

Village of Riverwoods
Plan Commission Meeting
December 1, 2005

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In Attendance:

Ron Pankau
Laurie Breitkopf
Cheryl Chamberlain
Kristine Ford
Larry Kanar
David Ritter
William Kaplan
Bruce Huvad
Pat Glenn
Sherry Graditor
Linda Dunn

Absent:

Joan Becker

Minutes taken by Debbie Limer

The meeting was called to order at 7:35 PM.

IV. Approval of Minutes

Plan Commission Meeting – August 4, 2005

Commissioner Ford moved to approve the minutes as amended. Commissioner Kanar seconded the motion. Motion was carried by voice vote.

Plan Commission Meeting – November 3, 2005

Commissioner Ritter moved to approve the minutes. Commissioner Chamberlain seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

None

VI. Current Matters

Chair Pankau opened the Public Hearing on Text Amendments at 7:40PM.

He started with the Text Amendment Considering the Question of Hardship. Atty. Huvad stated that he copied David Niedelman, Chair of the Zoning Board of Appeals Board, on this issue. He explained that the reason for this hearing is a garage. A resident wants to build a garage close to the side yard. The next door neighbor's house is built far from the side yard. The owners want to expand their garage and go into the side yard. There would be considerable difficulty putting the garage on the other side of the house or behind the house because of the woods and a stream. Atty. Huvad indicated that the

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ZBA has found the situation to be a hardship with a lot of discussion. The Board of Trustees felt it did not meet the standards for hardship. The owners need a variance because they do not want to take down a bunch of trees to build the garage in the back of the house. He stated that the language currently in the Zoning Ordinance on variances is very old. He has done some research and had written a memo on two zoning cases from 2000 and 2005. One of the court cases points out that the owners should not create their own hardship. In this case the situation is not self-created. Atty. Huvad stated that the owners should be able to get a four car garage on a two acre lot. The desire to put in a four car garage is not the issue. It is a hardship because not everyone in the area has the issues of the woods and the stream. Mayor Kaplan pointed out that the prior owners sold off a piece of the land. Sherry Graditor added that the current owners tried to buy it back, but the owners would not sell. Linda Dunn stated that the other neighbors are not bothered by the garage going into the side yard.

Atty. Huvad told the commissioners that hardship should not be a personal problem. It should be part of a land issue. He added that as a Village we have only granted one or two variances. Hardship is used in other communities much more regularly. Hardship can have a beneficial impact as well. He stated that he has looked at other communities. He gave the commissioners a handout that laid out two standards for hardship. Commissioner Chamberlain asked what happens after new lots are subdivided. Atty. Huvad explained that it becomes an existing condition. Commissioner Chamberlain questioned if we want to do so much now because it could become a problem later. Atty. Huvad admitted that that may be a factor to consider. Commissioner Ford asked if these standards would tighten things up. Tear downs could become an issue. Atty. Huvad pointed out that with a tear down a hardship has to be demonstrated as well. Chair Pankau stated it is not a hardship if the house is being torn down and starting over. Builders are getting good at bending the rules; our job is to keep them within the guidelines. Atty. Huvad indicated that we have more standards and conditions than in the past. With the current language it is impossible to have a variance. The burden is on the applicant. They have to show the hardship and other fact finding.

Chair Pankau stated that if we get more requests for variances, we do not have to grant them. He added in this instance he went out and saw the house. They could build a garage off the back of the house, but they would have to take down trees. It would go against what the other neighbors want. We want to keep some flexibility. Commissioner Ford reported that we need to find a balance. Commissioner Ritter asked about one of the conditions from the handout. After further discussion Atty. Huvad suggested removing that condition. The commissioners recommended a few other changes.

Chair Pankau moved to the Public Hearing for a Text Amendment concerning Driveway setback from the side lot line. Atty. Huvad explained that the requirement now is 20 feet

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off of the side lot line. Pat Glenn explained that this is a hot issue. It comes up on tear downs all of the time. Developers are very unhappy to change. Chair Pankau stated that the developers are arguing that they are not creating a corner lot. Pat reported that he is tired of hearing the argument. This will make things easier for him in regards to tear downs. Developers would have to move the driveway within the set back. Driveways and patios are considered to be structures. This will establish some guidelines.

Commissioner Ford moved to close the Public Hearing. Commissioner Breitkopf seconded the motion. The Public Hearing was closed at 9:20PM.

Atty. Huvard questioned if the recommendations in the handout for the first text amendment should go to the board. Chair Pankau suggested that the changes be made and then the commissioners look it over again. Commissioner Ritter moved to recommend the Text Amendment Concerning Driveway Setback from the Side Lot Line to the Board of Trustees. Commissioner Breitkopf seconded the motion. Motion was carried by voice vote.

Chair Pankau wanted to know if there were any suggestions on the Comprehensive Plan. Commissioner Chamberlain stated that she does not like decorative lighting. Atty. Huvard reported that the board has asked for an ordinance to restrict lighting. Chair Pankau mentioned ideas for the Comprehensive Plan. One of the ideas was a community gathering area in the 37 acres. Atty. Huvard stated that has already been suggested for the land the Village owns, next to the fire station or across the street from the Village Hall. Mayor Kaplan added that the CCI is also looking into that. Commissioner Chamberlain reported that she is concerned about big tall fences. She does not want to only be able to see tree tops. Commissioner Breitkopf stated she is concerned about the amount of fencing. The village is starting to look like a patchwork of fencing. Commissioner Chamberlain told the commissioners she does not know how to set up limitations. Linda Dunn added that deer fences are 10 feet high, but the ordinance limits fences to six feet high. Commissioner Chamberlain stated fencing should be discussed. Chair Pankau indicated fencing would be added as an issue. Commissioner Chamberlain pointed out that the Village has done a lot to encourage preserving, but not a lot with planting. Commissioner Kanar suggested adding "enhancing" into the Comprehensive Plan with regard to planting. Commissioner Breitkopf reported that we should discourage non-native, evasive species. Sherry Graditor stated we should encourage removal.

Commissioner Chamberlain suggested commercial building facades that are woodsier. Commissioner Ford asked about Home Rule. Atty. Huvard commented that Home Rule will allow more flexibility with zoning. Commissioner Ritter asked when the referendum will be. Atty. Huvard responded March 21, 2006 at the general primary. Commissioner Breitkopf explained that the paragraph on water system expansion in the Comprehensive

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Plan is too judgmental. We need to examine the issue. Atty. Huvad stated that it is policy in Illinois to encourage communities to get on Lake Michigan water. Recharging the aquifer by reducing our dependence on it helps the woodlands, but he would be willing to look at the language of that paragraph. Commissioner Ford asked about sewer. Mayor Kaplan pointed out that less than 10 homes in the Village are not on sanitary sewer. Six will be required to hook up after they are sold.

VII. New Business

None

VIII. Comments from the Chairperson

Chair Pankau told the commissioner that the Village Holiday Party will be December 21st. Mayor Kaplan stated that all of the commissioners are invited.

IX. Adjournment

Chair Pankau stated the next Plan Commission meeting will be January 5, 2006. Commissioner Chamberlain moved to adjourn the meeting. Commissioner Ritter seconded the motion. Motion was carried by voice vote.

The meeting adjourned at 9:00PM

Respectfully Submitted,

Debbie Limer

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Plan Commission Meeting
August 4, 2005

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In Attendance:

Ron Pankau
Joan Becker
Laurie Breitkopf
Larry Kanar
Bruce Huvad
William Kaplan
Sherry Graditor

Absent:

Cheryl Chamberlain
Kristine Ford

Minutes taken by Debbie Limer

The meeting was called to order at 7:40 PM.

IV. Approval of Minutes

Plan Commission Meeting – July 7, 2005

Commissioner Breitkopf moved to approve the minutes as amended. Commissioner Kanar seconded the motion. Motion was carried by voice vote. Chair Pankau voted “aye.”

V. Visitors Wishing to Address the Plan Commission

None

VI. Current Matters

A. Lasky Subdivision

Atty. Huvad explained that the Board of Trustees did not approve the preliminary plat. The subdivision ordinance does not allow for the approval of a subdivision with a non-conforming lot. Currently all of the lots are non-conforming. After the proposed subdivision there would still be one non-conforming lot in the subdivision. The Board of Trustees feels that it is a bad precedent. There is currently a similar situation in the Village. A resident who has adjoining properties in both Riverwoods and Lincolnshire would like to bring the Lincolnshire land into Riverwoods. One of the lots would be non-conforming. We have suggested that he drop that one lot. Atty. Huvad stated that that is one example of the issue. The Board of Trustees does not want to stray.

Atty. Huvad pointed out Section 10-1-8 of the Subdivision Code. It mentions hardship. The Plan Commission could send this matter to the Zoning Board of Appeals for a possible variance. The Board of Trustees agreed that if there is a discussion of variance

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the matter needs to go to the Zoning Board of Appeals. He added that this will take a little longer because the Laskys are out of town. At this point the Plan Commission does not need to do anything. Atty. Huvard explained that if the Laskys still want to develop the land, they can come and ask us to refer this to the Zoning Board of Appeals. Their other choice is to build on the land that they have. Commissioner Kanar stated that they can build on their existing non-conforming lots, or we can send this to the Zoning Board of Appeals. Atty. Huvard reported this could come back to the Plan Commission after the Zoning Board of Appeals. If the preliminary plat stays the same, it could go straight to the Board of Trustees and skip the Plan Commission. He stated if a variance is needed, it must go to the Zoning Board of Appeals.

Chair Pankau introduced Terry Tackberry to the commissioners. Mr. Tackberry told the board he is under contract to build the homes on the Lasky property. He explained that the Windlake lot 3 is 110 feet in width. The minimum average width of a lot in the Village must be 150 feet. The Laskys are intent on accomplishing their goal. He showed the commissioners a map to show the affect of the proposed changes on the property. Mr. Tackberry stated that the designs for the houses are done and ready for permits based on the proposed lot changes. He told the commissioners that he has suggested that lot 3 is not buildable. Atty. Huvard explained that the owners can do land exchanges, but not as a part of a subdivision plat. The lots have to be conforming. It has been suggested to allow for the two larger lots and one non-buildable lot. Mr. Tackberry wanted to know if the Plan Commission could advise on the hardship provision. Atty. Huvard stated that the Plan Commission cannot. Chair Pankau reported that the Plan Commission recommended the plat, but the Board of Trustees did not approve it.

Terry Tackberry showed the commissioners the lots as they are now and how they are proposed. Lot 3 has the necessary square footage, but it is not wide enough. Atty. Huvard stated that the homes on Woodland would be much larger, altering the neighborhood. He pointed out that there is no lot frontage on lot 3.

