Cherise Kennerley for a three-year term, to expire in 2015. The reappointment of Sharon Wang for a one-year term, to expire in 2013. The reappointment of Peter Schlecht for a two-year term, to expire in 2014.

Mayor Blomberg said he was going to hold off on the Park Board appointments, due to additional applications coming in.

Mayor Blomberg made the following recommendation for the Police Pension Board: The reappointment of Mickey Herst for a two-year term, to expire in 2014.

Mayor Blomberg made the following recommendations for the Zoning Board: The reappointment of Brian Manion as Chairman for a five-year term, to expire in 2017. The reappointment of Michael Van de Kerckhove for a three-year term, to expire in 2015. Mayor Blomberg said he would hold of on the new appointments until the next Regular Village Board Meeting.

Trustee McDonough moved and Trustee Brandt seconded the motion to approve the Appointments to the Village Boards as presented. The roll call vote was as follows: AYES: Trustees Brandt, Saltiel, McDonough, Grujanac and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. The Mayor declared the motion carried.

3.2 Village Clerk's Report - None

3.3 Village Treasurer's Report - None

3.4 Manager's Report - None

4.0 **PAYMENT OF BILLS**

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

6.0 **PETITIONS AND COMMUNICATIONS**

7.0 **CONSENT AGENDA**

The items on the Consent Agenda will be approved by one motion. If a Trustee wishes to discuss any item, it will be pulled from the Consent Agenda and discussed under "Unfinished Business."

7.1 Approval of additional funds to continue the Downtown Grocery Store Consultant's Contractual Services (Village of Lincolnshire)

7.2 Approval of the lowest responsible bid for purchase of a Hybrid Skidsteer/Loadall from Casey Equipment Company, Inc. of Arlington Heights, IL in the amount of \$58,450.00 plus \$5,150.00 for the broom attachment less \$13,650.00 trade-in for a total price of \$49,950.00 (Village of Lincolnshire)

7.3 Approval of an Ordinance Authorizing the Sale of Village Property (Vehicles and Equipment) (Village of Lincolnshire)

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

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.11 Approval of an Ordinance for a Special Use Permit to establish a Planned Unit Development (PUD) in the R5 Mixed-Use General Residence Zoning District, with specific permitted uses, and Zoning and Sign Code Exceptions, on a 7.2 acre parcel, for a proposed commercial development containing a specialty grocery store and one other building outlot, to be located at the northeast corner of Milwaukee Avenue and Route 22 (Village of Lincolnshire/Inland Real Estate Corporation / The Fresh Market)

Director of Community Development McNellis said there were several items staff was to follow up on as a result of the July 9, 2012 Committee of the Whole Meeting. These items include the view from the adjacent condominium buildings to the Fresh Market roof and the loading dock area; delivery hour limitations; additional landscaping in the area between the spine road and the creek, as well as some updated landscaping on the site. With regards to the view from the condominium buildings, an exhibit has been provided in the packets showing the roof and the equipment on the roof will not be visible to the Lincolnshire Place condominiums top floor, the Village Green condominiums top floor but will be partially visible to the Hidden Lakes condominiums top floor. Director of Community Development McNellis said the loading dock plans have been revised to increase the screen wall, on the rear from 8' to 12'. In raising this wall, many of the trucks will be completely invisible. Staff believes the increased screen wall will not have a negative impact on the roadway. As far as delivery hours, Fresh Market has agreed to the standard hours that are in place elsewhere in the Village where there are commercial loading docks next to residential areas. Director of Community Development McNellis said they are not subject to this Code requirement, but have agreed to these hours limiting the Fresh Market to the delivery times of 7:00 a.m. to 7:00 p.m. on weekdays, 7:00 a.m. to 6:00 p.m. on Saturdays and 8:00 a.m. to 6:00 p.m. on Sundays. With regard to landscaping, the Village arborist has reviewed the plans for the floodplain area between the spine road and the creek with the recommendation to plant up to forty-two trees in that area. Director of Community Development McNellis said the landscape plan has been revised to add four 10' evergreens and a small berm in the area northwest of the grocery store to help screen the Marathon station.

