

**MINUTES
COMMITTEE OF THE WHOLE MEETING
VILLAGE OF VERNON HILLS
FEBRUARY 19, 2008**

IN ATTENDANCE: President Byrne called the meeting to order at 8:05 p.m. The following Trustees were present: Koch, Marquardt, Schultz, Schwartz and Williams. Trustee Hebda was absent.

Also present were Village Manager Allison, Assistant Village Manager Kalmar, Finance Director Nakrin, Chief of Police Fleischhauer, Village Engineer Brown, Attorney Wolfberg and Village Clerk Pelletier.

1. APPROVAL OF 2/04/2008 COMMITTEE OF THE WHOLE MINUTES.

Motion by Trustee Schultz, second by Trustee Marquardt approval of the 2/04/2008 Committee of the Whole Minutes. Roll call vote:

AYES: 5-Koch, Marquardt, Schultz, Schwartz, Williams

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

2. JASON'S DELI - CONSIDERATION OF REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING THE PROPOSED AMENDMENT OF ORDINANCE 95-24 AND A SPECIAL USE PERMIT FOR THE PROPOSED RESTAURANT WITH DRIVE-THRU SERVICE TO BE LOCATED AT 554 LAKEVIEW PARKWAY.

Assistant Village Manager Kalmar stated representatives of Jason's Deli appeared before the 1/30/08 Planning and Zoning Commission to request approval of the Special Use Permit to allow a restaurant with drive-thru service. Under Ordinance 95-24, three special use permits were approved for each outlot to allow restaurants on each lot; and Condition #6 prohibited fast food restaurants and restaurants with "drive-thru" service. The "drive-thru" would be for pickup only. Food orders would need to be placed by phone, fax or email, since there would be no windows to place orders. The drive-thru would work well and adequate stacking distance from the pick-up window to handle lunch traffic. The plans included adjustments to the curblin around the building and expansion of the area at the front entrance to allow outdoor seating containing a maximum of four tables and 16 chairs. The trash enclosure would be relocated to the south side of the drive-thru. A proposed 45 sq. ft. monument sign would be installed at the same location. The wall mounted signs were proposed for the west and east elevations of the building, similar to Jared Jewelry signage. The petitioner provided the approval letters from CEP and Kerasotes Theaters.

The Planning and Zoning Commission voted unanimously to recommend approval of the following:

- A. Approval to amend Ordinance 95-24, Condition #6 to allow a restaurant with drive-thru service as a special use on Lots 2, 3 and 4 in the Kerasotes Resubdivision.
- B. Approval of Special Use Permit to allow a restaurant known as Jason's Deli with drive-thru service on Lot 4 in Kerasotes Resubdivision.
- C. Approval of the revised site and landscaping plans and architectural elevations.

Conditions of Approval

A. General compliance with the following plans:

- 1. Color Elevations dated 11/9/07 and Exterior Elevations consisting of Pages A2.0 and 2.1 as prepared by Chipman Adams, Ltd with a stamped Received Date of January 18, 2008.

2. Equipment and Furnishing Plan consisting of Page F1.0 as prepared by Chipman Adams, Ltd with a stamped Received Date of January 18, 2008.
3. Trash Enclosure, Elevations and Details consisting of Page SD1.0 as prepared by Chipman Adams, Ltd with a stamped Received Date of January 18, 2008.
4. Signage Plans prepared by Chandler Signs consisting of color examples and 7 pages dated January 14, 2008 but excluding Page 6 (sign with phone #) which was not recommended for approval.
5. Site Improvement Plans prepared by Northwestern Engineering Consultants, PC consisting of Pages C-1 thru C-6 and dated 11/27/07
6. Landscape Plan prepared by Countryside Industries, Inc consisting of pages L-1 and 2 with a revised date of 1/3/08.

