



**MINUTES**  
**COMMITTEE OF THE WHOLE MEETING**  
**Monday, January 13, 2014**

Present:

Mayor Blomberg

Trustee Feldman

Trustee McDonough

Trustee McAllister

~~Village Treasurer Curtis~~

Village Manager Burke

Finance Director Peterson

Community & Economic Development

Director McNellis

Trustee Brandt

Trustee Grujanac

Trustee Servi

Village Clerk Mastandrea

Village Attorney Simon

Chief of Police Kinsey

Interim Director of Public Works Woodbury

**ROLL CALL**

Mayor Blomberg called the meeting to order at 7:37 p.m. and Village Clerk Mastandrea called the Roll.

**2.0 APPROVAL OF MINUTES**

**2.1 Acceptance of December 9, 2013 Committee of the Whole Meeting Minutes.**

The minutes of the December 9, 2013 Committee of the Whole Meeting were approved as submitted.

Mayor Blomberg asked for Board Approval to discuss items 3.51 & 3.52 prior to moving on to the other items on the Agenda. The Board was in favor of bringing these items forward on the Agenda for discussion and in favor of discussing both items at the same time.

Parks and Recreation

**3.51 Consideration and Discussion of a Lincolnshire Sports Association (LSA) Request to Donate Home Run Fencing in Lieu of Fees from LSA Affiliate, Slammers Baseball and Softball Training Academy (Lincolnshire Sports Association)**

**3.52 Consideration and Discussion of a Lincolnshire Sports Association (LSA) Request to Hold a Baseball Tournament at North Park June 25-29, 2014 (Lincolnshire Sports**

## **Association)**

Mayor Blomberg opened Items 3.51 & 3.52 together for discussion.

Interim Director of Public Works Woodbury provided a summary of the Home Run Fencing request by Lincolnshire Sports Association (LSA) and noted the Park Board recommended approval of the request for LSA to make the initial purchase of the fencing.

Trustee McDonough asked if the Park District was aware the fencing request made by LSA was in lieu of the required fees for field usage. Interim Director of Public Works Woodbury noted this was in the summary portion of the packet provided to the Park Board, and noted the Park Board was aware the LSA request was specifically to purchase the fencing in lieu of fees.

Mayor Blomberg asked if the old fencing would be used or donated. Interim Director of Public Works Woodbury stated staff would look into the use of the old fencing.

There was a consensus of the Board to place item 3.51 on the Consent Agenda for approval at the next Regular Village Board Meeting.

Interim Director of Public Works Woodbury provided a summary of the LSA request to hold a baseball tournament at North Park in June.

Trustee Grujanac asked if the fields were adequate to host 38 teams. Mr. Lee Fell representing Lincolnshire Sports Association presented a chart and information regarding the scheduling of the event and parking, noting the fields would be adequate to host 38 teams.

There was a consensus of the Board to place item 3.52 on the Consent Agenda for approval at the next Regular Village Board Meeting.

## **3.0 ITEMS OF GENERAL BUSINESS**

### **3.1 Planning, Zoning and Land Use**

#### **3.11 Consideration and Discussion of Referral of a Special Use Permit to Establish and Operate a Driver's Education Facility**

**- 300 Village Green, Village Green Retail Center at Milwaukee Avenue and Olde Half Day Road (R. Corbett Lamb/Fresh Green Light)**

Community & Economic Development Director McNellis provided a summary of the request and noted staff recommends the proposed Use be treated as a school Use.

Mr. Corbett Lamb representing Fresh Green Light Driving School came before the Board, introduced his associate and provided a presentation regarding the request to operate a Driver's Education Facility in Lincolnshire.

A brief discussion relative to hours and the two cars to be used for driving lessons followed. The petitioner noted most students would be picked up; therefore, parking spaces within the Village Green would not be of a concern.

Trustee Brandt asked if Fresh Green Light would require different awnings and signage. Mr. Lamb stated what is currently being used is adequate, but the company would like to have signage on the outside of the building. Trustee McDonough stated he thought Fresh Green Light would find a good demand for this service in the community.

Trustee Brandt asked when the school would open, and Mr. Lamb stated they would like to open in April.

Trustee Servi agreed with the other Trustees this would be a good business for the Community but was concerned with the noon class time on Sunday and recommended the time be pushed back to 2:00 p.m. so as to avoid conflict with high traffic times at Egg Harbor Restaurant. Trustee Servi asked if the Board had concerns regarding the branded advertising on the school's cars and the location of parking. All Trustees agreed the branding would be important and did not foresee the Sunday class times, vehicle branding or parking as presenting problems for the Village Green or its existing tenants.

There was a consensus of the Board to refer this item to the Zoning Board.