Commissioner Ritter arrived at 8:00PM

Commissioner Kanar questioned who makes the decision if a lot is buildable. Atty. Huvard stated that the Board of Trustees makes that decision based on the guidelines in the Subdivision Ordinance. Atty. Huvard explained that if the Laskys would like us to, this matter can go to the Zoning Board of Appeals. Mr. Tackberry stated that the Board of Trustees still has to approve the deeded lots. The Laskys were told a subdivision was the easiest way to go. He explained that he understands the precedent issue. Mr. Tackberry reiterated the Lasky's two options. The first is if the board agrees they will have two buildable lots and one non-buildable lot. The second choice is to go before the

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Zoning Board of Appeals to try to get a variance. The second choice will be very difficult option.

Atty. Huvard questioned if the set back on the proposed houses are farther back than others on the street. Mr. Tackberry stated that they would be set back farther. Atty. Huvard told the commissioners that he wonders how the new _ acre houses are looking. Several new ones have just been built. We may want to consider making a generalized adjustment to change the set back for houses on _ of an acre. Mr. Tackberry explained that it is very hard to design a house within the current limitations of the existing lots from an economic standpoint. Taking the three lots and building a total of two larger homes on them does not make a lot of sense to the Laskys. The Laskys feel that they were not given full disclosure on the issues with the subdivision. They felt they had a nice opportunity to improve the area.

The resident at 2280 Duffy Lane stated that he is part owner of the lake. He questioned if the commissioners are considering the health of the lake. There has been a problem with trespassing. He also wanted to know if it is legal to have drainage into the lake. He has noticed a resident with a drain pipe into the lake. Atty. Huvard explained that any homes that are added to the area would have to meet all of the Storm Water Management requirements. The resident reported he is concerned about trespassing. Chair Pankau explained that there should be less trespassing on a lot with a home and owners than a vacant lot. He added that it was suggested at the last meeting that a homeowners association be established for protection and possible improvement of the lake. The resident stated that he did not know about the subdivision discussion. Atty. Huvard responded that the Board of Trustees is now suggesting signs be posted for subdivisions. There will be an ordinance for the next Board of Trustees meeting establishing the guidelines for the signs. The resident suggested letters to area residents as well.

Terry Tackberry explained that changing the set backs on _ lots will take years. The Laskys are going to have to make a decision. Chair Pankau stated the only thing that the Plan Commission can do is send this matter to the Zoning Board of Appeals on behalf of the Laskys. Commissioner Kanar moved to refer the Lasky Subdivision to the Zoning Board of Appeals for the consideration of a variance for a non-conforming lot. Commissioner Ritter seconded the motion. The motion was carried by voice vote.

B. Comprehensive Plan

Atty. Huvard told the commissioners that the existing Comprehensive Plan broke the Village up into three units. There was north of Deerfield Road, south of Deerfield Road, and west of the River. We want the new elements in the Comprehensive Plan to consider the character of the Village. He suggested that the commissioners email their thoughts to him. He handed out paperwork with some other objectives to consider in the updated

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Comprehensive Plan. The topics were Woodland Eco-System, Major Street Corridors and Multi-Use Paths, Residential Neighborhoods and Utility Infrastructure, Corporate Campus, Milwaukee Commercial Corridor, and Community facilities and services.

Atty. Huvard explained that in the woodland eco-system the first step was to adopt the Woodland Protection Ordinance. The next step should include education efforts and manuals for residents, so that they understand the ordinance and are able to abide by it. With the issue of major street corridors we will see changes in Deerfield Road as the 37 acres are developed. We will start to explore "Context Sensitive Design" with the road widening. Atty. Huvard told the commissioners that the Village now has a master plan for multi-use paths. We will also be looking to make improvements with commuter and traffic issues.

Atty. Huvard stated under neighborhood and utility infrastructure we would like to extend water to those residents who do not have it and would like it. We would like to try to get water from Northbrook. We want to better organize our road associations. He added that less than half of the subdivision road associations have signed traffic agreements so that the rules of the road can be enforced. We want to improve that statistic. Atty. Huvard explained that we want to monitor the impact of construction activity on the streets and woodlands. The Lake-Cook –Saunders corporate campus is almost built out. There is a possible CCH expansion. The Milwaukee Avenue commercial corridor will be in development as the TIF Redevelopment Plan takes action. We will be addressing shopping, pedestrian, architecture, and sales tax issues with this major development.

Atty. Huvard indicated that the last issue for the Comprehensive Plan is community facilities and services. He stated that we have been a member of the NSSRA for about eight years. We also have Arts and Riverwoods, the Theatre in the Woods, and the Center for Enriched Living. We are exploring the idea of going Home Rule. That would have a big impact on the Village providing more revenue sources. He explained that the Village of Lincolnshire went Home Rule because of the Marriott. The Marriott brings in to the Village of Lincolnshire over \$1M a year. We are very limited as to what we can do with the money that comes in from the Hotel tax. The only things we can spend it on have to promote tourism in the Village. Commissioner Ritter questioned what else becoming Home Rule would do for the Village. Atty. Huvard explained that there are other benefits that going Home Rule can do for the Village. There would be no tax cap. The elected leaders can raise more taxes. It would allow us the full power to promote the health and welfare of the Village. With 25K residents or more, a Village is automatically Home Rule. The rest of the Villages have to pass it by referendum. A Home Rule community is exempt from the Affordable Housing legislation. We could consider putting in some attached housing for older residents who want to stay in the Village. Right now the only housing we have in the Village is single family.

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Atty. Huvad stated that he would write more of the information out. Commissioner Ritter reported he would like as much written out as possible. He would also like a period of time set aside for comments. This should be made widely available to everyone in the Village. Atty. Huvad stated he would have it for the next Plan Commission meeting. Commissioner Ritter suggested having it on the web site, so that it can be downloaded. Mayor Kaplan reported that only 10% of residents use the website. We can add a survey to the Village Voice. Commissioner Ritter suggested doing both. Trustee Sherry Graditor indicated that the CCI survey was done a year ago. It asks a lot of the same questions. The results are at the Village Hall. We received a very good response on that survey. Chair Pankau stated that Atty. Huvad will put the information together for the next meeting. We will put it on the website, in the Village Voice, and we will look at the survey. We can then decide the direction we want to take.

VII. Comments from the Chairperson

None

VIII. Old Business

None

IX. New Business

None

X. Adjournment

Commissioner Ritter moved to adjourn the meeting. Commissioner Breitkopf seconded the motion. Motion was carried by voice vote.

The meeting adjourned at 8:50PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Plan Commission Meeting
June 2, 2005

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In Attendance:

Ron Pankau
Joan Becker
Laurie Brietkopf
Cheryl Chamberlain
Larry Kanar
David Ritter
William Kaplan
Bruce Huvad
Pat Glenn
Sherry Graditor

Absent:

Kristine Ford

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

IV. Approval of Minutes

Plan Commission Meeting – May 5, 2005

Commissioner Ritter moved to approve the minutes as amended. Commissioner Chamberlain seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

None

VII. New Business

A. Public Hearing Regarding Text Amendment Affecting Provisions of the B-1 Neighborhood Business District

Commissioner Becker moved to open the Public Hearing. Commissioner Breitkopf seconded the motion. Motion was carried by voice vote.

Atty. Huvad explained that a notice was published for the Public Hearing for the text amendment of the Zoning Ordinance, Article B-Section 5. That part of the Zoning Ordinance deals with uses that are authorized in the Village. We need to consider the uses of a service station, car wash, convenience store, and bank with drive through lanes. Atty. Huvad stated that Mr. Maurides suggested that we refresh the situation since this was originally discussed quite some time ago. At the moment we are only concerned with the uses BP is proposing. He referred the commissioners to C1 on page 4 of the ordinance. That is where the provisions for the service station are explained. He added that the use

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will be tied to the development plan. We will be adding this use only in this district. By adding the use into the Zoning Ordinance Mixed Plan Developments it makes it possible to approve the service station, car wash, and convenience store. Atty. Huvad reported we can limit this to just this site. He pointed out Section 2 on page 5. It deals with lot coverage and impervious surface. It is determined on an individual basis, but we are trying to balance the individual developments with the entire site. He suggested that the Plan Commission recommend approval of the sections of the text amendment pertaining to the service station, signs, impervious surface, and lot coverage. Commissioner Kanar moved to recommend approval of subsection C-1 of Section 1, and Sections 2 through 5 of an Ordinance Amending Certain Provisions of Article B of Chapter 5 of the Riverwoods Zoning Ordinance Pertaining to Mixed-Use Planned Developments. Commissioner Breitkopf seconded. Motion was carried by voice vote.

VI. Current Matters

A. Continuation of Public Hearing: Regarding the 37 acres (Text Amendment and Special Use for Mixed Use Planned Development)

Commissioner Breitkopf moved to open the Public Hearing. Commissioner Becker seconded. The motion was carried by voice vote.

Atty. Huvad told the Commissioners that the original publication for this hearing was on July 1, 2004. On that date there was no quorum, so it was moved to July 8, 2004. This is the hearing that we have been continuing since that date. Ten of the 37 acres are in the Village and zoned R-1. The parcel has to be annexed, remapped, and put in the B-1 district. This will require a text amendment and special use. The approval of the text amendment will allow for changes to the permitted uses in the mixed use development. We also need to establish changes in the zoning pertaining to lot coverage in the mixed use development. Atty. Huvad explained that he wanted to update the text amendment to bring forward all of the discussions that have taken place since last year. We want to make sure Milwaukee Avenue does not become franchise row. We want a nicer quality establishment with good character. He added that we are looking for a destination restaurant. He handed out the recommended changes to the text amendment. Atty. Huvad suggested Section C-2i be replaced with "patrons shall be attended by table wait staff." The size requirement should be removed. Mr. Maurides asked about a Starbucks type establishment. It would be a stand alone with a drive through. Chair Pankau stated we do not want a drive through.

Atty. Huvad reported that we are working on the redevelopment plan. We want to get the area into the Village. All of the details can go into the annexation agreement. Before we can finalize the annexation there has to be a Public Hearing before the Plan Commission. The Plan Commission will do the preliminary review. At that time we can make the petitioners come back with more specific details. We have extensive opportunities to

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work things out after the preliminary plan is approved before we get to the final plan. Atty. Huvad explained that we do not necessarily have to work out the little details now. Things will change. He stated that we can recommend approval to the Board of Trustees. That will start the hearing on the annexation. Commissioner Becker asked if we should be restrictive now or later. Commissioner Ritter suggested being restrictive now, so that we do not have to pull back later. Commissioner Chamberlain wanted to know if we would consider a restaurant where patrons could bring in their own alcohol. Atty. Huvad reported that he would rather require the restaurant to sell liquor. Mr. Maurides stated that all of the developers will be subject to the agreement. Chair Pankau pointed out that the commissioners are just providing guidance right now. Mr. Maurides indicated that it is unusual to require a restaurant to sell liquor. There are risks with selling liquor. Sherry Graditor pointed out that Walker Brothers does not sell liquor. Chair Pankau explained that he is against patrons bringing in their own liquor. We can take out the selling liquor requirement if the restaurant would want that. Commissioner Ritter questioned if the Village is liable for a restaurant selling liquor. Mr. Maurides stated "no." He added that he understands that the Village is trying to promote the development, but the Village is adding another hurdle for a developer. Atty. Huvad stated this is just a recommendation.

