



The minutes of the February 12, 2018 Committee of the Whole Meeting were approved with the following changes: Item 3.11, paragraph 14, first sentence should read **“Trustee Feldman asked if the private meeting space mentioned for the TopGolf facility would be indoors.”**

2.1

**MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, February 12, 2018**

Present:

Mayor Brandt	Trustee Feldman
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Finance Director/Treasurer Peterson	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Assistant Public Works Director/Village	Economic Development Director Letendre
Engineer Dittrich	Economic Development Coordinator Zozulya

ROLL CALL

Mayor Brandt called the meeting to order at 7:17 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the January 22, 2018 Committee of the Whole Meeting Minutes

The minutes of the January 22, 2018 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 PUBLIC HEARING: Regarding a Petition by GlenStar Properties to Rezone the Property located at 90,98 and 100 Half Day Road from OC (Office Campus) to B2 (General Business District) and Granting a Special Use Permit for a Planned Unit Development with Building Height Exceptions for a Multi-Use Development with Sports and Entertainment Uses (GlenStar Properties)

Mayor Brandt recessed the February 12, 2018 Committee of the Whole meeting and convened the Public Hearing regarding a petition by GlenStar Properties to rezone the property located at 90, 98 and 100 Half Day Road from OC (Office Campus) to B2 (General Business District) and grant a Special Use Permit for a Planned Unit Development

(PUD) with building height exceptions for a multi-use development with sports and entertainment Uses.

Mayor Brandt noted the procedure for the Public Hearing as follows:

- Village staff will make a few brief remarks regarding the request.
- Petitioner will make a presentation in support of the application.
- The Village Board will ask the Petitioner any pertinent questions.
- The Public will be provided an opportunity to provide input and ask questions.
- The Board will direct questions from the public to the Petitioner.
- The Board will deliberate based on the evidence and testimony presented.

Mayor Brandt asked the public to hold all questions until the public input portion of the public hearing. All of the written public comment received by the Village Board shall be included in the record of the hearing.

Economic Development Coordinator Zozulya provided a summary of the request by GlenStar to rezone the property located at 90,98 and 100 Half Day Road from OC (Office Campus) to B2 (General Business District) and granting a Special Use Permit for a Planned Unit Development with building height exceptions for a multi-use development with sports and entertainment uses. Economic Development Coordinator Zozulya noted at this time, the Developer is not seeking any concrete development plans; plans would come at a later time and require a separate Public Hearing at the Village Board as a Major Amendment to the Planned Unit Development and review process. The current zoning does not allow for a PUD of this nature. Economic Development Coordinator Zozulya thanked the residents and business community who have taken the time to provide feedback regarding the proposed development.

Trustee Leider asked for clarification regarding the previous approved height amendment made by Medline Industries, the current owner of the subject property. Economic Development Coordinator Zozulya stated the building height requirements were previously amended by a code change to allow a maximum building height of 75' in the Office Campus Zoning District. Trustee Leider asked when the building height was amended. Economic Development Coordinator Zozulya stated building height for this property was amended in 2015 at the request of Medline Industries.

Mayor Brandt invited the petitioner to make their presentation and asked the audience to allow the petitioner time to make the presentation in its entirety, noting an opportunity for questions by the Board and the public will be available after the petitioner's presentation. Mayor Brandt invited the petitioner and any representatives who may speak during the public hearing, on behalf of the petitioner, to please stand to take an oath.

Mayor Brandt swore in Mr. Rand Diamond with GlenStar Properties and

Mr. Tanner Micheli, Director of Real Estate Development with TopGolf.

Mr. Diamond provided a presentation reintroducing GlenStar; provided a review of the proposed Development Plans, Site Plan, and renderings; and provided information regarding the community benefits the proposed multi-use premier sports and entertainment complex development would bring to Lincolnshire. Mr. Diamond noted the development would include a TopGolf and a sports, health and fitness center operated as “The St. James”. Mr. Diamond provided a summary and plans of a typical TopGolf complex.

Mr. Diamond noted he met with some of the local residents and two of the concerns voiced are the potential for noise coming from the outdoor deck of TopGolf and lights from the outfield. Mr. Diamond stated the current design for the outside lights is horizontal LED fixtures, approximately 14” wide which would be placed in horizontal strips at two levels; one right below the roofline and the second would be below the upper bay. The proposed lights would be directed down and out and have been specifically designed to reduce the amount of light dispersion. Mr. Diamond noted the lighting would be less than one foot candle at the edge of the property line. Trustee Feldman asked if the lights would be facing east, towards the Tollway. Mr. Diamond confirmed the lights for TopGolf would be facing east. Trustee Grujanac asked if there would be any lights on poles or located on the golf nets. Mr. Diamond stated there would be no lights located on poles or nets.