Director of Community Development McNellis said the PUD ordinance has been revised to reflect the list of uses that are permitted not only in the R5 District but also those that are restricted in the covenants, conditions and restrictions in the

land sale agreement with the Fresh Market. The ordinance details those uses and also includes requirements that pertain to outdoor sales, which is limited to 1,000 square feet in area. There is also a limitation on the music that will be played in the outdoor seating area so the sound level would not be reached above the property line. Director of Community Development McNellis said Fresh Market is not comfortable with the PUD proposed language with regard to the outside sales, but it is more of an issue with the wording.

Mr. Peter Hogg with the Fresh Market came before the Board and introduced Mr. Mark Ethun, Architect for the Fresh Market. Mr. Hogg said the Fresh Market has not changed the intent on what they would like to do with outside sales and outside sales would be seasonal items. Village Attorney Simon asked if what staff has listed as items for outside sales would be agreeable with the Fresh Market and Mr. Hogg confirmed that they are in agreement with the items.

Mr. Grant Golden, resident at 425 Village Green came before the Board and said the Village is taking on a substantial investment in regards to this project. Mr. Golden said he had concerns with the Village maintaining the site and the parking lot and asked the Board to keep this in mind when putting the contract together. Mr. Golden asked if an agreement has been made for the time frame of the lease. Trustee Saltiel said the Board is not involved with the lease or the term; this is up to the developer. Trustee Saltiel said the Fresh Market is putting in a substantial investment as well as the Village, but there is a ticking clock with the TIF and the Board agrees now is the time for this investment. Trustee Brandt informed Mr. Golden that the Village is selling the land to the Fresh Market and that is why the agreement will be between the Fresh Market and the developer. Mr. Grant said his other concern was the path and people parking in the condominium parking lot then using the pedestrian path to walk over to the store. Trustee Brandt said she did not see people parking in the condos and walking over, but using the paths to walk the triangle and for bikes to get to different locations.

A Lincolnshire resident came before the Board and asked what purpose the pedestrian bridge will serve. Trustee Saltiel said the bridge and paths are important to connect the Village and he thought people could use them as a connection to the river, the Fresh Market and the downtown. The Lincolnshire resident said he noticed an increase in parking spaces for the Fresh Market and wanted to know where the extra spaces came from. Director of Community Development McNellis said there are physically no additional spaces; just more spaces allotted to the Fresh Market and less devoted to the outlot. The Fresh Market grew the size of their store and now needs more parking. There are enough spaces for the Fresh Market and the outlot per Code. The Lincolnshire resident asked how many disabled spaces there would be. Director of Community Development McNellis said the entire lot would be built out with the Fresh Market to include six disabled spaces.

Mr. Barry Brusso, resident at 445 Village Green came before the Board and said he asked if the bottom of the bridge was to be at floodplain and did not get an answer to his question at the last meeting. Director of Community Development McNellis said the Lake County Stormwater Management Commission standards

have been met for this bridge. Trustee Saltiel asked for more clarification in regards to the standards from the Lake County Stormwater Management Commission. Director of Public Works Hughes said there is always a risk in setting a bridge height, but it has been reviewed hydraulically by the Lake County Stormwater Management Commission to survive a flood. Mr. Brusso asked if the water runoff from the site would overflow in the detention pond and if so, would the detention pond be expanded. Mayor Blomberg said the project would not be able to get a permit from the Lake County Stormwater Management Commission until all the requirements are met. Director of Public Works Hughes said the detention basin meets the requirements of the watershed development ordinance for the 100-year event; this means the volume provided on-site is sufficient to account for any water up to and including the 100-year event for on-site water. The site will discharge into the creek at the allowable release rate, which is a county wide release rate. The ponds are developed based on the rainfall at the site, which is somewhat independent of the creek. Mr. Brusso wanted to know why the runoff from the site would not be directed to go into the sewer system in the street. Director of Public Works Hughes said IDOT would not allow this.

Mayor Blomberg asked Director of Community Development McNellis what was meant with regards to Fresh Market not being in agreement with outside sales and wanted to know if the Board was to vote on this, is it just the wording that needs to be corrected. Village Attorney Simon stated both parties are in agreement with the intent that outside sales will be allowed; it comes down to staff and the Attorneys' wording it accurately to describe the scope of their outdoor sales.