Atty. Huvad went over the map of the development plan dated 9/23/04. There is a right in to access the 37 acres on Milwaukee Avenue. There is a proposed traffic light on Milwaukee to line up with Pekara Drive. A continuous right turn lane and center turn lane will be added on Milwaukee Avenue. Major improvements will be made to the intersection at Milwaukee and Deerfield. The third right access is not set yet. It will change from where it is indicated on the map. Atty. Huvad explained that the building within the 37 acres have been pulled from the street to create a "boulevard feel." Substantial landscaping will be added in and around the parcel. There will be a 25 foot landscape buffer on Milwaukee. There will be trees along the major circulation routes and the parking areas. Atty. Huvad told the commissioners there will be a landscape buffer for Brentwood and a hook up to the bike path in that area. All detention will be landscaped naturally. He explained that with the new owners of the 37 acres everything is up for grabs. They do not necessarily feel that a big box retailer is required. Atty. Huvad added that we never really wanted a big box. He reported that it was going to cost a lot of money in construction costs to build a building that could support the necessary floor weight of a big box.

Atty. Huvad told the commissioners that the residents on Thornmeadow are concerned about the noise. He explained that Mayor Kaplan and he went out to Thornmeadow and looked in the direction of the 37 acres. They were not able to see the site even in the winter because of the forest preserve. Mayor Kaplan stated that we have been told that this development would be a buffer to the residents on Thornmeadow. Chair Pankau asked what the new owners are doing. Atty. Huvad explained that the owners are

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concerned that a big box might not be the way to go. We can expect subtle adjustments. Commissioner Kanar reported that he understands that there is a new drawing. Chair Pankau suggested that we try to get this approved knowing that the owners may come back with major changes. Atty. Huvard stated the three measures under consideration should be approved separately. Commissioner Chamberlain indicated that we are very picky about what we want in the development, but we need to give options so that people will come in. Chair Pankau suggested leaving the door open. Commissioner Chamberlain reported we should change the alcohol requirement to “may serve alcohol.”

Commissioner Kanar moved to approve the remapping of the 37 acres from R-1 to B-1. Commissioner Chamberlain seconded. Motion was carried by voice vote.

Commissioner Ritter moved to approve the text amendment with the change in language. Section C2i should read “patrons shall be attended by table wait staff.” The size requirement should be removed. In Section C2ii “shall” should be changed to “may.” “Deserts” should be changed to “desserts. “ In section C2iii the third sentence should be changed to read “delivery or carry out may be permitted as an accessory use, and all flatware and dishware used in the service of meals shall be non-disposable.” Commissioner Breitkopf seconded. Motion was carried by voice vote.

Commissioner Breitkopf moved to approve the special use for the mixed use site plan development for the 37 acre site plan. Commissioner Becker seconded the motion. Motion was carried by voice vote.

Commissioner Ritter moved to close the Public Hearing. Commissioner Chamberlain seconded. The motion was carried by voice vote.

B. Lasky Subdivision
Nothing

C. Update of the Comprehensive Plan
Nothing

VIII. Comments from the Chairperson

Chair Pankau told the commissioner that Commissioner Becker had something she wanted to bring up. Commissioner Becker brought up the subject of plant preservation as a subject raised by the Riverwoods Preservation Committee. The members of the committee are concerned about the loss of native plants on tear down lots. She questioned if developers would let members of the committee in to save the native plants before construction. The committee members would like there to be an inquiry set up as procedure before demolition starts. Pat Glenn suggested talking to the Building

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Department to set up a procedure if a demolition permit is issued. Commissioner Becker asked about relocating the native plants. Pat indicated someone can be contacted to take out the native plants or relocate them to another part of the property. Commissioner Becker noted that there is really only one member of the committee knowledgeable enough to identify what is present on the property. She stated it is something to think about. Chair Pankau reported we can hold this subject for the next meeting. Pat suggested the committee put together a flyer to hand out to the developers when they come in for a permit.

IX. Adjournment

Commissioner Kanar moved to adjourn the meeting. Commissioner Ritter seconded the motion. Motion was carried by voice vote.

The meeting adjourned at 9:00PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Plan Commission Meeting
May 5th, 2005

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In Attendance:

Ron Pankau
Joan Becker
Laurie Breitkopf
Cheryl Chamberlain
Kristine Ford
Larry Kanar
David Ritter
William Kaplan
Bruce Huvad
Pat Glenn
Sherry Graditor
Russ Kraly
Linda Dunn

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

Chair Pankau told the commissioners and visitors that Cheryl Chamberlain and Laurie Breitkopf are the two new members of the Plan Commission. He will now be the chair. Linda Dunn is now on the Board of Trustees. He presented a plaque of appreciation to Linda Dunn

IV. Approval of Minutes

Plan Commission Meeting – April 7, 2005

Commissioner Ritter moved to approve the minutes as amended. Commissioner Breitkopf seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

None

VI. Current Matters

A. Continuation of Public Hearing: Regarding the 37 acres

Commissioner Kanar moved to open the Continued Public Hearing regarding the 37 acres. Commissioner Ritter seconded. Motion was carried by voice vote.

Atty. Huvad explained that the title of the 37 acres has changed hands. The new owners are very interested in developing the property and are proceeding in a very deliberate manner. They have met with the staff, and we hope to be back with the text amendment and special use soon. The type of use they are looking at is an upscale, lifestyle type

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center. Commissioner Becker moved to continue the Public Hearing until the next meeting. Commissioner Ford seconded. Motion was carried by voice vote.

B. Continuation of Public Hearing: Regarding the Riverwood Inn Parcel of 5 acres Commissioner Kanar moved to open the Continued Public Hearing regarding the Riverwood Inn Parcel of 5 acres. Commissioner Breitkopf seconded. Motion was carried by voice vote.

Atty. Huvad stated that the Riverwood Inn Parcel is in the B1 business district; which limits the use to a restaurant. The proposal is for a mixed use development. That requires a special use. The proposed text amendment will allow for a gasoline service station. Once the Plan Commission recommends the approval of the preliminary site plan, the owner has up to a year to come in with a final site plan. They are here for a final approval tonight. Atty. Huvad explained that with the preliminary plan we will eventually need the special use. He stated that Pat Glenn has submitted review letters dated April 28th and May 4th. Pat Glenn reported that he met with the development team for the outstanding issues listed in his April 28th letter. They turned the design issues around very fast. The biggest revision was the removal of most of the retaining wall. The reason for the retaining wall was that the detention was going down and the surface of the service station was moving up. That has been changed, and the wall is gone. The only retaining wall is by the car wash. Pat stated that we have discussed the transition for bike paths to be added later. They have left enough area for a dedication for the path. He added that the major engineering issues have been resolved. We know where the buildings, utilities, and detention will be. We will let them address the final issues at final engineering. Atty. Huvad commented that the bike path does not take away from the landscaping on the site. Chuck Stewart has made some suggestions. We know where access is supposed to be. We also have the specification on the bricks and shingles. Pat stated that we are still working on the lighting, but that is a final engineering issue. Atty. Huvad reported that the lights will point down.

Chair Pankau asked about signage. Walter Hainsfurther of Kurtz Associates stated that the signage has not changed. They are allowing the Village to have a gateway sign at the corner. There will be two identification signs. The brick of the signs will match the brick of the building. He highlighted all of the signs using the site plan. There will be signs on the canopy and building. Mr. Hainsfurther reported that they have agreed to have no window mounted signs. Commissioner Ford wanted to know if the Village does not use the gateway sign, whether or not their signage will change. Mr. Hainsfurther stated "no." Commissioner Becker wanted to know about the water feature. Scott Wilson stated that right now it will be a dry basin. He questioned if it could be wet. Pat Glenn commented that he thought it was wet. Commissioner Becker stated that she wants to avoid what has happened with the detention at the Shoppes of Riverwoods. George Maurides explained

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that they have worked with Chuck Stewart. The area is not that big. Atty. Huvad pointed out that he is sure that Chuck would want naturalistic planting.

Commissioner Ritter questioned if the plan is only for the BP. Atty. Huvad stated the plan for now is to have compensatory storage in the middle of the five acres, so the plan will include two lots with one out lot. Commissioner Ritter wanted to know what will happen later. Atty. Huvad reported there will be another Public Hearing after the compensatory storage and detention are put on the 37 acres. Commissioner Ritter wanted to know what the detention is going to look like. Atty. Huvad stated that Chuck suggested giving them two years and after that they would be required to plant higher quality plantings. Commissioner Ritter wanted to know what it is going to look like in the meantime. Scott Wilson explained that it will have a manicured look versus the over run look. Pat added it will look like Federal Life. Mr. Maurides stated that the bank would still like to go in at the second lot. We need the access issues worked out. He added that they are meeting with the new owners next week. As 37 acres is developed and the detention is moved to the 37 acre site, we will put in the bank. They will grant the owners of the 5 acres the compensatory storage, and the owners of the 5 acres will grant the 100 foot easement for their access to the Village. Commissioner Kanar moved to close the hearing on the Riverwood Inn parcel. Commissioner Ritter seconded the motion. The motion was carried by voice vote.

Commissioner Ford moved to approve the preliminary site plan subject to a landscape consultation with the Village Forester. The plan will now go to the Village Board. Commissioner Kanar seconded. Motion was carried by voice vote.

C. Irgens Development Partners, LLC – Consideration of Final Site Plan

Chair Pankau told the commissioners that Irgens Development is here for a final site plan approval. Pat stated he has an April 28th review letter. Every issue listed will be resolved with building permits. The only issue is the Village's right to limit left hand turns, if the traffic out of the office building is larger than anticipated. The Village would revisit the issue, if there is a high accident rate in the area. Pat stated that Irgens Development is not happy with that. The Village would be happy to work with them and specify that a designated number of accidents would trigger a change. Commissioner Ritter wanted to know if there is a traffic problem with the hotel now. Pat stated that there is not, but there will be greater peaks of traffic flow with an office complex. He added that we are not anticipating a problem. Commissioner Kanar asked about a cross easement with CCH. If they want something from us, we can ask for something from them. Pat reported that we have met with CCH, and they do not like the idea. We can keep it in mind, but there may be some issues with routing everyone into their parking lot. Randy Podolsky of Podolsky Northstar stated that their position is that everyone agrees that the building meets every criteria. It has been studied by both sides. They do not want accidents either.

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He recommended that the Village go to the County to solve the problem. Pat stated that we can investigate what has been done in other places. Things like signal timing and traffic can change in the future. Atty. Huvard reported that we would not limit any access in or out without Police issues. Chair Pankau asked about working through the County. Mayor Kaplan stated that that it will not happen. Mr. Podolsky commented that he would rather have an off-duty Police officer direct traffic. They do not want to develop the property, if the left turn could be taken away. Pat explained that we need to talk to the Highway Department first. Mr. Podolsky stated he is not comfortable with the restriction. Chair Pankau reported that we want to do it correctly now.

