



VILLAGE OF LINCOLNSHIRE

MINUTES COMMITTEE OF THE WHOLE MEETING June 26, 2023

Present:

Mayor Brandt
Trustee Kelly
~~Trustee Pantelis~~
~~Trustee Wright~~
Village Attorney Simon
Village Treasurer/Finance Director Rossi
~~Public Works Director Woodbury~~

Planning & Development Manager Zozulya

Trustee Grujanac
Trustee Mitchell
~~Trustee Raizin~~
Village Clerk Mastandrea
Village Manager Burke
Chief of Police Leonas

~~Assistant Village Manager/Community & Economic Development Director Roesler~~

1.0 ROLL CALL

Mayor Brandt called the meeting to order at 7:47 p.m., and Village Clerk Mastandrea called the roll.

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning, and Land Use

2.11 A. Consideration of an Ordinance Authorizing Rezoning of property Commonly Known as 51 Lincolnshire Drive from B2 General Business to R3 Single-Family Residence (51 Lincolnshire Drive – Jim Lu)

B. Consideration of a Purchase and Sale and Easement Agreement Between Jim Z.B. Lu and Lucy C. Lu and the Village of Lincolnshire (51 Lincolnshire Drive – Jim Lu)

Planning & Development Manager Zozulya provided background of 51 Lincolnshire Drive and a summary of agenda item 2.11A, an Ordinance authorizing the rezoning of property commonly known as 51 Lincolnshire Drive from B2 General Business to R3 Single-Family Residence, and 2.11B, a purchase and sale and easement agreement between Jim Z.B. Lu and Lucy C. Lu and the Village of Lincolnshire. Planning & Development Manager Zozulya noted staff believes R3 zoning would be appropriate based on the surrounding property zoning as well as the fact that there are no commercial properties east of the Des Plaines River. The Zoning Board held a public hearing regarding the request in September 2022 and provided a favorable recommendation with a vote of four in favor and one opposed. The opposing Zoning Board member had concerns about the lack of information about house construction plans, and the lack of final SMC permitting, as well as the fact that the comprehensive plan from 2012 recommends as one of the options of this property to leave it as open space.

Planning & Development Manager Zozulya noted one of the other options in the 2012 Comprehensive Plan is for residential. The Zoning Board had concerns about leaving the subject parcel's zoning commercial.

Planning & Development Manager Zozulya stated regarding Part B of this item, Mr. Lu would donate a portion of his land measuring 2.69 acres that is not buildable and would also gain access easements from the Village in return. Mr. Lu needs those temporary and permanent access easements to build his driveway off Lincolnshire Drive due to occasional flooding. Given the potential for flooding on Londonderry Lane, driveway access to the proposed new home needs to be provided off Lincolnshire Drive through the Village-owned parcel at 45 Lincolnshire Drive. Given this condition, the Village dictated the design of the access and is in favor. Planning & Development Manager Zozulya provided the benefits of allowing for the proposed easements.

Planning & Development Manager Zozulya noted the other important point of the purchase and sale agreement is Mr. Liu has agreed to not petition to subdivide the property for more than one home in the future which is part of the sale agreement. The agreement will be recorded and will run with the land and will apply to all future owners of 51 Lincolnshire Drive. The other important item to note is the Lake County Stormwater Management Commission (SMC) will need to sign off on this permit. Mr. Lu has filed all the required plans with SMC up to this point. SMC has endorsed the proposal but has not issued the final permit as additional application materials will be required from Mr. Lu.

Planning and Development Manager Zozulya reviewed the benefits of entering into the purchase and sale agreement with Mr. Lu, including clarifying the ownership of Londonderry Lane; prohibiting the development of commercial uses on the property; allocating land for a new lift station; dedicating land to open space; and removing unhealthy trees from the floodplain.

Mr. Kevin Lewis, President of IG Consulting, representing the owner, provided a presentation regarding the owner's requests including the Rezoning Findings of Facts, and the proposed site plan and drainage and building height/elevations exhibits.

Mayor Brandt asked if the proposed pond was a retention pond. Mr. Lewis stated the pond will serve as a retention basin, and some of the land will be carved down to retain water. In the event of a flood, water would end up in the pond to meet the required storage requirement. Mayor Brandt asked if the size and location on the plan were approximate. Mr. Lewis confirmed the pond location on the plan is approximate; they are trying to determine where it would be best located. Mayor Brandt suggested the pond be further south on the property in the direction of where the water flows.