Trustee Servi asked if there was any way the Village could firm up the delivery times. Village Attorney Simon said once the ordinance is adopted it becomes law, unless the Village Board wants to change it.

Trustee Saltiel moved and Trustee Brandt seconded the motion to approve an Ordinance for a Special Use Permit to establish a Planned Unit Development (PUD) in the R5 Mixed-Use General Residence Zoning District, with specific permitted uses, and Zoning and Sign Code Exceptions, on a 7.2 acre parcel, for a proposed commercial development containing a specialty grocery store and one other building outlot, to be located at the northeast corner of Milwaukee Avenue and Route 22 including the discussion of the Regular Village Board Meeting dated July 23, 2012 with respect to outside sale. The roll call vote was as follows: AYES: Trustees Servi, McDonough, Saltiel, Grujanac, Feldman and Brandt. NAYS: None. ABSTAIN: None. ABSENT: None. The Mayor declared the motion carried.

- 8.12 Approval of an Architectural Review Board recommendation regarding a site plan, landscape plans, building elevations, materials and colors, rooftop equipment screening plan, and an exterior site lighting plan, as presented in a packet submitted by Christopher B. Burke Engineering, date stamped received July 18, 2012, and Teague, Freyaldenhoven & Freyaldenhoven Architects & Planners, date stamped received July 18, 2012, for the proposed 7.2 acre South Downtown PUD, including a Fresh Market grocery store**

(Village of Lincolnshire / Inland Real Estate Corporation / The Fresh Market)

Director of Community Development McNellis said that everyone has seen all the plans and did not have any comments. Trustee Saltiel said he wanted to confirm that this plan incorporates the additional landscaping recommended at the previous meeting. Director of Community Development McNellis said the entire packet that was presented is being approved. Village Attorney Simon said the area north of the pedestrian bridge is not included in the PUD. Trustee Saltiel asked if there would be a separate agreement for this area. Director of Community Development McNellis said this will be the undertaking of the Village, since it is Village owned. Trustee Brandt said funds can be used from the tree bank and there was some discussion for a small park area to include some benches. Village Attorney Simon said the Board can give staff direction to get a contract for this area.

Trustee McDonough moved and Trustee Grujanac seconded the motion to approve an Architectural Review Board recommendation regarding a site plan, landscape plans, building elevations, materials and colors, rooftop equipment screening plan, and an exterior site lighting plan, as presented in a packet submitted by Christopher B. Burke Engineering, date stamped received July 18, 2012, and Teague, Freyaldenhoven & Freyaldenhoven Architects & Planners, date stamped received July 18, 2012, for the proposed 7.2 acre South Downtown PUD, including a Fresh Market grocery store. The roll call vote was as follows: AYES: Trustees Servi, McDonough, Saltiel, Grujanac, Feldman and Brandt. NAYS: None. ABSTAIN: None. ABSENT: None. The Mayor declared the motion carried.

EXECUTIVE SESSION

Trustee Saltiel moved and Trustee Brandt seconded the motion to go into Executive Session for the purpose of discussing land sale. The roll call vote was as follows: AYES: Trustees McDonough, Brandt, Feldman, Servi, Grujanac and Saltiel. NAYS: None. ABSENT: None. ABSTAIN: None. The Mayor declared the motion carried and the Board went into Executive Session at 7:47 p.m. and came out of Executive Session at 8:00 p.m.

8.13 Approval of an ordinance approving the sale of certain real estate property (Village of Lincolnshire / Inland TFM Lincolnshire, L.L.C.)

Trustee Saltiel moved and Trustee Grujanac seconded the motion to approve an ordinance approving the sale of certain real estate property as presented. The roll call vote was as follows: AYES: Trustees Servi, McDonough, Saltiel, Grujanac, Feldman, Brandt and Mayor Blomberg. NAYS: None. ABSTAIN: None. ABSENT: None. The Mayor declared the motion carried

10.0 UNFINISHED BUSINESS

11.0 NEW BUSINESS

13.0 ADJOURNMENT

Trustee Brandt moved and Trustee Saltiel seconded the motion to adjourn. The voice vote was unanimous and the Mayor declared the meeting adjourned at 8:05 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

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