Mr. Diamond addressed sound concerns with a slide depicting the potential sound wave distance. Mr. Diamond stated in his opinion there would be no sound issues for the following reasons: distance, trees, competition from the expressway and Route 22, and the St. James building buffering TopGolf. Mr. Diamond stated an acoustic study will be developed for the final design.

Mr. Diamond provided a plan showing sight line from TopGolf to the residential area on the south side of Route 22.

Mr. Diamond requested the Findings of Fact for the rezoning and Planned Unit Development be entered into the record.

Trustee Hancock stated the Board has some concerns but also sees potential benefits to the community. Trustee Hancock asked if TopGolf is the anchor tenant and asked if the development would still be feasible without TopGolf. Mr. Diamond stated if GlenStar didn't have TopGolf or St. James, they would not be making the rezoning request. Trustee Hancock asked Village Attorney Simon if the Board approved rezoning but was not comfortable with aspects of the plan, could they reject the plan. Village Attorney Simon stated the scope of relief that would be provided, if approved, is to rezone the property from Office Campus to B2 which would limit them to a schedule of uses but would not specifically approve any design plans, elevations, heights, and parking.

All other aspects of the project and plans would have to come back in a second phase of approvals.

Trustee Hancock stated the Board has scaled down many developments brought before them and asked GlenStar if they had any concerns and/or ideas if they are requested to scale down. Mr. Diamond noted they try to be as transparent as possible and show the best representations stating the St. James will require a certain amount of height for the field house just as TopGolf will need a certain amount of height for the netting.

Trustee Feldman asked if the private meeting space mentioned for the **TopGolf St. James** facility would be indoors. Mr. Diamond confirmed the private meeting spaces would be indoors and could be used for private parties. Trustee Feldman asked if there would be portable speakers and what the lighting on the west side of the building is proposed to be for TopGolf. Mr. Micheli stated the lighting proposed for the west side of TopGolf would be very minimal; some LED lights for signage that may be approved and parking lights which will be designed per local design standards. Mr. Micheli stated from a light pollution standard, the west side of TopGolf will be at 0.0 foot candles at the property boundary; all the lights will be designed not to have any light pollution beyond the footprint of the property boundaries. Mr. Micheli stated no portable speakers are allowed in the facility and is very confident TopGolf can design a sound system that will not be impactful.

Mayor Brandt noted concern with signage and asked Mr. Micheli if TopGolf would be willing to work with the Board regarding flexibility with their signage and possibly building architecture to conform to Village expectations. Mr. Micheli stated TopGolf will do everything in their power to be good neighbors. Mr. Micheli understands the quality architecture the Village expects and is amenable to work with the Village.

Trustee Leider stated the discussion tonight is about use of the site and other concerns brought up should not be open for discussion at this meeting. Trustee Leider noted hours of operation and height requirements should be discussed during another phase of the project.

Trustee McDonough asked why GlenStar is requesting a zoning change before plans are developed for what will go on the property. Trustee Hancock suggested presenting plans on what will go on the property then bringing this back for zoning change to address concerns and be able to move forward with the project as planned. Mr. Diamond stated the objective of GlenStar is to take the temperature of the Board and community as to whether or not they would be amenable to this type of use prior to TopGolf and St. James spending hundreds of thousands of dollars to develop plans and specs then come before the Board only to find out the Board would have never approved it. Mayor Brandt noted it is hard for the Board without specifics but the process of rezoning first

has been followed in the past.

Trustee Hancock stated his opinion was that there is potential for this type of usage to be a huge benefit to the community. The potential for tax dollars, no impact on schools, bringing in a younger crowd, and new customers to the restaurants.

Trustee McDonough suggested a lighting, sound, and traffic study be done prior to rezoning so the Board knows if the project would be able to move forward and have a better idea of what they would be approving. Mr. Diamond stated significant dollars have been spent already and GlenStar wanted to know if this would be a feasible project prior to spending more money on additional studies and plans. Mr. Diamond noted if the rezoning gets approved tonight, GlenStar would be more than willing to spend the money on additional studies and plans.

Trustee Feldman asked if this is left zoned OC (Office Campus) would the only use be for a company to take this over as a corporate headquarters. Economic Development Coordinator Zozulya stated this is correct; one user would need to come in and take this over as a cohesive office campus development. No commercial activities would be allowed under the current zoning. Trustee Feldman asked what the odds were for someone to use the property as it is currently zoned. Economic Development Coordinator Zozulya noted Medline has marketed this property as Office Campus but office vacancies are currently very high in Lincolnshire; about 30% vacant for existing office space. The broker from Medline indicated that they are out of options. Mr. Diamond stated the trend is reverse migration back to the city for corporate headquarters.