**3.12 PUBLIC HEARING and Consideration and Discussion regarding Amendment to an Existing Annexation Agreement to Permit Resubdivision of the Sedgebrook Property into two lots (Lot 1 and Lot 2), with Zoning Exceptions, at the**

**Northeast corner of Milwaukee Avenue and Aptakisic Road  
(Lincolnshire Senior Care, LLC)**

- 3.13 Consideration and Discussion regarding approval of a Final Plat of Subdivision for Lot 2 at the Northeast corner of Milwaukee Avenue and Aptakisic Road (Lincolnshire Senior Care, LLC)**
- 3.14 PUBLIC HEARING and Consideration and Discussion regarding an amendment to an existing Special Use Permit/PUD for the Sedgebrook property to exclude Lot 2, with zoning exceptions at the Northeast corner of Milwaukee Avenue and Aptakisic Road (Lincolnshire Senior Care, LLC)**
- 3.15 PUBLIC HEARING and Consideration and Discussion to establish a new Special Use/PUD designation for Lot 2, with zoning exceptions at the Northeast corner of Milwaukee Avenue and Aptakisic Road (Lincolnshire Senior Care, LLC)**

Mayor Blomberg closed the Committee of the Whole meeting and opened a Public Hearing for the consideration of Items 3.12, 3.13, 3.14 and 3.15.

Community & Economic Development Director McNellis provided a summary of the requests proposed by the owner of the Sedgebrook Community/Senior Care LLC. The proposal includes the sale of Lot 2 and staff recommends if the subdivision and sale are approved, zoning for lot 2 remain the same as it is currently which is R-4.

Mayor Blomberg swore in the owners and representatives of Senior Care LLC who would be presenting to the Village Board during the Public Hearing.

Mr. Steve Bauer, attorney with the law firm Meltzer, Purtill & Stelle LLC, representing Lincolnshire Senior Care LLC/Sedgebrook introduced other members of the proposed project. Mr. Bauer asked the letter sent from his firm dated December 18, 2013 including all exhibits and related attachments be admitted into the record of the hearing. Mayor Blomberg admitted the exhibits into the record.

Mr. Bauer provided a presentation regarding Lincolnshire Senior Care, LLC's proposals.

Ms. Deanne Daniel, 800 Audubon Way, Lincolnshire, IL 60069, Executive Director for Sedgebrook, provided highlights and statistics related to the current Sedgebrook Community.

Mr. Andy Heinen, with Kimley-Horn and Associates, Inc., 1001 Warrenville Road, Lisle, IL, Civil Engineer for Sedgebrook, came before the Board to review the buildings that currently make up Sedgebrook and provide details regarding the proposed revised plans for the site.

Mr. Kevin Clark, with the Lakota Group, 212 W. Kinzie St., Chicago, IL, Landscape Architect for Sedgebrook, came before the Board to review the proposed landscaping for the site.

Mr. Bauer presented two more items for discussion. The first is the request to dedicate a portion of the land north of the dedicated roadway for an easement. Lincolnshire Senior Care would like to have the opportunity to talk with staff so there is a clear understanding of what the easement could or could not be used for or to determine a list of Easement Provisions. The other point Mr. Bauer wanted to discuss was the proposed Uses for lot 2 included in the Ordinance granting Special Use permit for a Planned Unit Development upon lot 2. Mr. Bauer indicated the petitioner would like the language in the proposed ordinance be modified to include "Any Use Permitted within the R4 Single Family Attached Residential District and Any Use as May be Approved by the Corporate Authorities".

Trustee McDonough agreed the language regarding the proposed Uses for the new Lot 2 was questionable and needed to be clarified. Village Attorney Simon stated Mr. Bauer was looking for Board recommendation regarding the language. A discussion regarding the wording of the Ordinance and Uses for each lot followed.

Trustee McDonough expressed his opinion he was not in favor of the proposed amendment to the existing PUD and recommended waiting until there was a buyer to address the Special Uses on lot 2. A discussion regarding the original approved plans verses what is currently being proposed followed. Mayor Blomberg stated he was in favor of the proposal, and expressed his opinion the Board still retained control over the Uses for new Lot 2 and recommended the petitioner be approved to move forward. Village Attorney Simon noted the reason for the proposed Special Use Permit for Lot 2 was to maintain control of the Uses, site plan and landscaping for any development that may come forward for Lot 2. Trustee Servi expressed his opinion he was in agreement with Trustee McDonough and was not in favor of the proposed PUD amendment and Special Use Permit for Lot 2.

Mr. Frank Muraca, with Arch Consultants, 250 Parkway Drive, Lincolnshire, IL, representing Senior Care LLC came before the Board and stated parceling off the property would enable the community to plan for the future.

Mayor Blomberg asked if anyone from the audience would like to come forward or ask questions. No one from the audience approached the Board.

Finance Director Peterson stated the Village was the conduit for the Special Service Area (SSA) bonds for the various public improvements for this property and asked for some direction on how the newly created Lot 2 would be treated relative to the SSA. Village Attorney Simon stated the bonds were for the entire property and not just Lot 1 and any future owner of Lot 2 would have an obligation under the terms of the SSA.

Mayor Blomberg stated the request presented by the applicants at this meeting looks like everything the Board has asked for with the exception of some language between the Attorneys' and he is prepared to place this on the Consent Agenda at the next meeting.