Mike McCall of Irgens Development reported that the occupancy at the hotel is higher now than it was, and there have been no traffic issues. Commissioner Ritter commented that there is more parking for the hotel than for the office. Mr. Podolsky stated there will be no retail at the office building. There is always the option of flex time for some of the employees. Chair Pankau stated that he did not want to be restrictive. He questioned if this is agreeable to the Police Department. Atty. Huvard pointed out that the Police Department suggested the restriction. We can recommend to pass this onto the Board of Trustees with the left turn issue. He added that Lake County was not happy about the auxiliary officer idea. Mr. Podolsky explained that they looked at this very closely before the building was designed, and they made a judgment. Commissioner Becker asked what they would do if there were too many accidents on days with non inclement weather. Mr. Podolsky stated he could change the work hours of his employees. He would do what was appropriate. Mr. McCall told the commissioners that he has talked to Chuck Burns and there have been no traffic issues. Mr. Podolsky pointed out that the Village could have had two fully occupied hotels with no left turn restrictions.

Atty. Huvard told the commissioners that, in reference to the sign, we recommended three names not eight. Mr. Podolsky stated the sign is 60 square feet. There could be three names or more. The divisions are theoretical. Atty. Huvard explained to the commissioners that Chuck Burns has asked not to cut down the existing hotel sign. He wants to enlarge the letters and use the whole sign. He added that the Police Chief went and measured the signs at the hotel, CCH, and Discover. The hotel sign is smaller than the others. The Board has asked for no more than three names on the sign for traffic issues. Mr. Podolsky explained that he would rather get a restriction on the size of the letters, not on the number of names. Commissioner Ford asked if there is any residential in the area. Mr. Podolsky stated the office building borders with Lake Cook Road, CCH, and the hotel.

Mr. Podolsky told the Commissioners that with regard to the lighting plan, they all agreed with Pat's recommendations. He gave Pat the revised drawings for the record with a revision date of 5/3/05. Atty. Huvard stated that the Board of Trustees suggested the

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same restriction of not allowing a high volume medical use, just like the Saunders Woods Corporate Center. He suggested using the same restrictions "subject to Board review." Mr. Podolsky pointed out that the parking is the issue. They are not planning on that type of use. They do not have the parking. He added that they have built parking in excess and have a shared parking agreement with the hotel. He stated he did not feel the restriction applied in this use because there is no residential.

Atty. Huvard explained that the recommendation of the final development plan will go to the Board of Trustees. The Board of Trustees will decide if this conforms to the plan. The Board of Trustees will then approve the special use. Commissioner Ford moved to approve the final site plan subject to Board of Trustees traffic review with the Police Department regarding the issue of the left turn out of the development. Commissioner Kanar seconded. Motion was carried by voice vote.

D. Lasky Subdivision

Chair Pankau stated the Laskys are not here tonight.

E. Riverwoods Estates

Chair Pankau stated that this development is proposed for Arrowwood and Ringland Roads. Jeffrey Cooper of Barrington Engineering Consultants introduced himself to the board as consultants for the owner. Atty. Huvard explained that we are considering a special use for these lots without frontage. They have been before the Board of Trustees already. The problems with these lots existed before they came to us. We are here to consider the preliminary subdivision plat. He explained that all of this will be subject to the Board of Trustees giving their approval for lots without frontage. Chair Pankau pointed out by doing things this way, we will be saving trees. Pat stated in his May 2nd letter there have been a couple of changes. There have been minor adjustments to the frontage easements. He is recommending approval. Commissioner Ritter moved for approval of the preliminary plat for Riverwoods Estates. Commissioner Breitkopf seconded the motion. Motion was carried by voice vote.

VII. Comments from the Chairperson

Chair Pankau welcomed the new commissioners. We accomplished a lot at this meeting, but we still have a lot to do.

Commissioner Ford asked about the Lasky subdivision. Atty. Huvard stated that it has been redrawn several times. Chair Pankau added they are still working on it.

Commissioner Ritter welcomed Chair Pankau to his new position.

VIII. Old Business

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None

IX. New Business

None

X. Adjournment

Commissioner Ford moved to adjourn the meeting. Commissioner Kanar seconded the motion. Motion was carried by voice vote.

The meeting adjourned at 9:05PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

Linda Dunn
Joan Becker
Kristine Ford
Larry Kanar
Ron Pankau
David Ritter
David Zehren
William Kaplan
Bruce Huvad
Mike Shrake
Sherry Graditor
Russ Kraly

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

IV. Approval of Minutes

Plan Commission Meeting – March 3, 2005

Commissioner Pankau moved to approve the minutes as amended. Commissioner Kanar seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

None

VI. Current Matters

A. Continuation of Public Hearing: Regarding the 37 acres on Milwaukee Avenue

Commissioner Kanar moved to continue the Public Hearing until the May meeting.

Commissioner Ritter seconded. Motion was carried by voice vote.

B. Continuation of Pubic Hearing: Rezoning and Special Use for Riverwood Inn
Parcel of 5 Acres.

Chair Dunn asked if we have received a check from the petitioner. Russ Kraly responded that we had not. Chair Dunn stated that we have bent over backwards with special meetings for this group. Documents were sent to Gewalt Hamilton on Monday. She reiterated that documents have to be in three weeks in advance for engineering review. They are then forwarded on to the Plan Commission. The five acre parcel will not be on the agenda until we have the \$10K of escrow money. She asked Atty. Huvad to call them and inform them. Commissioner Ritter moved to continue the Public Hearing until the May meeting. Commissioner Kanar seconded. Motion was carried by voice vote.

C. Continuation of Public Hearing: Text Amendment for Hotel Property on Lake Cook Road

Atty. Huvard explained we have a vacant lot next to the existing hotel. There was a special use in 1998 established for small parcel office compatible district. The current proposal is to extend that use to the vacant lot. This hearing has two subjects. The first is the text amendment for the FAR and ISR. They are asking for the same numbers as the hotel. The second is the application of the owners for the approval of the office building design. We have their site plan, elevations, and renderings. Atty. Huvard explained that they are not proposing a building bigger than the hotel. The building they are proposing is actually smaller. All of the subdivision improvements are done. He added Gewalt Hamilton have approved the storm water detention and grading. The office use is already permitted. The net affect is substituting a nice office building for a hotel. If the Plan Commissioners decide to approve the Special Use, it will go to the Board of Trustees.

Mark Irgens of Irgens Development Partners told the commissioners they accepted an offer to purchase the property. They have made a lot of progress on the plans and are working with Podolsky Northstar. He explained that his company is based in Milwaukee. All of their consultants are present. They include their civil engineer, attorney, landscape consultant, and traffic engineer.

Steve Nilles told the commissioners he would go through the project and site plan. It is currently a two story office building. They are going to use the existing curb cut and use wrap around parking. The building will have a continuous glass line. The glass will be a blue gray color. The solid areas will be a metal panel. Mike McCall of Irgens Development Partners pointed out the metal will be similar to Discover. Commissioner Becker stated the glass looks nice, but wanted to know if it will be hard on the birds. Mr. Nilles replied that is hard to say. He thinks there are more problems with birds flying into clear glass. The blue glass has a reflective quality. There will be parking for 30 cars partially below grade. The central lobby will be accessed from the east side. Atty. Huvard asked about deliveries. Mr. Nilles stated the north side will have an access area for deliveries and garbage pick up. The access will connect to the back side of the lobby. Deliveries will be encouraged in the back. Commissioner Ritter questioned if there would be a wall by the delivery space. Mr. Nilles stated that there would be. Commissioner Ritter explained that he liked the idea of a buffer on that side to shelter the homes in the area from the sounds of the trucks.

Nick Zaluzec from Walsh Landscape Construction explained that landscaping will be complementary to both the office and the hotel. There is a current water feature that will be complemented with shrubs. There will be seasonal interest at the entry. Chair Dunn asked about the size of the trees they are proposing to add. Mr. Zaluzec reported they

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will be 20 to 25 feet in height. The property will be completely sodded through out. The north and west side will have a berm with naturalistic plantings. They will use low maintenance landscaping between the office and hotel. The plantings will be resistant to the heat from the parking lot and snow pile up. Atty. Huvard asked if their swale matches up with engineering. Mr. Zaluzec stated they are meeting with engineering. Chair Dunn questioned where they are planning to put snow. Mr. Zaluzec pointed out it will go on both sides of the property and there is room for snow storage on the islands.

Mr. Nilles stated they are proposing a monument sign on the west side of the curb cut. The sign would be 10 feet by 7 feet 6 inches. Atty. Huvard pointed out that Discover uses a low sign, and The Country Inn sign was made for two users. He added he is wondering about the scale. He thought the plan was to use one sign for both users. Mr. Irgens told the commissioners their preference is to have their own sign. It is compatible with the use. He added they can look at the scale, but a lot of effort has gone into this sign. He explained that they want to be successful from a leasing standpoint. They want the identification. They are a different use from Discover and the hotel. Mr. McCall stated there are two different addresses on the site. Atty. Huvard reported that we may not be able to solve this issue tonight. Mr. Irgens pointed out that the sign is important to the success of the project. Commissioner Kanar explained that he understood there would be no signage on the building. Mr. Irgens stated they are asking for signage on the building in one location. It will be tastefully done. Commissioner Zehren asked if the monument sign will be illuminated. Mr. Nilles stated it will be. Commissioner Zehren asked if there is any way to make the sign six feet instead of ten. Mr. McCall stated that is possible, but then they will be asking for a larger sign.

Randy Podolsky of Podolsky Northstar reported that scaling back the sign may be possible, but they do not have a berm like Discover. The idea to be high rather than wide was to have better sight issues. The sign is designed to have name bands. Each name is only about a foot. The street sign will help people find the building. The building sign is to highlight the anchor tenant. The building sign will be harmonious to the building. Chair Dunn stated she did not have a problem with the building sign. She has a bigger issue with the monument sign. Commissioner Pankau explained that he understood why they did not want to share the sign, but the sign is too big. Chair Dunn reported she liked the lower profile option. Mr. Podolsky wanted to know what the Commissioners wanted. Commissioner Pankau stated he would be fine with a six foot sign. Mr. Podolsky told the Commissioners they would redesign the sign for no more that six feet high and 75 square feet total.

Atty. Huvard asked what the usable square footage is. Mr. Nilles responded 41,002 square feet. Atty. Huvard stated we need that for the FAR. He asked about the

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impervious surface ratio. A member of the Irgens team responded that the ISR was originally approved at 61%. As it is designed now, they are at an ISR of 55%.