Trustee Grujanac concurred with Trustee McDonough regarding a sound, lighting, and traffic study. Trustee Grujanac noted there was a lot of neon presented in the plans and her opinion would be to tone this down. Trustee Grujanac noted the code prohibited live entertainment at the proposed facility and asked for confirmation of this from TopGolf. Village Attorney Simon read the section on live entertainment from the zoning code noting the principle purpose of visiting the facility for live entertainment would not be allowed.

Trustee Leider stated he was not comfortable with the height variance as proposed. Mayor Brandt confirmed the Board is not comfortable with the hours of service, the height exceptions, and netting proposed. Mr. Diamond stated these issues could be dealt with at a later time.

Mayor Brandt opened the floor to members of the Public who wish to speak with the request that individuals avoid repetitive comments and testimony. Mayor Brandt encouraged the public to appoint a representative to speak on behalf of a group with common interests. All should direct comments, testimony and general questions only to the

Mayor and Village Board. Mayor Brandt noted the Board and staff will collect and consolidate the questions that are germane to this application. Following the conclusion of all public participation, Mayor Brandt will ask the petitioner and/or staff to respond to public questions/concerns raised as they relate to the standards for granting the relief sought. All persons who wish to address the Village Board must be sworn-in prior to your testimony.

Mayor Brandt swore in the public as a whole.

Village Attorney stated the public is welcome to make comments and ask questions. In order for the developer not to answer questions multiple times, staff will collect and consolidate all the questions so they can be answered at one time.

Mayor Brandt noted a sign-up sheet is being passed around for staff to contact individuals regarding future status and updates of the proposed project.

Trustee Leider noted it is 8:30 p.m. and if the Public Hearing goes beyond 10:30 p.m., they will have to find another time to continue the Public Hearing.

Mr. Dave Nelson, resident at 2 Court of Natchez asked Mr. Diamond to project the site plan on the screen. Mr. Nelson provided his analysis pursuant to the notice published and stated concern that no plans have been presented by the Petitioner to what is being proposed for the site. Mr. Nelson stated a petition for rezoning and a petition for Special Use requires a conceptual plan on which comments can be made and in his opinion, no conceptual plan has been provided. Mr. Nelson stated the process of requiring this to go to an internal staff meeting then go to the Architectural Review Board (ARB) meeting was not met. Village Manager Burke stated there has been no preliminary development plans submitted to meet the requirement of an internal meeting to review such plans. What is before the Board this evening is a request to change zoning, a request for a Special Use, and building height relief. Mr. Nelson stated his opinion is that the petition tonight is flawed; nothing concrete is being presented to the Board and does not meet the requirements of a Public Hearing. Mayor Brandt asked if Village Attorney Simon had a response to Mr. Nelson's comment. Village Attorney Simon stated the comments that are to be presented at the Public Hearing should be comments directed to the substance of the application and Mr. Nelson is making a legal argument. Village Attorney Simon stated he is not inclined to make a legal argument on an issue that might be subject to litigation.

Mr. Larry Barnhart, resident at 4 Court of Connecticut River Valley and President of the Homeowners Association for Wood Creek Courts stated it is difficult for the residents of Wood Creek Courts to see how TopGolf could conform to Village outdoor lighting standards as indicated

in Code 6-3-15 and recommended GlenStar provide a lighting study and sight line study prior to approving this request. Mr. Branhart stated that if the Board feels inclined to pass the Special Use Ordinance now, the residents would like it to state that there would be no relief from Village lighting standards and that the developer would have to specifically prove Village lighting standards will be satisfied before any further zoning and building approvals are given. Mr. Barnhart provided the Board with photographs showing lighting and netting at a typical TopGolf facility and stated concern regarding the requested height exceptions. Mayor Brandt confirmed the Board stated they are not comfortable moving forward at this time with the requested height exceptions and GlenStar has agreed to omit the height exceptions from their request at this time. Mr. Barnhart asked if the netting is considered a building or a fence. Mayor Brandt stated there is netting at North Park and did not believe it would be considered a fence. Mr. Barnhart stated concern with the look of netting right as people are entering the Village. Mr. Barnhart noted concern with possible noise pollution from the proposed TopGolf and respectfully requested the Board consider this a concern about the peace and quiet of the surrounding residence.

Mr. Dennis Barnett, resident at 3 Court of Connecticut River Valley noted a concern regarding security of the residents, stating TopGolf desires to stay open until 2 a.m. and once people leave the complex at that time, there is potential for drunk driving and individuals driving through the neighboring community.