Trustee Mitchell asked if Mr. Lewis would briefly preview the elevation of the foundation relative to the street and the house to the northeast,

as well as the total height of the building. Mr. Lewis summarized the proposed height of the home in comparison to other homes in the area.

A conversation about the height of other houses in the area compared to the proposed home height followed. Mr. Lewis stated the height of the proposed house will be at or below the maximum permitted height of adjacent homes.

Mr. Lewis provided the next steps of obtaining SMC approval and then coming back to the Village for a building permit application with architectural plans.

A brief conversation about the appraisal of the land and proposed tree bond followed. Village Manager Burke clarified the presentation tonight is the zoning and the purchase and sale agreement. The tree bond contemplation is all included in the agreement before the board tonight. Should both agenda items move forward for approval, everything would be back in the property owner's hands to pursue the required permitting at SMC, and then following the building permit. The applicant will not need to come back to the board and the Architectural Review Board will not be involved either as this is single-family home construction.

It was the consensus of the Board to place these items on the Consent Agenda for approval at the next Regular Village Board meeting.

2.12 Consideration of an Ordinance Approving a Text Amendment to Title 6 (Zoning), Chapters 2 (Zoning Definitions), 6A (B1 Retail Business District), and 6B (General Business District) of the Lincolnshire Village Code

Planning & Development Manager Zozulya provided background and a summary of an Ordinance approving a Text Amendment to Title 6 (Zoning), Chapters 2 (Zoning Definitions), 6A (B1 Retail Business District), and 6B (General Business District) of the Lincolnshire Village Code. The Zoning Board held a public hearing regarding the text amendment and issued a unanimous favorable recommendation. The recommendation included allowing banks/financial institutions and retail pharmacies with a single drive-through lane by right (without a Special Use Permit) and requiring a Special Use Permit for the same uses if there is more than one drive-through lane. The current code requirement for restaurants with drive-throughs will not change, as they will continue to be allowed by Special Use Permit only, regardless of the number of lanes. Planning & Development Manager Zozulya provided findings of how surrounding municipalities handle drive-throughs noting it seems to be the standard to require a Special Use; however, the Zoning Board thought it would not necessarily be a detriment to create two approval tracks to promote redevelopment of vacant commercial buildings.

Trustee Mitchell asked how many bank facilities in the Village currently have more than one drive-through. Planning and Development

Manager Zozulya stated the former Fifth-Third Bank and Bank of Hope in CityPark have multiple drive-through lanes; both are currently vacant. Trustee Mitchell asked about Bank Financial. Planning & Development Manager Zozulya stated Bank Financial has multiple lanes, but it is in a different Zoning District.

Trustee Kelly asked how effective the proposed text amendment will be if these institutions all have multiple drive-throughs anyway. Planning & Development Manager Zozulya stated this would only impact primarily redevelopment opportunities. It is a retrofit use versus ground-up construction as a likely candidate to take advantage of this.

Trustee Grujanac asked if the Village Board had any control over where the drive-through would be placed. Planning & Development Manager Zozulya stated an existing business would be subject to setback and screening requirements and at a minimum go through the Architectural Review Board.

Trustee Kelly noted concern about even changing the code if the benefit is not significant. Trustee Kelly asked if there was any feedback from businesses besides the credit union from 2018 that would lead us to believe this is necessary. Planning & Development Manager Zozulya stated there was an entity looking at the former Penny Mustard store with a drive-through lane.

It was the consensus of the Board to place this under Items of General Business on the next Regular Village Board Agenda for additional discussion regarding the drive-through proposal and approval.

- 2.2 Finance and Administration
- 2.3 Public Works
- 2.4 Public Safety
- 2.5 Parks and Recreation
- 2.6 Judiciary and Personnel

3.0 UNFINISHED BUSINESS

4.0 NEW BUSINESS

5.0 EXECUTIVE SESSION

6.0 ADJOURNMENT

Trustee Grujanac moved, and Trustee Mitchell seconded the motion to adjourn. The voice vote was unanimous, and Mayor Brandt declared the meeting adjourned at 8:24 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk