

**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE OF VERNON HILLS  
JULY 17, 2018**

President Pro Tem Koch called the meeting to order at 8:12 p.m.

IN ATTENDANCE: President Pro Tem Koch, Trustees Takaoka, Marquardt, Oppenheim, and Schultz. President Byrne attending via telecom. A quorum was established.

Also present were: Village Manager Fleischhauer, Assistant Village Manager Carey, Building Commissioner Atkinson, Chief Kreis, Public Works Director Brown, Acting Finance Director Gaskil, Attorney Hunt, and Recording Secretary Fishbach.

**1. APPROVAL OF COMMITTEE OF THE WHOLE MEETING MINUTES OF JUNE 19, 2018**

Motion by Trustee Marquardt, second by Trustee Schultz, to approve Committee of the Whole Minutes for the June 19, 2018 meeting.

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**2. REQUEST FROM MASSAGE ENVY FOR APPROVAL TO WAIVE SEPARATION REQUIREMENTS FOR MASSAGE ESTABLISHMENT LOCATED AT 700 N. MILWAUKEE AVENUE**

Representatives from Massage Envy appeared before the COW to request waiver of the separation requirements as set forth in Section 10-122(3) of the Code of Ordinances. The request would allow a massage establishment to be located within 289 feet of a business licensed to sell alcohol, rather than the minimum separation requirement of 300 feet (Note: this location complies with the 1000-foot separation requirement from residential uses).

The COW at its meeting on June 19, considered a similar request for a proposed location in Melody Farm. This included a waiver allowing a massage establishment within 1000 feet of a residential building and within 300 of a business licensed to sell alcohol. After review and discussion, the requests were denied and Massage Envy was encouraged to find an alternative location.

Motion by Trustee Schultz, second by Trustee Marquardt, to direct staff to prepare an Ordinance waiving the requirement for massage establishments as set forth in Section 10-122(3) of the Vernon Hills Code of Ordinances allowing Massage Envy to be located 289 feet from a business licensed to sell alcohol.

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**3. REQUEST FOR AN OUTDOOR DINING AND SEATING ESTABLISHMENT PERMIT FOR WHOLE FOODS MARKET LOCATED AT 851 N. MILWAUKEE AVENUE (BC ATKINSON)**

Representatives of Whole Foods Market submitted an application for an Outdoor Dining and Seating Establishment permit for their establishment located in Melody Farm. Seven (7) tables with a seating capacity of twenty-eight (28) customers are proposed on the front (east) side patio. A fence would be located around the perimeter separating the public from customers who may be consuming alcohol and self-closing/self-latching gates would be provided at each end of the fenced area.

In 2000, the Village Board approved Ordinance 2000-61 that outlines the permitting requirements and operating standards for all outdoor establishments. As this is the applicant's initial request, the Village Board has authority to consider the application.

If the COW feels that this request is appropriate, staff should be directed to prepare a Resolution approving the request subject to the following conditions:

1. Compliance with the requirements described in the Village of Vernon Hills Code of Ordinances, Chapter 10, Article VI.
2. Compliance with the application and plan, dated June 5, 2018.

Motion by Trustee Marquardt, second by Trustee Schultz, to direct staff to prepare a Resolution approving the request subject to the above conditions.

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**4. PANDA EXPRESS– CONCEPT PRESENTATION FOR A SPECIAL USE PERMIT TO ALLOW A PANDA EXPRESS RESTAURANT WITH DRIVE-THRU AT HAWTHORN VILLAGE COMMONS (AVM CAREY)**

Representatives from Panda Express appeared before the COW to present their concept plans for special use permit for a drive-thru along with certain improvements at the property located at Hawthorn Village Commons. Panda Express is currently moving towards a drive-thru concept and intends to close the existing Panda Express adjacent to Mariano's/Lowes (a second Panda Express is also located in the Mall).

Panda Express proposes to create a 38,411 foot lot located at the northeast corner of Townline Road and Hawthorn Village Commons entrance magazine. This lot will require a variation as the Village's Zoning Code requires a minimum lot size of 40,000 square feet. The petitioner proposes to construct a 2,200 sq ft. building with 54 internal seats and up to three employees per shift. A total of 74 parking stalls will be provided which is greater than the required 29 parking spaces.

The proposed drive-thru is located on the north and western building elevations. Traffic would enter the drive thru lane from the north and travel along the western building elevation. A total of 7 stacking spaces is proposed for the drive-thru.

Panda Express intends to construct the exterior of the building with stone and composite decking. The masonry ordinance will apply to this building and a variation will be required.