Ms. Diane Sigalos, resident on Old Mill Circle stated she worked at Hewitt and is familiar with the property. Ms. Sigalos stated it is her opinion that this is not the right location for a TopGolf facility. Ms. Sigalos provided photos of other TopGolf facilities and pointed out several concerns. Ms. Sigalos stated TopGolf has been known to go over local municipality's heads and get approval from counties. Mayor Brandt noted the county does not have any jurisdiction over this site. Village Attorney Simon stated Lincolnshire has exclusive zoning authority.

Ms. Rochelle Kramer, resident at 192 Westminster Way, stated she is surprised the TopGolf facility would be considered in a residential area. Ms. Kramer noted concern regarding property values going down as a result of the development and the traffic it may bring.

Ms. Jackie Kraszewski, resident at 809 Suffield Square noted concern regarding the potential traffic from the proposed development.

Mr. Donald Brotz, resident at 8 Sherwood Drive stated it will be too late to backtrack once the Board approves zoning changes and it is the responsibility of the Village Board to insure that developments do not harm the quality of life or home values of its residents. Mr. Brotz requested the Village Board establish criteria for the development of the site that residents can support such as no significant noise, light or

traffic impact along with obtaining impact studies on all three. Tenants on the proposed property can negatively impact the home values of nearby residents. Mr. Brotz suggested the Board require an environmental impact study on the wetlands and surrounding areas.

Mr. Gene Silverman, resident at 8 Court of Wilmington noted concern regarding potential traffic and party atmosphere from the proposed development.

Mr. Brian Santosuosso, resident at 106 Fallstone Drive suggested a full environmental impact study be done on the property. Mr. Santosuosso stated he is on the west side of the property and noted concern regarding sight lines of the proposed property relative to his property which were not reflected on the site line study the petitioner presented.

Mr. Raymond Giuriceo, resident at 107 Surrey Court noted concern regarding the quality of life being affected by the proposed 24 hour development.

Mr. Dale McClain, resident on Friar Tuck Court noted concern regarding the potential sound from the proposed development. Mr. McClain asked what percentage of revenue comes from food and alcohol at TopGolf noting his opinion was the facility is more of a bar atmosphere than golf. Mr. McClain stated his opinion is the proposed project would change the entire nature of his neighborhood.

Ms. Sandy Saltiel, resident at 26 Regent noted concern for lack of plans and the possibility of being built in the midst of residential homes. Ms. Saltiel asked if this property is rezoned, can the zoning be changed back.

Ms. Kathy Meador, resident at 5 Durham Court asked why the Board is looking to change the zoning of the property after it has been the same for years. Ms. Meador noted concern regarding the venue of the proposed project location.

Ms. Gwen Tintiangco, resident at Court of Tidewater noted concern regarding potential noise and traffic from the proposed project.

Ms. Kathryn Malek, resident at 865 Downing Square noted she was not pleased with communication to the residents regarding notification of the proposed project. Ms. Malek noted concern regarding property values going down if the proposed project moves forward.

Mr. Barry May, resident at 6 Court of Natchez provided photos and various maps showing his residential area in comparison to the proposed project. Mr. May suggested putting this in another location in the Village. Mr. May read a portion of the Village of Lincolnshire's Mission Statement and stated his opinion was that this was not being adhered to for this project.

Mr. Robert Schnell, resident at 7 Court of Connecticut River Valley noted concern regarding possible light and noise pollution and suggested studies be done. Mr. Schnell asked the Board to consider including the input of residents of the Homeowners Association on the studies.

Mr. Pat Cadichon, resident at 1 Court of Bucks County noted he loved the concept of the proposed project but stated he did not think it was for Lincolnshire. Mr. Cadichon stated the proposed nets for TopGolf will forever change Lincolnshire.

Mr. Stuart Aizenberg, resident at 7 Court of Tidewater thanked the Board for the lifestyle the residents have come to live. Mr. Aizenberg noted he thought the proposed project was a great concept for Lincolnshire but in a commercial area and not in the area proposed.

Mayor Brandt asked if there was anyone else in the audience who wished to speak in this Public Hearing.

Ms. Danielle Cassel, Attorney with Vedder Price, 222 North LaSalle Street, Chicago, IL 60601 representing Wood Creek Homeowners Association who is a Land Use and Zoning Attorney by profession noted the staff report and Public Notice as part of the board packet states there are no proposed uses and no proposed development being approved at the current meeting. Ms. Cassel stated her opinion is that this is fundamentally inconsistent with a Special Use zoning request. Ms. Cassel noted the Ordinance states a Special Use is to be approved and it does specify uses. Ms. Cassel stated a Special Use has specific procedures in the Village Code that are supposed to be followed and one of them is that a PUD Ordinance is not to be approved until there has been ARB vetting which seems to have been waived for this project. Ms. Cassel urged the Board, if they decide to approve the Zoning Ordinance in two weeks, to revise the Ordinance and conditions based on comments from residents. Ms. Cassel stated the residents do not know what is in the application from GlenStar and suggested the Board make the application a public document and exhibit to the Ordinance.