Mr. Nilles explained they are proposing five lighting fixtures in the parking lot. They comply with the lighting ordinance. Mike Shrake, Village Engineer, stated that in some areas the lighting ratio is .1 to .2. That is not enough light. He added he did not think the lighting met the requirements. He was also concerned about the 16 parking spots that back into the drive lane. He wanted to make sure that the specifications for the lights match what is at the hotel. Mr. Nilles stated they can match what is being used at the hotel. Mr. Irgens added that they met with Pat Glenn and thought the lighting was okay. Mike Shrake explained that he doubted that Pat got into the photometrics of the lighting with the preliminary engineering. He is pointing out a possible problem that is easy to solve. He asked about the 16 parking spots. Mr. Mc Call stated that is part of the future plan. They are land banked right now. Mike Shrake responded that they need to be looked at.

Atty. Huvard stated he wanted to hear comments on the parking without the 16 spaces. At the moment they are proposing 136 spaces. That is about the same as the other hotels had proposed. He added there would be an additional 30 spaces below grade. Mike Shrake pointed out they have 4 parking spots per 1K square feet. Mr. Podolsky stated that is a very generous allotment. A representative from Irgens explained that taking the 16 parking spaces and reducing the number down to 10 solves the problem. Atty. Huvard pointed out that the underground parking is a good idea. Commissioner Zehren suggested a monument sign with the address and a sign closer to the building with the tenants. Mr. Polodsky stated they can make the monument sign work. They want to keep it. They are fine with changing the 16 parking spots. They want to know if the parking is okay as designed. Atty. Huvard commented that the parking is generous. He questioned if the petitioners feel it will work. Mr. Irgens stated they feel it will work as designed. They feel the parking is adequate. Commissioner Ritter asked about the hotel parking. Atty. Huvard commented that he did not think the hotel was ever full. A representative from the Country Inns stated the hotel has been full and the parking was never a problem. Commissioner Kanar asked about progress on leasing the space. Mr. Polodsky reported that they have 16K square feet spoken for and other possibilities.

Atty. Huvard reported that the traffic consultant feels the peak traffic will be at 5PM with 100 cars leaving the building. It is estimated that 50 cars will be turning left, and 50 cars will be turning right. There are a lot of opportunities to get out and turn left. There is a cross easement agreement with rights and duties. They are proposing some changes between tenants. Donna Pugh, of Vedder Price, stated it is an easy cross easement with shared detention and cross parking. Small modifications are being proposed as to the placement of the easement. Atty. Huvard explained this is a minor issue. We just amend

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the plat with everything else. He added that we are asking our corporate neighbors to contribute to the Police Department. It would be a fee divided between the lots. Right now we are getting \$1K a month from the hotel. We are asking for \$3K a month from the office building. They are asking for a modification of \$2,700 a month coming from the hotel and \$1,300 a month coming from the office building. We will recommend amending this in the special use. Commissioner Kanar asked if this was a fixed amount. Atty. Huvard stated that is was. There is a \$25K start up fee that goes to the Police Department six months after they open and then the monthly fee begins. Commissioner Kanar questioned if the fee is tied to some index related to inflation. Mr. McCall explained that it is unusual for an impact fee to be inperpituity. He added that they are a low burden to the Police Department.

Chair Dunn stated that she would like to see more plantings along the west side. Mr. McCall explained that they have met with Discover and CCH. They are all satisfied with the plan. Atty. Huvard pointed out that too much planting might be a problem with the storm water easement. Atty. Huvard stated that the proposed ordinance has taken some of the language from the existing ordinance. Paragraph E has the most changes. The FAR on both lots will be .26. The ISR for both lots will be .55.

Commissioner Pankau moved to close the Public Hearing. Commissioner Kanar seconded. Motion was carried by voice vote.

The Public Hearing for the text amendment for the hotel property on Lake Cook Road closed at 8:40PM.

Chair Dunn asked for a discussion on the proposal. Commissioner Pankau stated this is exactly what we want. We are lucky; this proposal is better than we anticipated. Commissioner Ritter added that he agreed. Commissioner Ford moved to recommend this text amendment to the Board of Trustees. Commissioner Pankau seconded. Motion was carried by voice vote.

Atty. Huvard wanted to reiterate the standards for the special use recommendation. He read from the Ordinance Amending the Text of the Riverwoods Zoning Ordinance Concerning Small Parcel Office Special Uses. He explained if the points are satisfied, we can have a motion to grant the small parcel office use. Chair Dunn stated the motion should be subject to the issues of the monument sign, the cross easement agreement, parking, and lighting. Commissioner Becker moved to recommend the special use for the small parcel office subject to the monument sign, cross easement agreement, parking, and lighting to the Board of Trustees. Commissioner Ritter seconded. Motion was carried by voice vote.

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The Plan Commission meeting recessed at 8:45PM

The Plan Commission meeting resumed at 8:50PM.

D. Public Hearing: Riverwoods Estates – application for a Special Use to Authorize Lots without Frontage. (Section 9-2-3 & 9-11-9)

Chair Dunn brought up the subject of Riverwoods Estates. Atty. Huvad explained the lots are on Arrowwood and Ringland. They want to take two lots and make it into three. The question has been how to get enough frontage on the lots. We decided the simplest solution was to set up a special use for lots without frontage. The land use plan is not changing. The proposed cul-de-sac is being put in to address safety issues. He stated by setting this up as lots without frontage they are saving trees, and they do not have to move the existing bridge. It saves the existing land uses. We are not suggesting this for new lots. These lots have existed for a long time. Chair Dunn asked if the problems with the neighbors have been solved. Atty. Huvad stated he thinks they have been. Calin Paunescu explained that they are proposing this to avoid cutting down trees. Atty. Huvad added the reason the lots are like this is because they were grandfathered in. Commissioner Ford wanted to know if the driveways that will have the added cul-de-sac already exist. Keith Lacy, of Barrington Engineering Consultants, stated “yes.” Atty. Huvad explained that we are not turning the driveways into streets. That would require a special use. Henry Hollander of 718 Ringland wanted know if the zero frontage affects what is built. Atty. Huvad explained they will still have a front yard. Normally the Board of Trustees does not like lots without frontage. Bob Teska felt it was important to have this ability for the flexibility. There are so many lots like this already in the Village. We will only use lots without frontage, if we do not have an alternative. He reported that the Board of Trustees could still say no, but it seems like a good solution. Mr. Lacy pointed out that each of the three lots is between two and two and a half acres. Without the easements each lot is over 80K square feet. The wetland delineation has been completed. Everyone met on the site. There are no additional wetlands. They met with Storm Water Management and the engineers. They have given them a detailed report and there were minimal changes. He questioned if the commissioners could vote on the preliminary engineering. Mike Shrake stated it cannot be approved at this meeting. Atty. Huvad pointed out we should get the Board of Trustees to approve the special use first.

Commissioner Pankau stated he wanted to hear from the neighbors. This does seem to be the best solution. Mr. Hollander stated it is the best solution. Sheila Hollander of 718 Ringland added there will be a lot of trees coming down for the third house. Chair Dunn asked if the bridge can support the weight of the trucks coming in for the construction. Mr. Lacy stated it would.

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Joseph McGowan of 716 Ringland asked about the timetable for the new home construction. Mr. Paunescu stated as soon as possible. Mr. Hollander asked about the timeline for fixing the road after all of the construction is completed. He questioned if the road will be repaired after each home is built or added on to. Mr. Paunescu reported he has no objections to fixing the road. Mr. Hollander suggested setting it up so that the road has to be fixed after a certain amount of months after the construction is completed. Atty. Huvard stated that he felt that was a reasonable request. Mr. McGowan told the commissioners that the real issue is that road will not hold up after construction. He was not sure temporary patching will be enough. Atty. Huvard asked if they have road covenants. Mr. McGowan stated they never needed them. The numbers were prorated for each owner on the street. Atty. Huvard explained that now seemed like a good time to get the covenants. We can suggest that as a condition to approval. Mr. Hollander asked if there is a template they could use. Atty. Huvard stated that there is.

Russ stated the owner should be responsible to patch as the construction goes in and resurface when the job is completed. Mayor Kaplan explained the second house is not going in on the same street. Mike Shrake reminded the commissioners that with the final plat we will need a letter of credit. Janet McGowan of 716 Ringland Road explained that the road is brick paved, and potholes can be difficult to repair. Commissioner Ford moved to close the Public Hearing. Commissioner Ritter seconded. Motion was carried by voice vote.

The Public Hearing closed at 9:20PM.

Commissioner Pankau moved to recommend to the Board of Trustees a special use for lots without frontage. Commissioner Ritter seconded. Motion was carried by voice vote.

Commissioner Dunn suggested a road association be established with Arrowwood. Atty. Huvard stated it should just be the four to five owners.

E. Public Hearing: Lasky Subdivision

Atty. Huvard stated that the Lasky Subdivision should not be a Public Hearing. It is a subdivision only. He added that he talked to the Laskys. It was our suggestion to have less non-conforming lots. They are working on the changes.

F. Comprehensive Plan

Chair Dunn told the commissioners she is leaving them with the Comprehensive Plan. They will do a good job.

VII. Comments from the Chairperson

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Chair Dunn told the commissioners that she has enjoyed working with them. All of the commissioners agreed they enjoyed working with Chair Dunn. Chair Dunn stated that she has been on the Plan Commission for ten years. She is looking forward to being a part of the Board of Trustees.

VIII. Old Business

None

IX. New Business

None

X. Adjournment

Commissioner Ford moved to adjourn the meeting. Commissioner Zehren seconded. Motion was carried by voice vote.

The meeting adjourned at 9:20PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

Linda Dunn
Kristine Ford
Larry Kanar
Ron Pankau
David Zehren
William Kaplan
Bruce Huvar
Pat Glenn
Sherry Graditor

Absent:

Joan Becker
David Ritter

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

Chair Dunn asked for approval to add the Lasky resubdivision to the agenda after Riverwoods Estates. Commissioner Pankau moved to add the Lasky resubdivision to the agenda. Commissioner Zehren seconded. Motion was carried by voice vote.

IV. Approval of Minutes

Plan Commission Meeting – February 3, 2005

Commissioner Ford moved to approve the minutes as amended. Commissioner Pankau seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

None

VI. Current Matters

A. Continuation of Public Hearing: Regarding the 37 Acres on Milwaukee Avenue
Commissioner Ford moved to open the continued Public Hearing. Commissioner Pankau seconded. Motion was carried by voice vote. The Public Hearing was called to order at 7:40PM. A roll call was taken.

Atty. Huvar told the commissioners that off site street improvements are still being worked on by LCDOT and IDOT. The hearing needs to be continued. Commissioner Pankau moved to continue the Public Hearing. Commissioner Zehren seconded. Motion was carried by voice vote. The Public Hearing was adjourned at 7:40PM

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B. Continuation of Public Hearing: Rezoning and Special Use for Riverwoods Inn Parcel of Five Acres

Commissioner Kanar moved to open the continued Public Hearing. Commissioner Ford seconded. Motion was carried by voice vote. The Public Hearing was called to order at 7:40PM. A roll call was taken.