- B. Final approval of plans by the Village Engineer and Landscape Architect
- C. To allow 1 additional wall mounted signs on the west elevation of the building consistent with the Signage Plans.
- D. Compliance with the Technical Review responses from the petitioner with a stamped Received date of January 18, 2008 and except as otherwise amended by conditions herein.
- E. Unless otherwise stated herein, all signage shall comply with the Village's sign ordinance, being Chapter 19 of the Code of Ordinances
- F. The petitioner shall submit detail lighting plans for the exterior elevations of the building. The petitioner will provide cut-sheet details on each of the lights shown on the plans. Where possible, lighting will be decorative and consistent with existing lighting on the building. The Building Commissioner will review and approve this plan as a part of the building permit process.
- G. The landscape plan for property should be modified to include one bike rack. The location and type of rack will be reviewed and approved by the Village Landscape Architect.
- H. Compliance with all ordinance and standards of the Village except as otherwise noted.
- I. Access to the rooftop shall be restricted to authorized personnel only. The petitioner shall lock off the lower portion of the access ladder to restrict access to the roof of the building.
- J. Installation of a concrete sidewalk for access to the man-door of the trash enclosure.
- K. There will be no new sod areas on the landscaping plan.
- L. The Speaker Board Sign located on the south side of the building shall be a maximum of four square feet; the frame shall either be the same color as the frame around the windows and doors or the frame around the Jason's Deli building signs.
- M. The sign at the entrance of the drive-thru will be architectural designed to include a brick base similar in materials to the monument sign in front of the building.

Motion by Trustee Marquardt, second by Trustee Koch approved to direct staff to prepare the necessary ordinance granting approval to amend Ordinance 95-24 and grant approvals for Jason's Deli, subject to compliance with conditions as listed above. Roll call vote:

AYES: 5-Marquardt, Schultz, Schwartz, Williams, Koch

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

3. **LAKE VERNON CONDO PROJECT - CONCEPT PRESENTATION BY DEMARI DEVELOPMENT, INC. FOR NW CORNER OF LAKEVIEW PARKWAY AND HAWTHORN PARKWAY (SITE OF EXISTING PORTOFINO AND OPA RESTAURANTS)**
 Attorney Nicholas Peppers of Storino, Ramello & Durkin stated the project was a joint venture for the redevelopment of the northwest corner of Lakeview and Hawthorn Parkways. The developer proposed to demolish the OPA and Portofino's restaurants and construct a mix use development containing 100 condominiums and approximately 44,000 sq. ft. of retail space on approximately 4.91 acre property. Access to the site would be through the existing driveways on Lakeview and Hawthorn

Parkways. President Al Maiden of Rolf C. Campbell & Associates stated this joint venture wanted to take advantage of the site for the mix use development, which would consist of two buildings. The ground floor of each building would contain approximately 20,000 sq. ft. of retail and restaurant space, with the restaurants being located around a plaza, which would allow for outdoor dining adjacent to the fountain/sculpture area. The plaza would connect the two buildings and afford each restaurant a view of Little Bear Lake and the Century Park. Each condominium building would be a total of 7 stories at its tallest point and would contain 50 units per building. The proposed buildings would be 83 feet to the mean point in the roof and 88 feet to the top of the roof located in the center portion. Roof top terraces were accessible from certain condo units. Phasing of the project would allow the existing restaurants to remain open until the residential pre-market sales goals were met; and the restaurants would relocate into the ground floor spaces. A bank was proposed for the corner outlot. A pathway would run along the water's edge; which would require Park District and SMC approvals.

President Byrne inquired the size of the current restaurant sizes and noted a traffic study would be needed. Parking on the property would be challenging. Trustee Schultz requested the disclosure that Rolf C. Campbell & Associates had prepared the Vernon Hills Comprehensive Plan pertaining to the Gregg's Landing commercial properties. The architects presented the elevations for all sides of the buildings. Parking would be underground with 2 spaces per unit and storage space for each unit. The condo units would be 1-3 bedrooms, 1000-2400 sq. ft. Multiple variations would be required such as the number of units (100 proposed vs. 80 permitted in a PUD), various buffer and setback requirements, parking (407 proposed vs. approximately 510 required) and building height (approximately 88 feet proposed vs. 35 feet permitted by the Ordinance). The property would need to be rezoned and a special use permit for a PUD with variations.

President Byrne allowed residents to participate with their concerns in the discussion.

Sid Wotman of 108 Saratoga Ct. stated concerns regarding traffic congestion; the buildings looked like barracks and would block the view of the lake. Mr. Wotman was not in favor of 2 strip malls.