Mr. Bina Vasavda, resident at 4 Robinhood Court noted concern regarding the proposed project and how it will negatively affect his residence.

Mayor Brandt opened the Hearing to comments by the Village Attorney, petitioner and discussion by the Village Board.

Village Attorney Simon asked the petitioner where employees of the proposed facility will come from. Mr. Micheli stated the Director of Operations would come from another TopGolf facility to have some cultural consistency within the brand but the plan is to have local hiring

events.

Village Attorney Simon asked what plans for these facilities will be implemented to help control safety, security, and the risk of over-service of alcohol. Mr. Micheli noted TopGolf has a team of people in the corporate offices to promote and encourage local staff take on a roll of safety manager and put in training for the entire staff regarding safety. Mr. Micheli noted they have several locations across the country where residents noted concern regarding safety, so TopGolf teamed up with Police Departments to create a comprehensive operational plan that TopGolf follows.

Village Attorney Simon asked if TopGolf is willing to be flexible with closing hours. Mr. Micheli stated TopGolf is willing to work with the Village to come up with reasonable hours with the desire to not affect the proforma. Trustee Hancock and Village Attorney Simon asked what the expectation is regarding hours of operation for TopGolf. Mr. Micheli noted typical hours of operation are Sunday through Wednesday, 9 or 10 a.m. – 12 a.m. and Thursday through Saturday, 9 a.m. – 2 a.m. Mayor Brandt asked if Lincolnshire wanted the hours to vary, would TopGolf entertain the change in hours. Mr. Micheli stated TopGolf would need to explore a change in typical hours since it would have an impact on the proforma.

Village Attorney Simon asked what the principal revenue sources are at a typical TopGolf. Mr. Micheli stated as a privately held company, they choose not to provide responses to financial data. Village Attorney Simon asked if Mr. Micheli could comment to whether or not the majority of revenue is from golf related activities or from food and alcohol services. Mr. Micheli stated as a privately held company, TopGolf chooses not to provide responses to financial data. Mr. Micheli stated he would like to be more transparent regarding his response but he did not know the answer to the financials. If the Village wanted to sign off on a non-disclosure agreement, TopGolf would be willing to share this financial information.

Village Attorney Simon stated the residents have expressed some suspicion on studies that the petitioner commissioned would be slanted and asked Mr. Diamond if he would be willing to reimburse the Village for the cost of the various impact studies if the Village commissioned them instead. Mr. Diamond stated in his experience, the way it typically works is the petitioner hires a consultant and submits the studies to the Village, the Village has their own consultant review the study provided, and the petitioner reimburses the Village for the review of the study.

Village Attorney Simon noted a resident asked if the zoning could convert back and stated this could happen through the same Public Hearing process as is currently being undertaken.

Mayor Brandt wanted to clarify the comment a resident made stating the

area is all residential noting this is not entirely true; the corner of Westminster and Route 22 has always been zoned commercial.

Village Attorney Simon asked if the developer understands that if the traffic study recommends improvements to the intersection of Westminster and Route 22, the developer will be responsible for improving the intersection. Mr. Diamond stated he understands this and that they would need IDOT approval for this. Mayor Brandt clarified the process the developer would need to go through with IDOT.

Village Attorney Simon asked the developer if they are aware they would need to comply with Lake County Stormwater Management regulations and the Village's tree regulations. Mr. Diamond stated he is aware of complying with these regulations.

Village Manager Burke asked Mr. Diamond to clarify that no gaming with the term gambling would be allowed at the facilities. Mr. Diamond confirmed no gaming/gambling would be allowed at the facilities.

Mayor Brandt stated one of the resident questions asked what the buffer is currently around the perimeter of the site. Mr. Diamond stated the wetlands are 150' which will stay but is unsure about the buffer. Mayor Brandt asked Economic Development Coordinator Zozulya if she knew what the buffer is currently. Economic Development Coordinator Zozulya stated she did not know.

Mayor Brandt stated one of the public questions asked if the petition went before the ARB and confirmed it did go before the ARB. Mayor Brandt explained the process stating if the Board approves this to go forward, any plans that are submitted for the project would still need to be referred to the ARB. Village Attorney Simon confirmed this process. Mayor Brandt stated the Village Board would then have final say since all PUD's have to be approved at the Village Board level.

Trustee McDonough asked the petitioner to clarify the traffic estimate as being 1 million or 2 million per year. Mr. Diamond noted he has been informed by St. James their estimate is 1 – 1.2 million and by TopGolf their estimate is 400,000.

