



VILLAGE OF LINCOLNSHIRE

MINUTES COMMITTEE OF THE WHOLE MEETING February 26, 2024

Present:

Mayor Brandt - Remote
Trustee Kelly
Trustee Pantelis
Trustee Wright
Village Attorney Mack
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
Assistant Public Works Director/Village Engineer Dittrich

1.0 ROLL CALL

Temporary Chair Raizin called the meeting to order at 7:24 p.m., and Village Clerk Mastandrea called the roll.

Trustee Raizin noted Mayor Brandt would be participating remotely.

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning, and Land Use

2.11 Public Hearing Regarding Proposed Major Amendments to the Lincolnshire Marketplace Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easements and Planned Unit Development Ordinance (Village of Lincolnshire – Lincolnshire Marketplace)

Trustee Raizin recessed the Committee of the Whole meeting and opened the Public Hearing at 7:25 pm.

Trustee Raizin reviewed the procedures for the Public Hearing.

Planning & Development Manager Zozulya introduced the proposed Major Amendments to the Lincolnshire Marketplace Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easements and Planned Unit Development Ordinance along with agenda item #2.13, an Ordinance approving the Fourth Amendment to a Special Use for a Planned Unit Development for a Retail development to provide for a new schedule of permitted and special uses and restated and amended Declaration of Covenants, Restrictions, and Reciprocal Easements.

Planning & Development Manager Zozulya stated the amendments to the Declaration and Planned Unit Development (PUD) are necessary to allow the owner of the former Fresh Market property to open a sit-down restaurant and banquet uses currently not allowed in the

development. The owner also plans to open a grocery store in the same building, which is already permitted. The schedule of proposed uses is based on the B1 and B2 commercial codes. However, staff selectively excluded certain uses not considered to be the best fit for the center given its high-profile location and the Village's goals for quality mixed-use commercial development at this location. The amendments will consolidate several previously approved declaration amendments into a single document and move all permitted and special uses to a single planned unit development ordinance for ease of interpretation. No development proposal or construction request is included in this request. Staff obtained written approvals from adjacent property owners for the declaration amendments. A public hearing notice was sent to all Village Green and Trafalgar Square condominium owners within a 500' radius of the subject property. Staff has received no objections to the proposed amendments.

Trustee Raizin asked Planning & Development Manager Zozulya if she would like the Findings of Fact entered into the record. Planning & Development Manager Zozulya confirmed the request to add the Findings of Fact to the record of the public hearing.

Trustee Grujanac asked if drive-thru tenants would still require Board approval to which Planning & Development Manager Zozulya responded affirmatively. A request for a drive-thru would require an amendment to the planned unit development, which would include Village Board review and approval.

Trustee Grujanac asked if other uses not listed could be allowed. Planning & Development Manager Zozulya stated the PUD would need to be amended to allow other uses not included on the proposed list.

Trustee Raizin asked if there was anyone from the public wishing to address the Board regarding the request. No one came forward.

Trustee Raizin closed the Public Hearing at 7:36 p.m.

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

2.12 Consideration of an Ordinance Approving the Fourth Amendment to a Special Use for a Planned Unit Development for a Retail Development to Provide for a New Schedule of Permitted and Special Uses and a Restated and Amended Declaration of Covenants, Restrictions, and reciprocal Easements (Village of Lincolnshire – Lincolnshire Marketplace)

Item 2.12 was discussed under Item 2.11

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

2.13 Consideration of Pre-Application Review Regarding a Special Use Permit for an Assembly Use in the Office Zoning District (Lincolnshire Korean Evangelical Church – 106 Schelter Road)

Planning & Development Manager Zozulya provided background on the history of the property located at 106 Schelter Road and stated the site was developed in 1991 for Landa Enterprises. The Lincolnshire Korean Evangelical Church seeks a Special Use Permit for an assembly use in the Office zoning district at 106 Schelter Road. The Zoning Code currently provides for a 150,000 square feet limitation on assembly uses in the Office and Industrial zoning districts. This cap has not been reached, and at this time only one-third of the available square footage has been approved for assembly uses. The main concern staff discussed with the church is parking based on the projected 120 seats in the worship area. The petitioner indicates the site has 36 parking spaces. This is six spaces more than required by code. However, if the number of seats grows to 145, there will not be adequate parking available. Should attendance increase, the church will need to construct additional spaces on site or apply for a zoning variance. In the short term, the Lincolnshire Korean Evangelical Church may need to lease five spaces from the adjacent property at 107 Schelter Road for occasional overflow parking for Sunday services. Staff informed the church, parking on Schelter Road is not permitted. If the Village Board refers to the request, the Zoning Board will hold a public hearing on the Special Use Permit and will provide formal recommendations to the Village Board which may include conditions. Staff recommends the Special Use Permit and occupancy be contingent on the church striping all parking spaces per code; installing a code-compliant trash enclosure; and replacing previously approved landscaping. The ARB will not be involved in reviewing the project as no exterior changes requiring their approval are currently proposed.

Trustee Raizin encouraged the church to plant evergreen trees for year-round interest when considering updates to the landscape plan.

Trustee Grujanac stated other churches have used overflow parking in the past as well, and the Village Board would not see such an approach to meeting parking demand as a new consideration.

Trustee Grujanac asked if the dead trees would be removed. Planning and Development Manager Zozulya stated staff noticed dead trees during a recent site visit and informed the church the dead trees would need to be removed and replaced where required.

Trustee Wright stated she welcomes the church to this location and appreciates their plans to update the site.

Trustee Wright asked if existing ground sign changes will need to be approved by the ARB. Planning & Development Manager Zozulya noted the church indicated they will only update the face of the ground sign which can be approved in-house. They can also install a code-compliant wall sign with staff-only approval. If the church wishes to replace the ground sign, it will need to go through the ARB process.