George Maurides, representing the owners of the five acres, told the commissioners that the last time they were here the project was to be a three lot subdivision with BP, Amcore Bank, and a restaurant. He explained that the owners of the five acres and the owners of the 37 acres still have not been able to work out all of the issues with LCDOT. The owners of the 37 acres are not ready to make the necessary improvements. IDOT is requiring \$3.5M worth of improvements. Mr. Maurides reported to the commissioners that the proposal as it is now is just for the BP Amoco. They have worked on an agreement for shared access. There are provisions for them to have access to the 37 acres with an easement. The easement will allow them to have their compensatory storage on the 37 acres. He explained that after the owners of the 37 acres are ready to make the road improvements, they will develop the rest of the five acres. Mr. Maurides told the commissioners that BP is here with a site plan, and hope that it can be approved so that they can move ahead. He explained that they hope to get the shared access agreement with the owners of the 37 acres signed in the next two weeks. They would like to get this small part approved. He stated the BP will go over their plan again.

Walter Hainsfurther, of Kurtz Associates, told the commissioners that he has taken the project over from one of his associates. The overall plan has not changed. The plan has the same traffic circulation and positioning. There are some changes in the right of way to address concerns of the Village, LCDOT, and the owners. He explained that timing is critical. This has to be done in 2005 or they will risk losing the funding for this project. They are continuing to work with everyone on the concerns. Manhart met with LCDOT and got a verbal approval for the proposed improvements. The written letter will be forthcoming. Mr. Hainsfurther stated they are working on an access easement with the owners of the 37 acres. It will have benefits for both parties. As it stands now there is no road all the way across Deerfield Road. The dedications, set backs, and materials are all the same. He showed the commissioners the brick and shingle samples. The bottom of the building will use a darker brick than the top. Mr. Hainsfurther explained that they are setting the standards for the rest of the five acres and, ultimately, the 37 acres. Atty. Huvard pointed out the commissioners preferred the darker brick. Mr. Hainsfurther stated it is the same brick as before. Atty. Huvard mentioned that the color rendering and the proposed samples do not look the same. Mr. Hainsfurther stated everything is exactly the same. There are limitations as to the color renderings. He reported that the commissioners had liked the BP Amoco station in Wadsworth. That station is not BP

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owned and operated. It was developed privately. It cannot be replicated by BP. Atty. Huvard asked about the architectural shingles. Mr. Hainsfurther pointed out the sample of the shingles. He added that it can be stipulated in the contract exactly what brick and shingles will be used. They will refer to the samples, not to the rendering. This BP will be all brick with a shingled roof. He explained that the car wash will have a flat roof to not call additional attention to it. It will have a rubber type roof with a brick building. Mr. Hainsfurther told the commissioners the station will be heavily landscaped. There have been changes to the landscaping outside of the property line because of the LCDOT requirements. They will work with the Forester to meet the requirements. There will be color year round to make it appealing. Mr. Hainsfurther explained that there will be gate way sign space available to the Village. BP monument signs will be near the entrance. The monument signs will be made with a brick base. Chair Dunn asked if they could be made of the darker brick. Mr. Hainsfurther stated that would be fine. He reported that the monument signs will be 10 feet high. Atty. Huvard asked if the size of the buildings and the bays would be the same. Mr. Hainsfurther stated they would be. Atty. Huvard asked about the set backs. Mr. Hainsfurther explained they would be the same. There will be a 22 foot dedication off of Deerfield Road. Commissioner Zehren wanted to know how far the monument sign would be in from Deerfield Road. Mr. Hainsfurther commented that he did not know for sure, but he thought about five to seven feet.

Commissioner Pankau asked about retention. Mr. Hainsfurther stated it is planned to be on lot 2 right now. They are working on an agreement with the owners of the 37 acres for compensatory storage. Atty. Huvard explained that they have discussed underground vaults. Mr. Maurides reported that they have two types of storage to address: detention and compensatory storage. The 37 acres is going to eventually take care of the compensatory storage. The detention will be handled with underground vaults. If there is no agreement with the 37 acres for compensatory storage, then all of the storage will be handled on lot two. Mr. Hainsfurther explained that the underground vaults have a controlled release rate. The same thing has already been done at the Target in Highland Park. They are required to meet all the engineering requirements with this type of solution. Atty. Huvard stated that we try to stay away from turf as a surface. We want to improve the water quality of the water going to the Des Plaines River.

Commissioner Zehren asked if there will be any left turns allowed to get out of the service station. Mr. Hainsfurther stated they will only allow a right in, right out for now. Atty. Huvard explained that the Village wanted to go back to the 100 foot right of way on the east end of the property. He indicated that is not on the plat. It will make it easier to line up a traffic light with Federal Life. He questioned what is on the proposal now. Mr. Maurides stated there is nothing on the proposal now. Atty. Huvard clarified that we have asked for 100 feet, but we have looked at 80 feet. The easiest way to take this is as a dedication. It would be for street and utilities. It has been recommended that all access

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roads become part of the Village's transportation network. The 80 feet versus 100 feet will not affect what is built. Pat explained that with 100 feet we would not need to adjust to line up with Federal Life, and we can add in bike paths. It will give us enough room to get everything in that we need to be put in. Mr. Maurides stated that he did not want to lose property just to lose it. Commissioner Pankau reported that we need to know if this precedent will hold for future developments. Mr. Maurides suggested that they could take the easement off the table for now to try to get the BP approved. Atty. Huvad explained that we have two requests right now. One is to amend the Village's zoning for a gas station. The second is a special use for a use that requires heightened scrutiny. The Plan Commission needs to be very sure that they want this use. We do not want to take everything on good faith. The Village should get something in return for the proposed changes. It is a trade off. We need to consider all of the trade offs. He added that we have been working on this planning for a 100 foot right of way. We need to exercise control within our planning jurisdiction. Atty. Huvad suggested that we could recommend approval contingent on the right of way.

Commissioner Kanar asked it would be doable, if they gave us 80 feet. Pat told the commissioners that he suggests it the other way. He wanted to get 100 feet. If everything fits into the 80 feet, we can vacate. He stated that he had comments in September. There are key elements to consider. The first one is easements and compensatory storage agreements. The next is whether or not they can have compensatory storage and excavation on a land fill site. Atty. Huvad pointed out that the plan shown tonight does not show compensatory storage on the site. Mr. Hainsfurther questioned if there is enough room for compensatory storage on the site. Pat stated that there is, but it is not shown on the plan. We can only consider what is presented. The plan will have to be submitted to our land fill consultant. We also need written approval from LCDOT and IDOT approving dedication and right of way. We cannot approve the plan ahead of that. Commissioner Kanar asked if we could make it contingent on those things. Pat explained that things need to be done in a certain order. Atty. Huvad explained that the special use references all of the documentation. If LCDOT or IDOT changes the plan, everything changes. Pat reported that this is the first time we have seen a plan with only one access. Mayor Kaplan added we have been waiting since December for an answer from LCDOT.

Mr. Maurides told the commissioners that most communities will let developers proceed at their own risk and make the changes as LCDOT and IDOT require. Atty. Huvad stated that we did not want them to use a mountable median. Pat discussed the truck in and out safety issues. Mr. Hainsfurther reported that the traffic pattern was approved by BP and their transportation company. He added that the traffic pattern may change after the entire project is developed. It works for now as it is set up. Atty. Huvad asked about the surface of the mountable median. Mr. Hainsfurther stated it is concrete with a rumble strip. Commissioner Pankau wanted to know what Pat's objections were. He questioned

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if it was the 80 foot easement versus the 100 foot easement. Commissioner Ford explained that she felt it was the easement, traffic and water storage issues. Pat responded that he does not suggest approval without an agreement. The issue of the compensatory storage needs to be resolved. Either there needs to be an agreement or the storage must be on their property. There also needs to be agreements from LCDOT and IDOT. Chair Dunn brought up the landscape plan. That can be worked out by the next meeting. Commissioner Pankau stated that the issues need to be in front of us before they come back and we are expected to vote.

Atty. Huvard asked about the dedication. Mr. Maurides explained that they have to have the compensatory storage first. In order to develop the site, the compensatory storage has to be off site. The owners of the 37 acres want access to their site. We can't give the Village the dedication until we get the compensatory storage agreement. Nothing will change on the property as it is now. The restaurant will just get replaced with the BP. Mayor Kaplan explained that the Village will not approve the BP without the dedication. He added that he would like to see sales tax predictions. Commissioner Ford stated that the traffic approvals still remain. She asked Pat if he suggests waiting. Pat responded "yes." Mr. Maurides reported that he knows they have to get the approvals by LCDOT and IDOT. Chair Dunn stated that she would like to see letters on the compensatory storage, engineering approvals, Forester's approval, LCDOT and IDOT approval, and tax advantages. She stated the next Plan Commission meeting is April 7th. That would put them before the Board of Trustee on April 19th. She suggested that they talk to Atty. Huvard and Pat Glenn.

Commissioner Pankau explained that conceptually the plan is not a problem, but we need the approvals. Mr. Maurides asked if there was any way to get this done before the April 7th meeting. He questioned if there is any way to have a special meeting, if they are able to get everything in one week. If they cannot get all of the approval for three weeks, they understand they will have to wait until the 7th. Pat explained that he needs time for review. Mr. Maurides stated they understand they are not trying to rush ahead. A lot of people have been working on the agreements with the 37 acres and LCDOT. Chair Dunn stated she would leave it for Pat and Atty. Huvard to determine when all the approvals are in. Commissioner Pankau moved to continue the Public Hearing until April 7th or before. Commissioner Ford seconded. Motion was carried by voice vote.

The Public Hearing adjourned at 8:50PM.

C. Public Hearing: Text Amendment for Hotel Property

Commissioner Kanar moved to open the Public Hearing. Commissioner Ford seconded. Motion was carried by voice vote. The Public Hearing was called to order at 8:50PM.

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Atty. Huvarad read the public notice for the Public Hearing. This pertains to the vacant lot next to the hotel. We are considering a text amendment of the zoning ordinance. We would allow for an office building on the property and repeal the hotel use. In the past we had approved two hotels with impervious surface restrictions. Atty. Huvarad explained that this proposed office compatible district would be on the outskirts of a large office campus. The zoning, which is the same as O & R1, is very restrictive. The owners would like modifications to the office compatible district. They would like a higher FAR. Their justification for that is the FAR at Morgan Stanley has just gone up. CCH is also considering an expansion. We would continue with the same ISR and FAR for the hotel and the office. Atty. Huvarad explained that contract issues have come up, so neither party is here. He suggested that we continue the hearing until the 7th. Commissioner Kanar moved to continue the Public Hearing for a text amendment for the Hotel Property until April 7th. Commissioner Zehren seconded. Motion was carried by voice vote. The Public Hearing adjourned at 9:00PM.