Mayor Brandt stated one of the Public questions asked about the zoning of the Florsheim property and noted Florsheim is currently zoned as Estate but is not incorporated in the Village of Lincolnshire, it is unincorporated Lake County. Mayor Brandt stated if Florsheim had a developer, they would have to go through the same process. Mayor Brandt stated the long-term plan was to extend Berkshire Lane north and install a traffic signal. The Village is not considering rezoning of Florsheim and has not been approached. Many years ago, the family provided the Village with a concept plan for cluster homes. Village Manager Burke clarified the concept plan submitted for the Florsheim property years ago consisted of cluster homes and office commercial.

Mayor Brandt stated the Village would have to annex this land in order for it to go through the Village approval process.

Economic Development Coordinator Zozulya noted one of the questions asked was how the Public Hearing information was distributed throughout the community and stated there are several layers to the Village's notification process. The first layer is what state law and Village Code requires which is to notify every property owner within the required 250' radius and the petitioner has supplied this notification. The notice was also published in the Daily Herald. The second layer is the Village has an ongoing website portal where all current development projects are featured and this project is included. Residents are always welcome to contact Village staff as well. Economic Development Coordinator Zozulya noted the developer also outreached to the Community. Mayor Brandt noted the Village has worked hard to be transparent to broadcast the public meetings and posting them on the website. Mayor Brandt suggested residents sign up to receive the weekly Village E-news which includes the meeting information. Staff has passed around a signup sheet for project updates.

Ms. Kelly Kalmes, resident at 6 Court of Nantucket asked what specifically would be a deal breaker for GlenStar to consider not doing this project. Mr. Diamond stated if GlenStar cannot get the threshold issues they need to get approved to be able to build these facilities.

Mr. Robert Weinberg, resident of 10 Sommerset Lane stated he received his Public Notice as a certified letter from the petitioner's law firm even though they are more than 250' away from the property. Village Manager Burke noted staff included Sutton Place Homeowners on the list even though it was outside boundaries as a courtesy to the Homeowners Association.

Mayor Brandt asked the petitioner if they had anything else they want added to the Public Hearing. Mr. Diamond thanked all the public for their input. Mr. Diamond stated they are not proposing the project to destroy home values and disrupt lives adding his opinion was most of the issues brought up by the residents he felt, could be addressed but didn't know if the residents could be convinced of this.

Mayor Brandt stated the Board has heard all the residents and it is time for the Board to do their jobs and decide. Nothing will be voted on at the meeting tonight.

Trustee Hancock clarified that all concerns brought up are the same discussion points the Board has about many significant developments. Trustee Hancock stated the Board typically looks at Zoning then picks apart every aspect of the development before they can get comfortable with a project. The Board currently does not have a particular view on the current development.

Mayor Brandt made note that there are residents on the west side of Lincolnshire and the Board has heard from them as well.

Mayor Brandt noted the time limit of 10:30 p.m. is approaching and asked for a motion to continue the meeting.

Trustee McDonough moved and Trustee Grujanac seconded the motion to continue the meeting past 10:30 p.m. for an additional 30 minutes. A voice vote followed: AYES: All Trustees present. NAYS: None. ABSENT: Trustee Servi. ABSTAIN: None. Mayor Brandt declared the motion carried.

Mayor Brandt asked the Village Board to provide a recommendation.

Trustee Leider stated Vedder Price made a comment regarding the process and asked for confirmation that there were no flaws with the process. Trustee McDonough stated the process of requesting a change in zoning would require application and there is no preliminary development plan. Village Attorney Simon stated the rezoning request is to change OC to B2 which is part of the application. A different part of the application is to request a Special Use for a PUD and the developer acknowledges that they have not presented a preliminary development plan and that they cannot move forward without a preliminary development plan. The petitioner is asking the Village to grant a Special Use for a Planned Unit Development, limited solely and only to a list of permitted uses to be potentially operated within this PUD. Trustee McDonough asked if this is granted, would TopGolf and St. James be allowed on this property. Village Attorney Simon stated only if they complete all of the requirements by the Village Ordinances. Trustee McDonough noted if the Board approved the zoning, they have “Rung the Bell”, set things in motion that cannot be changed. Trustee McDonough noted concern regarding the proposed development and suggested all the plans and studies be done prior to approving the zoning. Mayor Brandt asked Village Attorney Simon if the statement Trustee McDonough made of “Ring a Bell” is a true statement since the zoning change would only last a year and if the petitioner is not approved with plans, then the statement seems inaccurate. Village Attorney Simon stated the developer has acknowledged and agreed that if the Ordinance is approved, they are not being given permission to build anything, construct anything, and they understand completely that they have to be vetted from step 1 for every building that goes on the site. Village Attorney Simon stated the Village does have a precedent for proceeding on an incremental basis where it has identified the types of uses allowed within a district and then come back later on and vetted specifics about each particular building. Trustee McDonough noted his opinion is that the Board has an impact and needs to answer questions before approving rezoning.