Trustee Mitchell asked if the church planned to open a daycare center in the building as part of their operations. Pastor James Song responded no; they may only host camps once a year for just a few days. Planning & Development Manager Zozulya stated if the church wanted to open a daycare center, it would trigger a Special Use amendment. Village Attorney Simon concurred.

This item is being referred to the Zoning Board for a public hearing.

2.14 Consideration of a Resolution Authorizing Publication of the Official 2024 Official Zoning District Map for the Village of Lincolnshire

Planning & Development Manager Zozulya noted this is an annual request. In 2023, only two changes occurred: a Planned Unit Development designation for the Probat/Benchmark property at 325 Marriott Drive; and rezoning of the 51 Lincolnshire Drive property from B2 General Business to R3 Single-Family Residence. Staff also updated map colors to improve readability. Once the map is approved, staff will post it online and make hard copies available to the public.

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

2.2 Finance and Administration

2.21 Consideration of an Intergovernmental Agreement with the Illinois Office of the Comptroller Regarding Access to the Local Government Debt Recovery Program (Village of Lincolnshire)

Village Treasurer/Finance Director Rossi provided a summary of an Intergovernmental Agreement with the Illinois Office of the Comptroller regarding access to the Local Government Debt Recovery Program which acts similarly to a debt collection agency. The Local Debt Recovery Program is free to the Village and would expand the Village's ability to collect unpaid debt.

Trustee Kelly asked how much total uncollected debt we have. Village Treasurer/Finance Director Rossi stated the Village has approximately \$100,000 in uncollected debt.

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

2.3 Public Works

2.31 Approval of a Supplemental Professional Service Contract with H.R. Green for Design Engineering Services for the Windsor Drive Area Drainage Improvement Project at a Cost not to Exceed \$38,513 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of the proposed supplemental professional service contract

with H.R. Green for Design Engineering Services for the Windsor Drive Area Drainage Improvement Project at a cost not to exceed \$38,513.

Trustee Kelly noted the approved budget is \$20,000 for this contract and asked why there was such a difference in the contract price. Assistant Public Works Director/Village Engineer Dittrich stated staff requested the engineering firm revise the bid to have the work completed over two years instead of in one construction season. This change in the construction timeline requires changes and reworking of bid documents so that any contractor who earns the bid understands the two-year timeframe for completion.

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

2.32 ~~Consideration of Approval of a Contract with Sewertech, LLC of Schaumburg, IL for the 2024 Sanitary and Storm Sewer Cleaning and Televising Project at a Cost not to Exceed \$86,879.00 (Village of Lincolnshire)~~

Item 2.32 was pulled from the agenda due to further work needed to better present this item to the Board.

2.33 Report Regarding Drainage Project Update to Village Board (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a report regarding the Village drainage projects. Staff proactively pursued completing engineering on high-priority projects identified in the Village-Wide Drainage Study to position Lincolnshire to qualify for state grant money. The Village has received preliminary notice it is on a list to receive grant money for the Windsor Court Drainage Project; however, we are waiting for the state to release the funds. The money is in the state budget and the project has been previously approved, but the Speaker of the House and Governor have to decide when they will release the money.

Staff deferred putting the project out to bid for the Windsor Court Drainage Project to try and buy as much time as possible to see if the formal grant award comes through. There is still a chance we can get the \$2.5 million grant; however, the funding could be in jeopardy if work starts before the formal award. Staff plans to put the project out to bid in early March. The money needs to be obligated by the end of the federal fiscal year which is October.

Assistant Public Works Director/Village Engineer Dittrich noted the storm sewer utility fee was implemented in 2022 with the assumption the Village would receive no grant funding. Funds are available and bond proceeds are at the ready to fund the Windsor Court Drainage Project even if the grant funding does not come through.

Trustee Mitchell asked what staff thought the odds were of receiving grant money. Village Manager Burke noted it is extraordinary to see

how long the process has taken so far and speculated there are a lot of funds going through the organization (Illinois Department of Commerce and Economic Opportunity - DCEO) with not a lot of staff to process the funds. Village Manager Burke noted the positive is we are nearing completion of engineering on all the projects.

Trustee Mitchell asked what we are doing as far as soliciting or lobbying to make sure we are at the front of the line when the money is released. Assistant Public Works Director/Village Engineer Dittrich stated staff has asked SMC if Lincolnshire needs to do anything more to be proactive, and their response is to do what we are doing and let SMC handle the politics of the release of the funds. Village Manager Burke stated he has had conversations with all our State Representatives to make sure they are aware. We along with the other municipalities requesting grant monies have asked about trying to coordinate a meeting with legislators, and SMC has asked staff to hold off on that to let them work this through.

Assistant Public Works Director/Village Engineer Dittrich continued with a brief update on the drainage project.

Trustee Mitchell asked if the funds are not received, will we still move forward with the projects? Village Manager Burke confirmed we will still move forward with the projects as bond proceeds are available and were planned for this expense.

- 2.4 Public Safety
- 2.5 Parks and Recreation
- 2.6 Judiciary and Personnel

3.0 UNFINISHED BUSINESS

4.0 NEW BUSINESS

4.1 New Branding

Trustee Raizin stated with the new branding she has heard residents suggest the Village offer some type of swag for purchase. A discussion of possibly offering branded attire for sale at special events followed.

5.0 EXECUTIVE SESSION

6.0 ADJOURNMENT

Trustee Grujanac moved, and Trustee Wright seconded the motion to adjourn. The voice vote was unanimous, and Temporary Chair Grujanac declared the meeting adjourned at 8:17 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk