

**PLANNING AND ZONING COMMISSION
MINUTES
JANUARY 31, 2018**

Call to Order and Roll Call

The meeting was called to order at 7:30 p.m.

Attendance: Commissioners Heidner, Ballowe, Hezner, Cotton, Mulcrone and Gorog were present. Chairperson Morris was absent. A quorum was established.

Motion by Commissioner Hezner, second by Commissioner Cotton to appoint Commissioner Heidner as Chairperson Pro Tem. On a voice vote, the Commission voted unanimously to appoint Commissioner Heidner as Chairperson Pro Tem.

Also in Attendance: Joe Carey, Assistant Village Manager (AVM)

I. Public Hearing

1. Case #17-01 being a petition filed by River's Edge of Vernon Hills Development Corp, 2 Bridle Lane, Bannockburn Il 60015, requesting, pursuant to the Appendix C of the Village of Vernon Hills Code of Ordinance, Articles 12, 18, 20 and 21, Section 21.6, the following:

1. Approval to amend the Special Use Permit for a Planned Unit Development to allow for the increase in density for the residential building from 40 to 52 units, along with certain variations, including but not limited to setbacks.
2. Preliminary and final site and landscaping plan approvals

The property, commonly known as River's Edge located at 425 Benjamin Drive, is zoned R-7, Multi Family Residential and is approximately 3.29 acres. It is located on the eastern side of Milwaukee Ave adjacent to Woodbine Circle in Vernon Hills, Illinois. The Property Index Number for this property is 15-10-100-048

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN.

AVM Carey indicated that this case had been before the Planning & Zoning Commission last year. Due to the recommendation of the Planning and Zoning Commission the Committee of the Whole remanded the case back to the Planning and Zoning Commission for further review.

Jerry Weiss, Weiss Development, indicated they received a negative recommendation and felt it was based on three items. All arising out of the increased density they were requesting. They initially requested 60 units and they reduced it to 59 units and required a variance of 2.06. The concerns of the Planning and Zoning Commission were the density requiring the variations in parking and the concerns of the residence regarding a center common loaded car entrance to the two buildings. After meeting with the Mayor and HOA, the Petitioner came up with a 52 unit proposal and a reconfiguration of the parking leading to the 2.3 parking ratio. The item arising out of the proposal, was that the

residents were concerned that the 52 units would impact and place a burden on the center garage in the sense of loading and ingress/egress. The original proposal was for the two buildings and 124 parking spaces. The new proposal with the increased density results in 128 spaces. The impact on the center garage is four units. The developer feels that they have satisfied the concerns of the residence and Village Staff.

Commissioner Mulcrone asked if these were going to be condos or rentals. Mr. Weiss indicated they had no idea but the market is apartment friendly and if the situation changes they are open to condos. Commissioner Mulcrone noted that apartment parking versus condo parking is different. Apartments may have more cars and felt that Weiss Development should only build 47 apartments with the parking proposed. He felt that trucks and emergency equipment could not access this property.

Mr. Weiss noted that the tandem parking were not different for parking of a condo or apartment. Commissioner Mulcrone disagreed. Mr. Weiss noted the turnaround space at the end of the property and indicated the Fire Department had approved it.

Commissioner Hezner asked if the plan was different than what was previously submitted and Mr. Weiss noted it was changed from a "T" to a turnaround. AVM Carey noted that the Fire Department has reviewed the project and approved the access. Commission Hezner noted that in previous discussions they had addressed the fire access and it was not an issue. Commissioner Mulcrone was concerned that the Fire Department could not get a fire hose to the north side of the building. AVM Carey noted that the property would be sprinklered. Commission Cotton asked where the snow would be stacked and Mr. Weiss noted that it would be staked on the eastern part of the parking lot. There were concerns that the snow would block the fire access and cut out several parking spaces.

Commissioner Mulcrone asked if they would be encroaching on the floodplain and it was noted that they had no intention of doing that. There is a retaining wall that will be constructed. Commissioner Mulcrone asked if there were unit designs and Mr. Weiss noted that there were. Commissioner Mulcrone was concerned that without unit designs how could they approve the elevations. Mr. Weiss noted the elevations would not change from what was being presented. It was noted the building materials would be consistent with the first building. Commission Hezner indicated there was no storage available for these units and it was noted that they are planning on storage areas within the building. There were questions concerning the new garage door access. Mr. Weiss indicated they have received approval from IDOT for a full access off of Milwaukee Ave. He noted the costs that the two building could share for the landscaping, snow plowing, etc.

Commissioner Hezner was concerned that the building would be apartments and not condos. Mr. Weiss indicated they were pro condo, but the market just isn't there at this time. Helen Weis, Weiss Development, discussed the current market, the need for apartments versus condos, parking and the proposed floor plans. Commissioner Mulcrone asked if a Market study was done and Mr. Weiss indicated they had not had one done recently. He also felt that the building was designed as a condo building. Commissioner Cotton expressed concerns about all the apartments currently be built in the area and how they will that affect this development. Commissioner Hezner asked Helen Weiss if they have ever done a conversion from apartments to condos. She indicated that she has done several. Mail delivery would be available in the lobby.

Chairperson Morris arrived.

THE PUBLIC HEARING WAS OPEN FOR COMMENT.

Bruce Robbins, 425 Benjamin Drive, Unit 501. Mr. Robbins indicated he is the HOA President for the condo association and was not speaking on behalf of the HOA and was speaking only as a resident. He expressed concerns about development and communications with Weiss Development over the past couple years, security and parking.

David Salzman, 425 Benjamin Drive. Mr. Salzman indicated he was also a member of the HOA Board and indicated he was 100% against the development. He expressed concern about the public safety, parking, and pedestrian access to the site and property values.

Judy Kenny, 425 Benjamin, Unit 201 expressed concern about emergency vehicles accessing the site.

Edwin Ribstein, son of a current owner, expressed his concerns for his father. He was also concerned about getting fire and rescue to the site. He was concerned that a floor plan has not been presented and felt that the Fire Department could not review it without a floor plan. He was also concerned about the fact it was going to be a rental property.

Roy Rosgo, 425 Benjamin. He felt that the comments made by Bruce Robbins spoke for the rest of the tenants.

THE PUBLIC HEARING WAS CLOSED FOR COMMENT.

Commissioner Mulcrone asked if when the Fire Department reviewed the project did they consider construction type. AVM Carey indicated the Village and the Fire District would not approve a permit that was not within all code requirements. Commissioner Hezner stated that if the Fire Department said they could access the site, then that should be the end of it. Mr. Weiss defended the project and indicated he would address any specific issue that anyone presented. Chairperson Morris felt that when they look at the Special Use conditions and the 18.3 Standard, the issue that the Village needs to address, thru this Commission, is, does the increase in density from 40 to 52 units, putting aside if they are rental or ownership, meet the Standards of the Zoning Code. He felt the Standards needed to be addressed. Mr. Weiss agreed and wished to address the Standards.

Chairperson Morris made a motion to continue the Public Hearing until February 21, 2018.

Seconded by Commissioner Heidner

Vote

Ayes: 7 - Morris, Hezner, Heidner, Gorog, Mulcrone, Ballowe, Cotton

Nays: 0 - None

Absent: 0 - None

Motion carries

The Commission voted 7-0 to continue the Public Hearing until February 21, 2018.

II. Development Review

AVM Carey noted that on February 28th, there will be a concept presentation by District 73 and the Park District to discuss the preliminary site plan for the proposed kindergarten center to be located north of the Sullivan Center. At some point the Commission will be discussing small cell sites and short term rentals.

III. Approval of Minutes

Approval of the minutes of the January 17, 2018 meeting of the Planning & Zoning Commission. Chairperson Pro Tem Heidner made a motion to approve the above noted minutes, seconded by Commissioner Ballowe. On a voice vote, the minutes were approved as amended. Commissioner Mulcrone and Gorog abstained.

IV. Adjournment

With no further items on the agenda, Chairperson Pro Tem Heidner made a motion to adjourn the meeting. Commissioner Cotton seconded and on a voice vote, the motion was approved unanimously.

Meeting adjourned 9:39 pm.

Respectfully submitted,

Joseph T. Carey
Assistant Village Manager

Distribution:

Village President and Trustees
Village Clerk
Village Manager
Commission Members

File

2-28-18

Approval Date


Chairperson


Secretary

Videotape of the meeting retained on file pursuant to Village policy.