Jeannine Aull of 492 Buchanan Ct. stated she had served on the Planning and Zoning Commission in earlier years. Ms. Aull had concerns regarding the density and the number of variances needed to fit the project on the site. Ms. Aull added the project would only benefit the owner.

Sue of Swinburne Ct. was concerned with the additional traffic congestions and the density of the project.

Debbie and Steve Simek of 220 Chesapeake Ct. stated the project was too tall, too dense and too much traffic would be created for the area.

Candi Latona of 434 Buchanan Ct. stated the project was too urban and should be in the city.

Tom Keehan of 474 Tyler Ct. stated the project would take away the view of the lake and park and had concerns with noise. Mr. Keehan had concerns with the lack of parking and thought the project benefited only one person, the owner of the property.

Larry of Princeton Ct. stated his concerns that Opus would close prior to an event he had booked for 12/2008. President Byrne stated the project was a year out, since a certain number of units would need to be pre-sold prior to development.

Martha Scott of Cleveland Ct. stated her opposition to the additional 200 residential cars to an area where traffic congestion already existed. Village Engineer Brown added the current traffic counts

were 12,300 on Hawthorn Parkway per day and 11,400 on Lakeview Parkway per day. Right of way dedication would need to be requested and traffic study provided before the project was approved.

A resident named John stated the project was too dense and the 7 foot building would be imposing.

Ed Miller of Jackson Ct. stated the project had a negative impact on the Village and wondered if the Village wanted to be a Lincolnshire.

Monica of Cumberland Ct. stated the project did not fit and belonged in Arlington Hts.

Attorney Bradley Aubel stated the project was too dense and the traffic was already congested. Assistant Manager Kalmar stated the developer was seeking direction from the Committee regarding their presentation. Traffic studies would need to be completed and plans would need to be submitted for technical review by staff members. Public hearings would have to be held and the project was probably 6 months out from coming back to the Committee for further discussions.

Pat Winter of Revere Ct. stated the Village did not need more condo developments.

Ann Leffler of 1311 Cromwell Ct. stated the open area needed to be preserved.

A resident named Karen stated this type of development belonged on Milwaukee Ave.

Heidi of 334 Washington Ct. stated concerns regarding traffic, impact on schools and the project seemed only to be an opportunity for the owner.

Trustee Schultz stated the positive aspects of the development were not touched in the presentation regarding the lake view. Trustee Schultz requested the number of units be reduced to 80 from 100. He also recommended alleviating the one floor to PUD; modify the indoor parking to keep the 2.3 ratio of parking spaces; require the 3 bedroom units have 3 parking spaces; and eliminate the bank on the corner outlot. Trustee Schultz also recommended a cross easement agreement with One Hawthorn Parkway for valet or overflow parking; a possible banquet size restaurant facility; deed covenants for the path; and spice up the building elevations facing the lake. The HOA covenants should inform their residents of the Summer Events at Century Park. A right of way easement agreement to extend to Route 60 should also be included.

Trustee Koch liked the mix use; but the buildings were too tall and the increased traffic in the area was the negative drawback to the project. Trustee Koch objected to another bank on the corner outlot. Trustee Marquardt concurred with Trustees Schultz and Koch. Trustee Schwartz stated the project seemed pedestrian friendly. Trustee Williams stated the elevations were beautiful, but the project was too dense for the site. President Byrne stated the property would need to be rezoned to accept the residential use. The Village attorney stated the developer could proceed with the technical review process and appear before the Planning and Zoning Commission for a public hearing.

4. **COUNTY SALES TAX TRANSPORTATION FUNDING ROUTE 45.**

Village Manager Allison stated staff had met with County Commissioner Pam Newton regarding Route 45 and the use of County sales tax funds to improve Route 45 in Vernon Hills. Staff was directed to send letters to the County and the State to prioritize Route 45 and Route 60 for funding for road improvements.

5. **FY2008/09 BUDGET DISCUSSIONS.**

Pulled.

6. **ADJOURNMENT.**

Motion by Trustee Schwartz, second by Trustee Marquardt approval to adjourn the Committee of the Whole meeting. Roll call vote:

AYES: 5-Schultz, Schwartz, Williams, Koch, Marquardt

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

Meeting adjourned at 10:00 p.m.

Linda Pelletier, Village Clerk

Roger L. Byrne, Village President