Trustee Leider stated he thinks more facts and information needs to be presented prior to approving rezoning. Trustee Leider suggested the

petitioner address some of the resident concerns such as traffic, lighting, and noise before proceeding. All Trustees agreed and would like the petitioner to address hours of operation, sight line, height exceptions, site plan, and obtain an environmental study. Village Attorney Simon stated it appears the Board is not prepared to approve rezoning unless the petitioner provides a full, 360° application on what the specific buildings, uses, and architecture will include. Mayor Brandt asked the Board if they are looking for this detailed information from both St. James and TopGolf and possibly a proposed restaurant. Trustee Hancock confirmed he would like everything that could potentially be approved by the rezoning be shown on the plans. All Trustees were in agreement with Trustee Hancock.

Mr. Diamond stated it appears the Board will not approve rezoning at the next meeting and asked for clarification regarding what studies the Board would like before moving forward. Village Manager Burke stated the Board would like a full development application from the petitioner. Mr. Micheli asked who would be responsible for contracting the studies involved since there was noted concern regarding the studies being contracted by the petitioner. Village Attorney Simon stated the petitioner would contract and acquire the studies and the Village would have an independent consultant review the studies provided. Mayor Brandt stated staff could provide a list of consultants they recommended for the petitioner to use and feel comfortable with.

Economic Development Coordinator Zozulya asked Village Attorney Simon to clarify the process if they are on board with doing a full blown development study. Village Attorney Simon stated the process for a PUD would be followed; the applicant would submit a preliminary development plan and follow the steps in the code. Economic Development Coordinator Zozulya asked if the next step would be the internal Development Review Team and ARB reviews rather than coming back to the Village Board. Village Attorney Simon stated the next step would be to submit a preliminary development plan application which would be reviewed by the Village's Development Review Team, referred to the ARB, and the collective recommendation between staff and ARB would be presented to the Village Board and there would be an additional Public Hearing at the Village Board at that point.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 10:38 p.m.

3.12 Consideration of a Resolution Reallocating 2018 Volume Cap to the Village of Buffalo Grove, IL (Village of Lincolnshire)

Village Manager Burke provided a brief summary of the annual resolution reallocation 2018 Volume Cap to the Village of Buffalo Grove.

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

3.13 Consideration of Economic Development Strategic Plan Update – 2018-2022 (Village of Lincolnshire)

Assistant Village Manager/CED Director Letendre provided a summary of the Economic Development Strategic Plan Update – 2018-2022 which established five new action steps within the plan and consolidated the goals per the request of the Village Board.

Village Attorney Simon noted there was an action item listed under Increase Business Support regarding sharing Village Hall space with small businesses that would change the fundamental nature of part of the use of the building that could affect tax consequences of the property. Trustee McDonough asked for this item to be removed from the document.

It was the consensus of the Board to remove the item regarding sharing Village Hall space and place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.2 Finance and Administration

3.21 PUBLIC HEARING: Regarding an Ordinance Making Appropriations to Defray all Necessary Expenses and Liabilities of the Village of Lincolnshire, Lake County, Illinois for the Fiscal Year 2018 (Village of Lincolnshire)

Mayor Brandt recessed the February 12, 2018 Committee of the Whole meeting and convened the Public Hearing regarding an Ordinance making appropriations to defray all necessary expenses and liabilities of the Village of Lincolnshire, Lake County, Illinois for the Fiscal Year 2018.

Finance Director/Village Treasurer Peterson provided a summary of the annual Ordinance making appropriations to defray all necessary expenses and liabilities of the Village of Lincolnshire, Lake County, Illinois for the Fiscal Year 2018. Finance Director/Village Treasurer Peterson noted three significant changes are as follows: Community & Economic Development- Professional Services Pre-Application Expense was added to the budget in order to monitor charges for pre-application when a potential development does not go through which the Village incurs expenses we are not reimbursed for; Insurance & Common - Professional Services Miscellaneous has been added to provide expenditure authority for utility audit services and benchmarking cooperative; and Park Development – Rt. 22 Pedestrian Bridge Improvement has been increased to \$235,000.

Trustee McDonough asked if we used the same threshold as last year of 10% over budget. Finance Director/Village Treasurer Peterson confirmed 110%, 100% on General Capital, and 100% of Water & Sewer Improvements. Village Manager Burke noted the direction to staff

is to manage to the budget, so staff has not brought forth a Supplemental Appropriation Ordinance since staff has not exceeded and been within the budgeted authority annually.

Mayor Brandt adjourned the Public Hearing and reconvened the Committee of the Whole meeting at 10:45 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.