D. Riverwoods Estates

Chair Dunn brought up the subject of Riverwood Estates. Keith Lacy told the commissioners he was here to represent the owners. The land is currently two lots that they want to make into three. The addresses are 720 Ringland Road and 2895 Arrowwood Terrace. The total acreage is 6.78. It is zoned R2 residential. The zoning will stay as it is. Each of the three lots would be 2 acres or more. Mr. Lacy explained that the Thorngate Creek runs through the lots. There are two existing homes that would stay as is. Right now the homes are on private wells. The owner is planning to put in 1700 feet of water main using directional booring. The owner would then allow all residents who desire to tap on. The lots are heavily wooded, and the character will remain. Ringland Road will be repaved after the water lines go in. Mr. Lacy stated the he understands that the flood plain delineation needs to be done.

Pat stated that the owner has submitted his preliminary plant and engineering requirements. He explained that he has reviewed them and made comments. He pointed out the changes. The issues are that SMC has concerns about the base flood elevations, the wetland consultant has some concerns about the delineations, and there is a concern about the variance request of frontage. Calin Paunescu, the owner, explained that he wants to keep the bridge where it is, so to not impact the trees. Henry Hollander of 718 Ringland Road told the board he has been on the Plan Commission. He understood he had to get notice when the changes were being made. Atty. Huvarad explained that there would be a posted sign of a Zoning Board of Appeals meeting, if the meeting were necessary. Mr. Hollander asked about an exchange of land. Atty. Huvarad stated that something like that has been done in the past. He questioned Mr. Hollander if he was in favor of keeping the bridge. Mr. Hollander reported he is in favor of it, if there are no adverse affect for him and his property. Atty. Huvarad indicated we want to preserve whatever we can. We

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have to find the mechanism to do that. Commissioner Pankau stated we can find a way. Atty. Huvard told the commissioners that the cul-de-sac that was added is a good improvement for the area.

Chair Dunn stated the issues are SMC, wetlands, and an agreement between Mr. Hollander and Mr. Paunescu. Mr. Paunescu reported that the plat can change if the neighbors do not agree to it. Mr. Hollander indicated that he wants to make it work. He hopes that the bridge can stay as is. Mr. Paunescu stated his objective is to make three lots. Atty. Huvard reported that we cannot approve part of the plan. Conceptually, three lots will not be a problem. Chair Dunn explained that we need the agreement and the approvals from SMC and our wetland consultant. Pat stated that he needs to meet with the consultant. We can probably push to get the final. The elevations are critical. Atty. Huvard reported that the existing lot to the north will lose 20 feet for the cul-de-sac. The cul-de-sac helps with emergency access. The configuration of the lots looks good. The plan will be approvable after we solve the few problems. Pat stated the mechanics of the lot geometry does not look to be a problem.

Commissioner Ford stated she has a letter dated February 2nd from the Forester. She questioned if there will be replacement trees planted for the ones coming down. Mr. Paunescu told the board he received a letter with the number of inches coming down. It equates to \$16K. He is trying to get the third house up with minimal impact. Atty. Huvard stated there will be a tree replacement plan. Mr. Paunescu added they already have the plan. The trees have been surveyed. Chair Dunn stated this will be the first new development to fall under the Woodland Tree Protection Ordinance. Commissioner Pankau indicated this issue falls under the Tree Preservation Ordinance. Atty. Huvard stated before we look at this again we will get information from Chuck Stewart. We cannot approve this tonight. It will have to wait until April. Mr. Paunescu questioned if they are ready before April, if they could be part of the special Plan Commission Meeting if BP comes in. Chair Dunn stated if they are ready and BP is ready, they can be included also. Atty. Huvard reminded everyone that there is research that still needs to be done. Pat added he would get direction as to what the ZBA can do about the bridge. He was not sure what their authority is on that.

E. Lake Lasky Resubdivision

Mark Lasky of 2340 Woodland told the commissioners he and his wife are here to submit a resubdivision plan. Betty Lasky explained that they own 2340 Woodland, 2300 Woodland, 2141 Woodland, and 3 Windlake. Atty. Huvard reported that the three lots on Woodland are in one subdivision, and the one on Windlake is in another. The property on Windlake is a non-conforming lot. They want to resubdivide them to make the lots bigger. Ms. Lasky stated that there is a spring fed lake on the side of the property and the non conforming lot is land locked. She illustrated everything on the plat. Atty. Huvard

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indicated that taking a non-conforming lot and making it more non-conforming could be an issue. Ms. Lasky stated that an owner is interested in purchasing lot 3. The owners behind lot four are interesting in buying that one. Atty. Huvard reported the Plan Commission will look into it. Commissioner Kanar stated that we need more details. It is a great idea. The best idea is to sell the back parts to the neighbors.

Chair Dunn told the commissioners that an article about Toni Rey has been published in the Chicago Tribune. She is writing a book.

Chair Dunn encouraged everyone to get out and vote on April 5th.

F. Affordable Housing

Chair Dunn told the commissioners that the Affordable Housing Plan is in from of the Board of Trustees.

G. Comprehensive Plan

Nothing

VII. Comments from the Chairperson

Mayor Kaplan told the commissioners he has a request on the Affordable Housing Plan. The Plan Commission has never made a report to the board. Chair Dunn explained that the report is the plan submitted by the Plan Commission. Mayor Kaplan explained that a couple members of the board do not want to deal with it. Mayor Kaplan asked that the Plan Commission write a formal request to the board to submit the Affordable Housing Plan.

Mayor Kaplan stated that Linda Dunn is running for Village Trustee and assumes that she will be elected. He added that he hopes to continue on as Mayor. He has asked Ron Pankau to be the next Plan Commission chairman. Linda Dunn would be sworn in April 19th. Ron Pankau would take over in May. Mayor Kaplan asked the commissioners who want to remain on the plan commission to submit a letter to him. We have not been reappointing members. We should be doing it every two to four years, and the terms should be staggered. He told the members who want to email him his address is WilliamSKaplan@comcast.net.

Atty. Huvard told the commissioners that he recommends that we approve the Affordable Housing Plan, stay under the radar, and follow the law. Chair Dunn explained that there were two members who do not want to submit a plan. Commissioner Pankau moved to have Chair Dunn write a formal request to the Board of Trustee to approve and

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submit the Affordable Housing Plan. Commissioner Ford seconded. Motion was carried by voice vote.

VIII. Old Business

None

IX. New Business

None

X. Adjournment

Commissioner Pankau moved to adjourn the meeting. Commissioner Kanar seconded. Motion was carried by voice vote.

The meeting adjourned at 9:55PM.

Respectfully Submitted,

Debbie Limer

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February 3, 2005

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In Attendance:

Linda Dunn
Joan Becker
Kristine Ford
Larry Kanar
Ron Pankau
David Zehren
William Kaplan
Pat Glenn
Sherry Graditor

Absent:

David Ritter

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

IV. Approval of Minutes

Plan Commission Meeting – January 13, 2005

Commissioner Pankau moved to approve the minutes as amended. Commissioner Becker seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

Roger Simonson of 725 Juneberry told the Commissioners that the property behind his house, off of Arrowwood, has added very bright lights that are disturbing to him. He would like to see the lights shielded. It is the new property at the end of Arrowwood. He added he has not talked to the neighbor about the matter. Michael Ford of 4 Timberwood stated he has a similar problem with 5 Timberline. The lights on the south end of the property are in the trees and are very bright. He added they shine into his house and are a nuisance. Pat Glenn reported that his office has a light meter. He added that he agrees with Mr. Ford about the brightness of the lights of the property by his home. He will talk to Chief Weinstein tomorrow about having someone on the night shift learn how to use the light meter. That way the officer can go out at night and take light meter readings when the lights are on. Pat stated he has tried to in the past, but it seems that when he is in the Village after dark the homeowner's lights are not on. Mr. Ford stated he would call the Police Department on a night that the lights are on. Pat explained that he had received a lot of calls about the amount of light that comes from the house with the indoor tennis court. He went out and measured the light, and it actually measured a zero. He would be happy to work with the Police Department on this issue.

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Commissioner Ford pointed out that we have regulations on commercial lights. She questioned residential. Pat stated the regulations related to residential lights are in the Zoning Ordinance. Mayor Kaplan explained that the lights are put in after a new construction is completed. Commissioner Becker asked if the village could purchase a light meter. She questioned if this is a problem we need to monitor. She wanted to know if this is becoming more frequent with the larger houses in the village. Mayor Kaplan commented in both situations it is a new resident in an older house. Commissioner Zehren asked if the current regulations are being followed, and if they are adequate. Mr. Ford commented that the current regulations should be fine. Mr. Simonson stated this would be a non-issue for him if his neighbor's lights pointed down. Marjorie Kaul of 2975 Arrowwood told the commissioners she has the same problem. Pat stated he would call the owners and ask about their lights.

VI. Current Matters

A. Continuation of Public Hearing: regarding the 37 acres on Milwaukee Avenue
Chair Dunn stated we need to open and continue the hearing until March. Commissioner Ford moved to open the Public Hearing regarding the 37 acres on Milwaukee Avenue and continue it until March 3rd. Commissioner Pankau seconded. Motion was carried by voice vote.

B. Continuation of Public Hearing: rezoning and special use for the Riverwood Inn parcel of 5 acres

Commissioner Kanar moved to open the Public Hearing for the rezoning and special use for the Riverwood Inn parcel of 5 acres and continue it until March 3rd. Commissioner Ford seconded. Motion was carried by voice vote.

Pat explained that we will hear the owners of the 5 acres intent to come in for the approval for the BP and one access point. They plan to put off the other uses until the 37 acres is farther along. Mayor Kaplan stated Amcore is waiting, and still planning on going ahead with their plan. The 37 acres have two major users signed on. We hope all of that will be finalized in the next 45 to 90 days.

C. Affordable Housing

Chair Dunn stated the Affordable Housing Draft is now in the hands of the Board of Trustees. They will need to proceed as fast as possible for the April deadline.

D. Comprehensive Plan

Chair Dunn told the Commissioners that the Board of Trustee will be looking at the Comprehensive Plan.

E. Riverwoods Estates

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Pat told the commissioners that we are dealing with un-permitted tree removal at Riverwoods Estates. Riverwoods Estates is two lots on Ringwood and one lot on Arrowwood. They all make up one subdivision. The tree issue needs to be resolved with Chuck Stewart before they come before the Plan Commission. Pat explained there is also a problem with the wetlands. They missed some areas. More storm water elevations need to be done to make their plan adequate. He added we do not have the full engineering review yet. Commissioner Kanar wanted to know if they will be required to go above the 18 inch grade level that is allowed. Pat stated the homes can be built higher if it is needed to protect the house. The developer is going to bring water down Arrowwood. At that time it will be available to other residents on Arrowwood and Ringland. Chair Dunn wanted to know if the residents who add on would only pay the tap on fee. Pat indicated that the developer has asked for a recapture agreement. Ms. Kaul wanted to know how it will affect the other homes if the new homes are built 18 inches higher. Pat explained that the rest of the lot will be at the same height, or they may need to excavate for compensatory storage. All of the storm water for the lot has to be stored on that lot.