Village Attorney Simon asked the Board for further clarification regarding the language for Uses. Village Attorney Simon presented the following options; the first being to call out the underlying zoning as R4 for Lot 4, but if the buyer has something other than R4, to bring the Use before the Board for consideration. The second recommendation would be to have the seller come up with any option for Use to present to the Board. There was a consensus of the Board to go with the first recommendation Village Attorney Simon presented. Village Attorney Simon was directed to work with the petitioner on clarifying the language in the proposed Special Use Permit Ordinance as well as work with the applicant on the language pertaining to the proposed easement.

Mayor Blomberg closed the Public Hearing and re-opened the Committee of the Whole Meeting at 9:02 p.m.

A discussion regarding the proposal for the easement followed. Village Attorney Simon noted staff had recommended the easement be used for public use. All were in favor of staff's recommendation.

It was the consensus of the Board to have the Attorneys work together regarding the language revisions and present it at the next Regular Village Board meeting for discussion.

### **3.16 Consideration and Discussion of Referral of a Special Use for a Planned Unit Development (PUD) in the R5 Zoning District, for 7.67 acres at the Northeast Corner of Rt.22 and Milwaukee Avenue (Village of Lincolnshire / DK Mallon)**

Community & Economic Development Director McNellis provided a summary of the request for referral to the Architectural Review Board for Special Use.

Mike Mallon with DK Mallon provided information on changes made pursuant to the Village Board's recommendation at the last meeting. There was a Consensus the changes addressed the Board's concerns.

Mr. Andy Koglin, President of OKW Architects, representing DK Mallon provided a brief presentation related to the changes mentioned by Mr. Mike Mallon.

Village Attorney Simon noted the plans depicted a low ground sign at The Fresh Market that would be included on signage. Mr. Mallon indicated this signage is not part of DK Mallon's proposal; however, DK Mallon is in communication with The Fresh Markets on improvements to their signage and this is one concept under consideration. The members of the Village Board indicated their support regarding the need for improved directional signage for the site.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.17 Consideration and Discussion of an Ordinance Amending Title 6 (Zoning) of the Lincolnshire Village Code to Update Requirements for Accessory Structures & Uses, Incorporate New Regulations for Temporary Structures and Uses, and Revise Limitations for Obstructions in Yards (Village of Lincolnshire)**

There was a consensus of the Board to bring this item back for Consideration and Discussion at the January 21, 2014 Committee of the Whole Meeting.

**3.18 Consideration and Discussion of Referral of a Six-Month Moratorium on the Operation of Medical Cannabis-Related Uses (Village of Lincolnshire)**

Community & Economic Development Director McNellis summarized the request for referral to the Zoning Board.

There was a consensus of the Board to refer this item to the Zoning Board for a Public Hearing.

3.2 Finance and Administration

3.3 Public Works

3.4 Public Safety

**3.41 Consideration and Discussion of an Ordinance Amending Title 1, Chapter 7A, Section 5 (Police Department: Department Rules and Regulations) of the Lincolnshire Village Code (Village of Lincolnshire)**

Police Chief Kinsey provided a summary of the proposed Ordinance which would allow the Police Chief to amend the Police Department Rules and Regulations without requiring formal Village Board approval.

Mayor Blomberg provided an explanation of how the Rules and Regulations were brought before the Board in the past. Mayor Blomberg noted not every change has been historically approved by the Village Board, but the Board was made aware of such changes. Mayor Blomberg expressed his support for the proposed Amendment to the Code. Mayor Blomberg noted a different section of the Code pertaining to Police Department operations and requested the Code be Amended regarding the Oath of Police Officers to include “I do solemnly swear that I will support and defend the constitution”.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.42 Consideration and Discussion of a Proposal to Create a New Liquor License Classification Permitting the Sale of Alcoholic Liquor by Spas or Salons for Consumption on the Premises**

Police Chief Kinsey summarized the request for a New Liquor License class based on the current request from ZaZas. This request will create the new liquor license classification but the petitioner will still have to apply for the liquor license.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.6 Judiciary and Personnel

4.0 **UNFINISHED BUSINESS**

5.0 **NEW BUSINESS**



Trustees Grujanac and Brandt made note of two large potholes on Riverwoods Road heading south toward Daniel Wright. Village Manager Burke stated staff would look into the potholes.

#### 6.0 **EXECUTIVE SESSION**

Trustee McDonough moved and Trustee Grujanac seconded the motion to go into Executive Session for the purpose of discussing Land Sale. The roll call vote was as follows: AYES: Trustees Brandt, Feldman, McAllister, McDonough Servi and Grujanac. NAYS: None. ABSENT: None. ABSTAIN: None. The Mayor declared the motion carried and the Board went into Executive Session at 9:35 p.m. and came out of Executive Session at 9:50 p.m.

#### 7.0 **ADJOURNMENT**

Trustee Grujanac moved and Trustee McDonough seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Blomberg declared the meeting adjourned at 9:51 p.m.

Respectfully submitted,

**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk

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