Motion by Trustee Schultz, second by Trustee Marquardt, to direct Panda Express to begin technical review and appear before the Planning & Zoning Commission in a public hearing for consideration

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**5. VERNON HILLS PARK DISTRICT – CENTURY PARK EXPANSION -  
CONSIDERATION OF REPORT AND RECOMMENDATIONS FROM THE PLANNING &  
ZONING COMMISSION REGARDING VARIOUS ITEMS INCLUDING THE REZONING AND  
SITE PLAN, FOR PROPERTY LOCATED AT 950 LAKEVIEW PARKWAY (FORMER OPA  
PROPERTY) (AVM CAREY)**

Representatives from the Park District appeared before the Planning & Zoning Commission on July 11, to present their plans for redeveloping the property located at 950 Lakeview property (former Opa restaurant) and requested the following:

1. Approval to amend the zoning classification from B-1, General Business to COS – Conservation Open Space for the property; and
2. Preliminary and final site plan approvals.

The Park District purchased the property and has since demolished the Opa building. The petitioner intends to incorporate the property into the adjacent Century Park by removing much of the existing parking lot and creating additional green space. As part of redevelopment of the property, a bathroom will be installed adjacent to a 46 space parking lot. The Park District noted that the additional space will accommodate many of the Village and Park District special events in the area and cited the underground electrical being installed as an example of one of the benefits of the redevelopment.

No members from the public spoke on this issue. The Commission spoke favorably of the proposal and only commented on adjusting the position of the sidewalk adjacent to the bathroom facility.

**Recommendations:**

The Commission voted 3-0-1 (Morris, Heidner, Cotton absent, Ballowe abstain) to recommend approval of the following:

1. Approval to amend the zoning classification from B-1, General Business to COS – Conservation Open Space for the property; and
2. Preliminary and final site plan approvals.

General Compliance with the following plans:

- Site Plan by Gewalt Hamilton Associates dated June 8, 2018 totaling 3 pages.

Conditions of Approval for the entire Site:

1. Compliance with all ordinance and standards of the Village except as otherwise noted.
2. Adjust the bathroom to the southeast to allow for the adjacent sidewalk to be located to the northwest portion of the bathroom.

The approvals would be subject to compliance with the variations and the Conditions of Approvals listed above.

Motion by Trustee Schultz, second by Trustee Oppenheim, to direct staff to prepare the necessary ordinance granting approval of the following:

1. Approval to amend the zoning classification from B-1, General Business to COS – Conservation Open Space for the property; and
2. Preliminary and final site plan approvals.

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**6. COOK MEMORIAL PUBLIC LIBRARY DISTRICT – 701 ASPEN DRIVE – CONCEPT PRESENTATION FOR A SPECIAL USE TO AMEND THE PLAN UNIT DEVELOPMENT AND AMEND THE SITE PLAN OF THE COOK MEMORIAL SUBDIVISION TO ALLOW FOR THE CONSTRUCTION OF A LIBRARY EXPANSION (AVM CAREY)**

AVM Carey noted that the initial approval of the Aspen Drive Library included a three lot subdivision, Lot 1 and Lot 3 being the location of the 20,000 square foot library and Lot 2 owned by the Village. The popularity of the Library has led to inadequate space for children and teens and limited quiet areas for adults. The Library is proposing a 15,000 square foot addition on the northeastern portion of the building. This addition includes 7,500 square feet of usable space on the ground floor and 7,500 square feet of basement space set aside for future development.

The expansion will be utilized for a dedicated children’s wing, larger quiet space for adults as well as additional study rooms. In addition to the building expansion, 21 parking spaces will be added to Lot 2 bringing the total number of parking spaces to 140 (5 handicapped). No parking variation will be required.

The Library is requesting direction from the COW on the appropriateness of the expansion. If the COW feels that the expansion is appropriate they should be directed to begin the technical review process and appear before the Planning & Zoning Commission in a public hearing at a date to be determined.

Motion by Trustee Schultz, second by Trustee Marquardt, to direct the Library District to begin the technical review process and appear before the Planning & Zoning Commission in a public hearing at a date to be determined. All building fees will be waived.

Roll call vote:

AYES: 6 – Koch, Oppenheim, Schultz, Marquardt, Takaoka, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

**7. ADJOURNMENT**

Motion by Trustee Marquardt, second by Trustee Schultz, to adjourn the Committee of the Whole.

Roll call vote:

AYES: 5 – Koch, Oppenheim, Schultz, Marquardt, Takaoka

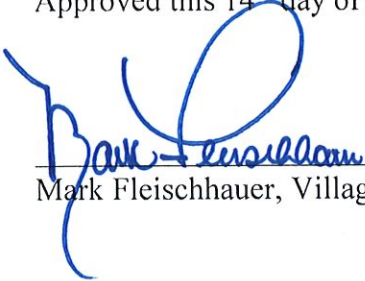
NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

Motion carried.

Meeting adjourned 8:37 p.m.

Approved this 14<sup>th</sup> day of August 2018



Mark Fleischhauer, Village Manager



Thom Koch, President Pro Tem