

**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE OF VERNON HILLS  
MAY 6, 2008**

IN ATTENDANCE: President Byrne called the meeting to order at 7:40 p.m. The following Trustees were present: Koch Marquardt, Schultz, Schwartz, 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, Public Works Director Laudenslager, Building Commissioner Atkinson, Attorney Kenney and Village Clerk Pelletier.

**1. APPROVAL OF 4/15/2008 COMMITTEE OF THE WHOLE MINUTES.**

Motion by Trustee Schultz, second by Trustee Marquardt approval of the 4/15/2008 Committee of the Whole Minutes. Roll call vote:

AYES: 4-Marquardt, Schultz, Williams, Byrne

NAYS: 0-None

ABSTAIN: 2- Schwartz, Koch

ABSENT: 1-Hebda

Motion declared carried.

**2. GREGG'S LANDING ENTRANCE SIGN.**

Village Engineer Brown stated Mr. Don Kathan; the Gregg's Landing Homeowners Association-North President was present to propose plans for the entrance sign to be constructed between the commercial and residential areas. Mr. Kathan stated an arched structure would be placed on the teardrop shaped median island with matching elements on either side on the outer easement of Greggs Parkway. The materials would be of lannon limestone, red brick and wrought iron similar to the western entrance to Gregg's Landing. The Gregg's Landing homeowners would be shown the plans later in May. Brian Fluno would be developing the landscaping plans for the signs. Electricity and irrigation was currently available on the median for lighting the sign and watering the landscaping. Manager Allison stated risk management issues would need to be addressed and a licensing agreement would need to be drafted for use of the Village's property. Mr. Kathan stated final plans for the project should be completed for Committee review in June.

**3. WHITE DEER RUN FAÇADE RENOVATION.**

Building Commissioner Atkinson stated Dan Shepard was present to request approval of façade renovations and landscaping plans to the Club House Pavilion. The Village Board had approved temporary canvassed walls for the pavilion on 10/21/2007 to allow the additional seating. Instead of canvassed walls being installed, permanent brick and cedar walls were installed, along with windows without approval. Trustee Koch was disconcerted with the work being done without approval. Mr. Atkinson stated the project could be fined by doubling the costs of permits or recommending the work be removed until the plans were approved. Staff would review the plans to see if they comply to code before final approval. (Trustee Koch left the room at 8:35 p.m.)

**4. CONSIDERATION OF AMENDED SITE AND LANDSCAPING PLANS FOR THE CONGREGATION OR SHALOM PROPERTY LOCATED AT 21 HAWTHORN PARKWAY.**

Assistant Village Manager Kalmar stated representatives of Congregation Or Shalom were present to request amending their approved site and landscaping plans, which needed to be revised due to constraints regarding parking. The 90-degree parking spaces were changed to one-way 60-degree parking spaces and the elimination of a landscape isle. A request was made to waive the approved textured sidewalk due to slippage and staff concurred. Trustee Schultz inquired if the drainage issues

had been resolved and Engineer Brown stated two plans had been completed and would be discussed with the homeowners' association members. Motion by Trustee Schultz, second by Trustee Williams to direct staff to prepare the necessary ordinance amending Ord. 2007-23 granting approval to the amended site and landscaping plans, subject to the original conditions of the approved ordinance. Roll call vote:

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

NAYS: 0-None

ABSENT: 2-Hebda, Koch

Motion declared carried.

5. **PHILLY G'S RESTAURANT-CONSIDERATION OF REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING A REZONING, SPECIAL USE PERMIT AND FINAL SITE, LANDSCAPING AND BUILDING ELEVATION APPROVALS-1252 EAST ROUTE 45.**

Assistant Village Manager Kalmar stated Phil Gilardi appeared before the 4/23/2008 Planning and Zoning Commission to request approvals to bring his property into general compliance with the appropriate zoning district regulations; allow for reconfiguration of the property lines and parking lot; and construction of a small addition with an outdoor deck onto the east elevation of the building. Subdivision of the property would allow for the creation of Outlot 1, to be deeded to VHTC and Outlot 2 for the Route 45 right-of-way.

(Trustee Koch returned at 8:42 p.m.)

The entrance to the restaurant would be eliminated and access would be through the Town Center development, with integration of the parking lot of the development of the TIF District. Trash enclosed would be shared. The Philly G's Redevelopment Agreement should be ready for consideration at the 5/20/2008 meeting.

The Planning and Zoning Commission unanimously approved the requests subject to the following conditions:

- Amendment of the Zoning District Map to change the zoning classification from R-1, Single Family Residence District to B-1, General Business District for the legally described property,
- A Special Use Permit to allow a restaurant serving alcoholic beverages along with certain variations, including but not limited to, building setbacks and parking requirements,
- Final plat of Resubdivision, final site and landscaping plans and building elevations for the legally described property and restaurant,

The recommendations were subject to the following conditions:

A. General compliance with the following plans:

1. Architectural and floor plans with a stamped receive date of March 24, 2006 as prepared by B.I. Park and consisting of four pages.
  2. Final Engineering Plans prepared by Spaceco, Inc consisting of pages Sheets 1-10(C1, TS1, E1, L1, G1U1, I1, SP1, D1-2) with a revised date of 2/20/08.
  3. Landscape Plan prepared by D.T. Donohue & Associates Ltd consisting of pages LP-1 thru three with a date of 3/24/08.
  4. Property Resubdivision Exhibit for Philly G's Restaurant prepared by Spaceco, Inc consisting of one page and dated 4/8/08.
- B. Final approval of plans by the Village Engineer and Landscape Architect  
C. No outdoor entertainment or dancing is permitted on the proposed deck.

- D. Receipt of photometric plans for the property.
- E. Final approval of the redevelopment agreement by the Village Board.
- F. Receipt of approval from IDOT for closing of Route 45 entrance. If IDOT does not approve the entrance closing and related access west of the petitioner's property, the parking lot plans will have to be amended and the petitioner must return back before the Commission for approval of said plans.
- G. Completion of the cross parking agreement with VHTC prior to issuance of a Certificate of Occupancy for the building addition and deck.
- H. Submission of the appropriate plat of resubdivision prior to final approval by the Village Board.
- I. The following variations are recognized and approved:
  - a) The garbage enclosure will be setback 1 foot from the property line instead of 35 feet.
  - b) The proposed building addition, including deck, will be setback a minimum of 3 feet at the closest point to the existing property line instead of 35 feet. The bar addition by itself will be approximate 13 feet from the line at its closest point. With the Resubdivision of the VHTC property and the land area to be added along the east property line adjacent to the proposed addition, the setbacks will increase to 8 feet for the deck and 19 feet for the bar addition.
  - c) The parking lot will be setback 1 foot of the front property line instead of 25 feet.
  - d) The total number of parking spaces for the restaurant and proposed addition will be less than the minimum required by the Zoning Ordinance. The new plan shows 34 total spaces within the parking lot.
- J. Compliance with all ordinance and standards of the Village except as otherwise noted.
- K. Formalizing the land swap with Outlots A & B and Outlots 1 & 2 before the Certificate of Occupancy is issued.

The 570 sq. ft. addition would expand the bar area to create additional waiting area and a dance floor/entertainment area in the bar, along with a full basement for storage. Motion by Trustee Williams, second by Trustee Marquardt approval to direct staff to prepare the necessary ordinance granting approval to rezone the property, approve the special use permit and amended site, landscaping and architectural plans for Philly G's Restaurant, subject to the above conditions. Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

**6. VHTC GATEWAY POND.**

Village Engineer Brown stated staff had met with John Thomas for additional coordination of the Gateway Pond site improvements, which the Village Board had approved in an amount of \$700,000. The revised monument sign would be curved and would be backlit. The pond liner would be stained in four colors. The retaining wall would be approx 7'10" in height and the materials would be of lannon stone and landscaped with evergreens. The fountain would have a height of 30'-34' with Apollo lighting. A wind indicator sensor would be used to reduce fountain spray. The plans would be finalized and presented to the Board at a future meeting.

**7. NIRVANA WINE AND GRILLERIE, 701 NORTH MILWAUKEE, UNIT 280-REQUEST FOR AN OUTDOOR DINING AND SEATING ESTABLISHMENT PERMIT.**

Alaine Lubin of Nirvana Wine and Grillerie was present to request an outdoor dining and seating establishment permit to allow for the seating of 24 customers at 10 tables, which would provide enough room for wait staff to serve. Castor wheeled planters would provide dividing space between

the seating area from the pedestrian sidewalk. Motion by Trustee Koch, second by Trustee Marquardt to direct staff to prepare the necessary resolution allowing for outdoor dining and seating, subject to:

1. Compliance with the requirements described in the Village of Vernon Hills Code of Ordinances, Chapter 10, Article IV.
2. Compliance with the application and plan, dated December 12, 2007.

Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

8. **BAXTER CREDIT UNION, 340 N. MILWAUKEE AVE.-3<sup>RD</sup> ANNUAL CAR SALE FOR JUNE 6-7, 2008.**

Jason Pero of Baxter Credit Union was present to request approval of a temporary outdoor vehicle sales event to be held on Friday and Saturday, June 6-7, 2008; for the Chevy, Acura and Toyota automobiles, to include six 10' x 10' tents and temporary banner, which comply with Village code. Motion by Trustee Marquardt, second by Trustee Williams approval to direct staff to prepare the necessary resolution, subject to:

1. The car sales event will take place on Friday, June 6<sup>th</sup> and Saturday, June 7<sup>th</sup>.
2. Compliance with the site plan, dated April 10, 2008.
3. For all cars sold, an accurate ST-556 Tax Transaction Return form shall be completed showing Vernon Hills as the taxable location. A copy of each sales transaction shall be filed in the Finance Department.
4. The sale, service and consumption of any alcoholic beverage shall be prohibited.
5. Garbage receptacles shall be provided and the parking lot and general vicinity shall be cleaned immediately following the event.

Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

9. **Westfield Hawthorn, 122 Hawthorn Center – Panasonic “Living in HD Tour” Sale for June 2-7, 2008.**

Tim Geiges of Westfield Hawthorn Mall was present to request approval of an outdoor marketing event to be held June 2, 2008-June7, 2008, at the southeast parking lot between Sears and Carson Pirie Scott. Panasonic would be marking electronic equipment such as Plasma HDTV's, Blue-ray Disc Players, Home Theater Systems, Camcorders and Camera's from a 30' x 40' truck/trailer. Gold Medalist Mark Spitz would be on hand to promote the 2008 Summer Olympics on Jun 7<sup>th</sup>. Motion by Trustee Schultz, second by Trustee Williams approval to direct staff to prepare the necessary resolution, subject to:

1. The outdoor sales event will take place for the period of June 2, 2008 through June 7, 2008.
2. Compliance with the site location map, dated April 28, 2008.
3. Provide safety barriers between the tuck trailer and the parking lot to separate pedestrians from vehicular traffic.

Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

**10. CDW, 200 N. Milwaukee Ave.-“Outdoor Classic Car Show” for July, 13, 2008.**

Paola Capelo of CDW was present to request approval of an outdoor classic car show on July 13, 2008 from 9:00 a.m.-3:00 p.m., including a raffle sale with proceeds going to Children’s Memorial Hospital. Motion by Trustee Schultz, second by Trustee Marquardt approval to direct staff to prepare the necessary resolution, subject to:

1. The outdoor car show and raffle will take place on July 13, 2008 from 9:00 am until 3:00 pm.
2. Compliance with the site location map dated April 4, 2008.
3. The sale, service and consumption of any alcoholic beverages shall be prohibited.
4. Garbage receptacles shall be provided and the parking lot and general vicinity shall be cleaned immediately following the event.

Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

**11. SOIL AND EROSION CONTROL ORDINANCE AMENDMENTS.**

Village Engineer Brown stated staff was seeking to adopt the Countywide Watershed Development Ordinance (WDO), which would consolidate the Village's standard details and procedures with the WDO, which would provide clarity to contractors and developers who work within multiple communities. Motion by Trustee Williams, second by Trustee Koch approved to direct staff to prepare the necessary ordinance. Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

**12. INCLEMENT WEATHER INSURANCE.**

Village Manager Allison presented the revisions to the proposal for weather insurance. The Committee concurred the insurance was too costly and decided not to insure against stormy conditions.

**13. ADJOURNMENT.**

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

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

NAYS: 0-None

ABSENT: 1-Hebda

Motion declared carried.

Meeting adjourned at 9:30 p.m.

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Linda Pelletier, Village Clerk

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Roger L. Byrne, Village President