

**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE OF VERNON HILLS  
SEPTEMBER 16, 2008**

IN ATTENDANCE: President Byrne called the meeting to order at 7:40 p.m. The following Trustees were present: Hebda, Koch, Marquardt, Schultz and Williams. Trustee Schwartz 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, Attorney Kenny and Village Clerk Pelletier.

**1. APPROVAL OF 9/03/2008 COMMITTEE OF THE WHOLE MINUTES.**

Motion by Trustee Marquardt, second by Trustee Hebda approval of the 9/03/2008 Committee of the Whole Minutes. Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

**2. PORTILLO'S/BARNELLI'S RESTAURANT-CONSIDERATION OF REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING THE PROPOSED EXPANSION OF THE RESTAURANT LOCATED AT 221 E TOWNLINE ROAD.**

Assistant Village Manager Kalmar stated representatives of Portillo Restaurant Group (PRG) appeared before the 9/10/2008 Planning and Zoning Commission requesting approvals amending the Special Use Permit granted in Ordinance 93-25 and allow the construction of an additional drive-thru lane along with approving a setback variation; and amending the approved site and landscaping plans and building elevations to allow expansion of the existing Portillo's/Barnelli's restaurant.

The addition of a second drive-thru lane on the north and west sides of the building would accommodate approximately 13 additional cars which currently backed up into the in their parking lot and the adjacent Super Target lot, and when completed, the property would contain 154 total parking spaces. The new architectural design of the building elevations would be consistent with the current design and additional landscaping would be added to replace the plant material lost to construction. No one appeared to speak at the Planning and Zoning Commission hearing.

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

- A. Amendment of the Special Use Permit granted in Ordinance 93-25 to allow construction of an additional drive-thru lane subject to the conditions below.
- B. Amendment of the approved site, landscaping and building plans to allow the expansion of the existing Portillo's/Barnelli's restaurant, subject to the following conditions:
  1. General compliance with the plans and elevations prepared by R.J. Pozzi Construction consisting of Pages T-1, L-ex, L-1, C-1 thru 3, D-1, A-1 thru 7, P-1 with a date of September 2, 2008.

2. The landscape buffer area from Lakeview Parkway is hereby reduced to 38 feet as set forth in Exhibit A.
3. Review and approval Village Engineer site improvement plans prior to issuance of a building permit. This review will include the possible elimination of two parking spaces at the entrance to the drive-thru to provide a transition area for vehicles entering the drive-thru.
4. Review and approval of landscaping plans by the Village Landscape Architect prior to issuance of a building permit.
5. The petitioner, working with the Village Landscape Architect, shall upgrade and improve any plant materials within the existing landscape islands within the parking lot or adjacent to the drive-thru to bring the site into compliance with the previously approved landscape plan.
6. Review and approval of the exterior lighting fixtures to insure consistency with the existing fixtures.
7. Receipt of a letter of approval from the Continental Executive Parke (CEP) Association prior to issuance of a building permit.
8. Compliance with all ordinances and standards of the Village.

Motion by Trustee Schultz, second by Trustee Williams approval to direct staff to prepare the necessary ordinance granting approval to amend Ordinance 93-25 to allow an additional drive-thru lane along with approving a setback variation and granting approvals of the site and landscaping plans and building elevations to allow expansion of the existing Portillo's/Barnelli's restaurant, subject to compliance with conditions as stated above. Roll call vote:

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

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

**3. COOK MEMORIAL PUBLIC LIBRARY DISTRICT'S ASPEN DRIVE LIBRARY – CONSIDERATION OF REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING THE PROPOSED LIBRARY LOCATED AT 701 ASPEN DRIVE.**

Assistant Village Manager Kalmar stated representatives from Cook Memorial Library appeared before the 9/10/2008 Planning and Zoning Commission to request 1.) A Special Use Permit to allow a new public building commonly referred to as "The Cook Memorial Public Library District's Aspen Drive Library" to be located on the legally described property along with certain variations including but not limited to setbacks, buffer requirements, parking, and parcel size; and, and a PUD to allow a two-lot subdivision of the legally described property commonly known as Cook Memorial Subdivision. 2.) Approval of final site and landscaping plans and building elevations for the legally described property. 3.) Preliminary and final plat approval of a three-lot subdivision of the legally described property commonly known as Cook Memorial Subdivision.

The Commission voted unanimously (5-0) to recommend approval of a special use permit to allow the following:

1. A new public building commonly referred to as "The Cook Memorial Public Library District's Aspen Drive Library" to be located on the legally described property along with certain variations including but not limited to setbacks, buffer requirements, parking, and parcel size; and
2. A Planned Unit Development to allow a three-lot subdivision of the legally described property commonly known as Cook Memorial Subdivision, subject to the above conditions subject to the following conditions:

- a) Compliance with the plans and elevations prepared by Gilfillan, Callahan Nelson, Architects consisting of pages T-1.00, AB-1.00, ALT AB-1.00, AC-1.10, C-4.0, L-1.0, A-1.10, A-1.11, A-1.20, ALT A-1.00A, ALT A-1.00B, ALT A-1.10, A-3.0, A-3.10b, E-0.0. with a Stamped Received Date of September 2, 2008. Any change deemed substantial as determined by the Village Manager's Office, Building Commissioner, Library District representative and any other consultants who the Village may use shall require a return to the Planning and Zoning Commissions and Village Board.
- b) General compliance with the Plat of Subdivision prepared by McClure Engineering Associates, Inc. titled Cook Memorial Subdivision and consisting of 2 pages and dated 9/5/08.
- c) Final approval by the Village Engineer and Landscape Architect prior to issuance of a building permit.
- d) Review and approval of the parking lot light fixtures by the Village Engineer.
- e) In recognition of the fact that the Park District has not formally authorized the use of its property for access from Aspen Drive, but during testimony has in-formally shown support, the mid-block entrance as shown in Exhibit A is approved, subject to review and approval of the required plans by the Village Engineer. Further, the preferred location for the entrance is the one using the Park District property at the south.
- f) The petitioner is to work with the Village Engineer to locate additional fire hydrants on the property.
- g) The District is encouraged to implement the landscaping plan for the Outdoor Reading Garden. It is recognized that due to budgetary constraints, the amount and type of plant material may be reduced or eliminated. If this occurs, the District will not be required to reappear before the Commission and Village Board
- h) The variations granted for the site are as follows:
  - A reduction in the landscape buffer to 40 feet along Aspen Drive.
  - A reduction in the required setback for the garbage enclosure to a minimum of 6 feet
  - A reduction in the required parking spaces to 69 spaces with possible additional parking
  - A reduction in the required lot sizes as setforth in the Cook Memorial Subdivision
- i) Compliance with all ordinances and standards of the Village except as otherwise approved herein.

The Commission voted 5-0 to recommend approval of final site, building elevations and landscaping plans, subject to the above conditions.

The Commission voted 5-0 to recommend approval of preliminary and final plat approval of a three-lot subdivision of the legally described property commonly known as Cook Memorial Subdivision, subject to the above conditions.

Village President Byrne inquired if a basement was included in the plans and was informed it would be determined when then bids were received by Cook Library in mid October.

Mr. Kalmar stated the proposed detention pond was designed to have an 8-foot bounce and accommodate the Park District, Library District and development on the Atrium Lot, which exceeded Codes. Staff was working with the design engineer to reduce the bounce to 6-feet.

Village Engineer Brown stated the wetland permit, which included the entire wetland would be as follows:

Park District cost = \$97,312 (0.75 acre of wetland x 1.5 mitigation ratio x \$86,500 per acre)

Village cost = \$76,552 (0.59 acre of wetland x 1.5 mitigation ratio x \$86,500 per acre)

The consensus of the Committee was the Park District and Village should partner together to cover the costs. Staff requested the dirt to be removed be placed on the Atrium lot to reduce the cost, which would allow more money to be used for the detention expenditure. Motion by Trustee Williams, second by Trustee Marquardt to direct staff to prepare the necessary ordinance granting approvals to the special use permit to allow the library along with certain variations, final site and landscaping plans and building elevations and preliminary and final approval of the 3 lot subdivision, subject to compliance with conditions as stated above. Roll call vote:

AYES: 6- Hebda, Koch, Marquardt, Schultz, Williams, Byrne

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

4. **CONSIDERATION OF A REPORT AND RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING PROPOSED AMENDMENTS TO APPENDIX C OF THE VILLAGE CODE OF ORDINANCES – VERNON HILLS ZONING ORDINANCE**

Assistant Village Manager stated Village staff recommended amending Appendix C-Zoning of the Village Code at the 8/27/2008 Planning and Zoning Commission meeting. The Planning and Zoning Commission recommended the approvals are follows:

1. The Commission voted unanimously (4-0) to recommend approval of the following amendments to Article 3, Definitions:
  - a. Delete the definition of Airport
  - b. Add the definition for automated teller machine (ATM) – A mechanized banking device operated by bank and financial institutions for conducting transactions including deposits, withdrawals, and financial transfers without contact with financial institution personnel. The ATM may be located at or within the bank or financial institution, or in other locations, and may be used by patrons in vehicles, on foot or by other means of transportation, in compliance with these regulations.
  - c. Add to the definition of Comprehensive Plan the name and date of the plan - Village of Vernon Hills Comprehensive Land Use Plan 2003 and as amended from time to time.
  - d. Add definition of Governmental Offices – A building(s) leased or owned, operated, or occupied by any agency, political subdivision or unit of government, including by not limited to federal, state, county, and municipal agencies and fire, school and park districts.
2. The Commission voted unanimously (4-0) to recommend approval of the following amendments to Article 23, Fees; to read as follows: Consistent with Chapter 25 of the Code of Ordinance, the Village shall be reimbursed by the petitioner as setforth on the required application(s) for fees charged to the Village by a consultant used by the Village to review said project or provide technical assistant to the Board or Staff.
3. The Commission voted 3-2 (Heidner, Gorog) to recommend approval of the following amendments to Article 4, General Regulations, Section 4.13 as follows:
  - a. To amend the Preferred Sites map as defined in Section 4.13.4 to add the Village Hall on Evergreen Drive (but excluding the property containing the Laschen Center), Public Works property on Greenleaf Drive and the Police Department properties on Lakeview Parkway.
  - b. For Section 4.13.11 the following language is added to the last sentence: "... except that any property shown as a Preferred Sites as defined in Section 4.13.4 and zoned PIB, Public and Institutional Buildings, shall be exempt from the requirements of this Section.

Motion by Trustee Williams, second by Trustee Schultz approval to direct staff to prepare the necessary ordinance amending the Zoning Ordinance as stated above, subject to Village attorney review and the possible amendment to Chapter 25-Fees to include reimbursements. Roll call vote:

AYES: 5-Koch, Marquardt, Schultz Williams Hebda

NAYS: 0-None

ABSENT: 1-Schwartz

Motion declared carried.

5. **SENIOR VAN POLICY.**

Village Manager Allison stated the administrative staff had worked on identifying travel destination for seniors. The information would be shared with the seniors regarding the possibility of reducing the area of transportation for medical trips.

6. **ADJOURNMENT.**

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

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

NAYS: 0-None

ABSENT: 1- Schwartz

Motion declared carried.

Meeting adjourned at 8:35 p.m.

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Linda Pelletier, Village Clerk

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Roger L. Byrne, Village President