VII. Comments from the Chairperson

Chair Dunn told the commissioners that the Woodland Protection Ordinance passed on Tuesday night. It has changed a bit since the Plan Commission submitted it to the Board of Trustees. It is an excellent ordinance. Commissioner Kanar stated that the new lots will be obligated to follow the new ordinance.

Chair Dunn stated there will be a RRA meeting on February 23rd at 7:30 at the Village Hall. There will be a wine tasting afterwards. They are looking for a new secretary.

VIII. Old Business

None

IX. New Business

None

X. Adjournment

Commissioner Pankau moved to adjourn the meeting. Commissioner Becker seconded. Motion was carried by voice vote.

The meeting adjourned at 7:55PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Plan Commission Meeting
January 13, 2005

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In Attendance:

Linda Dunn
Joan Becker
Ron Pankau
David Zehren
Bruce Huvad
Sherry Graditor

Absent:

Kristine Ford
Larry Kanar
David Ritter

Minutes taken by Debbie Limer

The meeting was called to order at 7:30 PM.

IV. Approval of Minutes

Plan Commission Meeting – December 2, 2004

Commissioner Becker moved to approve the minutes as amended. Commissioner Zehren seconded the motion. Motion was carried by voice vote.

V. Visitors Wishing to Address the Plan Commission

Rich Koomjian of 405 Dubonnet Drive told the Plan Commission he has started to take care of some of the woodland areas close to his property. He is becoming a gardener. After he cleared out a bunch of buckthorn, and he saw how parched the soil became in August. He explained that he was concerned that he had harmed the soil. Mr. Koomjian stated he wants to put in prairie flowers, but understands that not all prairie flowers are native. He would like a woodlands owners' manual. He explained we are probably not a completely unique community. There may be something out there already. He added that he is in favor of the Woodland Ordinance. There is probably a corps of volunteers to help. He stated he doubted that an owners' manual would be expensive. He explained he brought this issue up to the Board of Trustees about six weeks ago. He is not sure how to see this through, but is willing to help. Commissioner Becker indicated this has been discussed a lot in bits and pieces. She questioned who would get the manual. She suggested Sheila Hollander get involved with this because she is on the Plant Sale Committee. Atty. Huvad stated we have collected so much material during the Woodland Ordinance research. We may be able to gather articles and put them out at the plant sales. Commissioner Pankau suggested using the Village website as a resource. Sherry Graditor, Village Trustee, reported it should be available to new residents. Chair Dunn suggested that the RRA underwrite it. They could possibly sell it as a fund raiser.

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Plan Commission Meeting
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Tom O'Bryan of 490 Thornmeadow stated the links to woodland sites could be listed on the Village website. That would be a lot less work. Atty. Huvad indicated that is a good idea. Since the discussion on the Woodland Ordinance it has become apparent that residents want education on the subject. Mr. Koomjian asked where he should go to continue to suggest the woodland owners' manual idea. Chair Dunn suggested going to the Woodland Protection Ordinance discussions, the RRA, and the Board of Trustees. Mr. O'Bryan stated there is tons of information on line. Commissioner Zehren reported that Chuck Stewart could give references of good sites.

VI. Current Matters

A. Continuation of Public Hearing: Regarding the 37 acres on Milwaukee Ave. Commissioner Pankau moved to open the public hearing. Commissioner Becker seconded. Motion was carried by voice vote. Atty. Huvad explained that an off-site budget has been developed. There has been a discussion of those costs between the two developers. Mr. O'Bryan told the commissioners he lives on Thornmeadow and wants a berm put in as a noise barrier. Atty. Huvad stated there has been no agreement on the costs. There will be a meeting with LCDOT about the chance to phase in the street improvements. We have presented the ultimate street improvements looking at the total development. There are no signed agreements yet. Atty. Huvad explained that we are doing what we can to help the five acres move forward. The developers cannot agree on how to pay for the improvements. We need to see how the transportation agencies respond. We have a couple of more months to figure it out. There are major street improvements to be done. Commissioner Pankau stated that we only know about the bank and BP. The rest right now is an unknown. There are major costs for the improvements. Atty. Huvad reported that the owners of the 37 acres need a more refined cost to attract buyers.

Atty. Huvad explained that he has taken a couple of rides around Thornmeadow. We were looking at visibility and how to block Milwaukee Ave. He was also looking at the trucks and traffic. He stated that he could not see through the trees in the winter. Deliveries could be a noise problem. The building will serve as a buffer. Mr. O'Bryan explained that he is able to hear the Super America gas station from his house. Keith Van Horne of 680 Thornmeadow reported that he is concerned about the delivery and traffic noise. Commissioner Pankau stated he has been saying that since the beginning the buildings are too far to the east. Atty. Huvad pointed out that there will be little operation behind the buildings. There will be limited truck traffic. Mr. O'Bryan stated that should be a huge consideration. Trucks backing up make a lot of noise. The residents are not aware of the issues concerning them in the proposed development. There needs to be a permanent sound barrier. Mr. Van Horne asked about a frontage road. Commissioner Pankau stated there will be an interior road. Atty. Huvad pulled out the maps of the proposed development and pointed out the improvements. Mr. Van Horne told the

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commissioners that with all of the proposed improvements IDOT will want to widen Deerfield Road. He added this is a big development. He questioned how far it is from the river. Atty. Huvad explained that the owners do not own the river. There is Lake County Forest Preserve District in between. He added that the proposed uses of the 37 acres could change. Nothing is definite at this point.

Mr. Van Horne asked about a grocery store. Commissioner Becker reported that they have looked for that use, but no one wants to move in there. Atty. Huvad added that the developer has talked to everyone. Commissioner Becker questioned whether or not Trader Joes had been contacted. Atty. Huvad commented that he did not know how large Trader Joes builds its stores. He thanked the visitors for sharing their concerns.

Commissioner Pankau stated we will bring up the issues. The developers of the 37 acres are not that far along yet. Mr. O'Bryan asked if it would help to have a larger voice. Commissioner Pankau indicated that is not necessary yet. When they get closer the residents should come back in. Atty. Huvad stated there will be noise from the parking lot. Mr. Van Horne reported the noise could bounce back. Atty. Huvad reported that we do not know where the noise will go. He did not realize the speakers from the Super America on the other side of Milwaukee Road were a problem for the residents. Mr. O'Bryan explained that he has talked to Super America, and they have turned down the volume on the speakers. Mr. Van Horne stated the noise needs to be considered.

Mr. Van Horne questioned why they are building on a dump. Atty. Huvad explained that a lot of money is going to go into the infrastructure to build on the land fill. That is the reason for the TIF. There are \$8M - \$10M in extra costs. There has been no migration shown in the environmental reports. It is a challenge to build on. Mr. Van Horne wanted to know if a different type of development was considered. Atty. Huvad stated that the research done proves that the development needs to be a destination use. The worst thing that could happen would be a development that fails. There are 77K cars that travel down Milwaukee a day. Getting retail would be a benefit for the Village. We could make \$1M/year in sales tax. That would pay for the Police Department without a tax hike. Atty. Huvad explained that we do not have adequate reserves for our sewers, water mains, and roads. This would help. We could put in condos, but they would need to be very dense. Sherry Graditor added it is not necessarily safe for residential because of the landfill. She explained that we need a traffic generator, not a tax generator. The construction of condos on that site would also be more costly.

Commissioner Pankau moved to continue the Public Hearing. Commissioner Zehren seconded. Motion was carried by voice vote.

B. Continuation of Public Hearing: Rezoning and Special Use for Riverwood Inn Parcel of 5 Acres

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Commissioner Zehren moved to open the Public Hearing. Commissioner Pankau seconded. The motion was carried by voice vote.

Commissioner Pankau moved to continue the Public Hearing. Commissioner Becker seconded. Motion was carried by voice vote.

C. Affordable Housing

Atty. Huvard told the commissioners that he has met with representatives of IDA (Illinois Development Housing Agency). They are the State agency that is supposed to be facilitating Affordable Housing. They are responsible for administering Affordable Housing. They have been hosting seminars. Atty. Huvard explained that IDA has been caught in the middle. They were not consulted about the current legislation. They have published a booklet where they attempt to interpret the legislation. In their interpretation if a goal is set and the municipality tries to achieve that goal, they are exempt. Atty. Huvard explained the best choice for a goal for Riverwoods is to set that 15% of all new developments need to be "Affordable." That is one of the available options. "New development" would be any vacant or newly created lots. It does not include a tear down, if the property was unaffordable before the tear down and after. Atty. Huvard explained that he has asked Russ Kraly to figure out how many lots we have that are vacant now or were vacant after Jan 1, 2000. The result was 43 new lots. He reported that in the worst case we would add in a possible 27 more lots. In the 10 year period there is a possibility of 70 new lots. That would amount to 10 to 11 "affordable" units.

Atty. Huvard stated that the legislation could still be ruled unconstitutional. He added that he has talked to the Lake County Planning District. They agree with our methodology. For the 10 units we can look at our municipal sites and their anticipated uses. Atty. Huvard stated we have to submit a Compliancy Report every year. We have to highlight our forward progress and discuss the issues. We have to balance all the issues. He added that the law can still change. Chair Dunn told the commissioners that the village was complemented for its work so far. Atty. Huvard indicated that we will report in the documents that there is no land. The Planning District thought Brentwood might apply, but Atty. Huvard did not think so. Sherry Graditor stated that some of the prices at Brentwood have been cut way down. Commissioner Becker asked about the idea of paying into a fund to help subsidize Affordable Housing in other communities. Atty. Huvard stated that is not in the current statute.

Chair Dunn asked why we are not Home Rule. The Affordable Housing legislation would not apply if we became a Home Rule community. Sherry Graditor explained that Lincolnshire just became Home Rule because of Affordable Housing. Atty. Huvard reported being non Home Rule limits the use of the Hotel Tax. Home Rule expands the powers a municipality has to raise taxes and revenue. A Home Rule community has the

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power to regulate themselves with some constitutional restrictions. Chair Dunn asked why Riverwoods has never voted to become Home Rule. Atty. Huvad explained that Riverwoods has the reputation for being a low-tax community. Commissioner Zehren indicated that he would rather see town homes for Affordable Housing on Milwaukee than where our municipal property is on Saunders or Portwine. Atty. Huvad stated we can amend the plan. Sherry Graditor added it would be tough to put residential on the land fill. Commissioner Becker asked if we are going to file a plan. Atty. Huvad explained that if the Plan Commission wants to make some comments, they can do that and then report to the Board of Trustees. Chair Dunn stated there is an April 1 deadline for filing a plan. Commissioner Pankau told the Commissioners the plan sounds good as discussed. Chair Dunn reiterated that the Lake County Planning District was pleased that Riverwoods had started to work on a plan.

D. Comprehensive Plan

Nothing

VII. Comments from the Chairperson

None

VIII. Old Business

None

IX. New Business

None

X. Adjournment

Commissioner Becker moved to adjourn the meeting. Commissioner Pankau seconded. The motion was carried by voice vote.

The meeting adjourned at 9:00PM.

Respectfully Submitted,

Debbie Limer