3.22 Consideration of an Ordinance Amending Title 1 (Administration), Chapter 8 (Village Finances), Article E of the Lincolnshire Village Code Regarding Bidding Procedures and Awarding of Contracts (Village of Lincolnshire)

3.23 Consideration of Adoption of Village of Lincolnshire Procurement Policy (Village of Lincolnshire)

Mayor Brandt opened Items 3.22 and 3.23 together.

Village Manager Burke provided a summary of the Ordinance amending Title 1 (Administration), Chapter 8 (Village Finances), Article E of the Lincolnshire Village Code regarding bidding procedures and awarding of contracts and the adoption of Village of Lincolnshire Procurement Policy due to state law changes in September of 2017. The proposed Ordinance would change the spending authority for the Village Manager from \$20,000 to \$25,000.

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

3.24 Consideration of an Ordinance Amending Title 1 (Administration), Chapter 16 of the Lincolnshire Village Code Regarding the State Officials and Employees Ethics Act (Village of Lincolnshire)

Village Manager Burke provided a summary of an Ordinance amending Title 1 (Administration), Chapter 16 of the Lincolnshire Village Code regarding the State Officials and Employees Ethics Act.

Village Attorney Simon noted there has been more text added to make it easier to understand what is prohibited and regulated.

Trustee McDonough asked if the confusion regarding compensated time of an employee versus an elected official has been clarified. Village Attorney Simon stated this has been clarified in the Ordinance.

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

3.25 Consideration of a Resolution Appointing a Representative and

Alternate to the Governing Board of the North Suburban Employee Benefit Cooperative (Village of Lincolnshire)

Village Manager Burke provided a summary of a Resolution Appointing a Representative and Alternate to the Governing Board of the North Suburban Employee Benefit Cooperative.

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

3.26 Consideration of a Resolution Approving Closed Session Meeting Minutes and Authorizing the Village Clerk to Make Certain Closed Session Meeting Minutes Available to the Public for Inspection Second Review – 2017 and Authorizing the Destruction of Certain Audio Recordings of Closed Session Minutes (Village of Lincolnshire)

Village Manager Burke provided a summary of the semi-annual Resolution approving closed session meeting minutes and authorizing the Village Clerk to make certain closed session meeting minutes available to the public for inspection second review – 2017 and authorizing the destruction of certain audio recordings of closed session minutes.

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

3.3 Public Works

3.31 Consideration of a Request to Authorize Purchase a Tapco SMC4000 Mini-Solar Powered Message Board via the US Communities Joint Purchase Program from Traffic & Parking Control Company, Inc. (Tapco), Brown Deer, WI in an Amount not to Exceed \$18,661.80 (Village of Lincolnshire)

Public Works Director Woodbury provided a summary of a request to authorize purchase a Tapco SMC4000 Mini-Solar Powered Message Board via the US Communities Joint Purchase Program from Traffic & Parking Control Company, Inc. (Tapco), in an amount not to exceed \$18,661.80.

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

3.32 Consideration of a Contract for the Construction of the Village's 2018 Westminster Way Watermain and Roadway Rehabilitation Project with A-Lamp Concrete Contractors, Inc. of Schaumburg, Illinois in an Amount not to Exceed \$1,627,668.00 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a

summary of a contract for the construction of the Village's 2018 Westminster Way Watermain and Roadway Rehabilitation Project with A-Lamp Concrete Contractors, Inc. in an amount not to exceed \$1,627,668.00.

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

3.33 Consideration of a Professional Services Agreement with Christopher B. Burke Engineering, Ltd. For Phase 3 – Construction Observation Services for the Village's 2018 Westminster Way Watermain and Roadway Rehabilitation Project in an Amount not to Exceed \$142,495.00 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of a professional services agreement with Christopher B. Burke Engineering, Ltd. For Phase 3 – Construction Observation Services for the Village's 2018 Westminster Way Watermain and Roadway Rehabilitation Project in an amount not to exceed \$142,495.00.

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

3.34 Consideration of a Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code – January 1, 2018 to December 31, 2018 (Village of Lincolnshire)

Assistant Public Works Director/Village Engineer Dittrich provided a summary of the annual Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code – January 1, 2018 to December 31, 2018

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

3.4 Public Safety

3.41 Consideration of a Request to Authorize Purchase of Three Police Department Replacement Vehicles at a Cost of \$87,010.00 (Village of Lincolnshire)

Chief of Police Leonas provided a summary of a request to authorize purchase of three Police Department replacement vehicles at a cost of \$87,010.00.

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

Mayor Brandt stated the reason the Village Board and staff has gone through the Agenda so quickly and approved items to the Consent Agenda is because all items

have been reviewed during the budget meetings. The Board had agreed to move forward and purchase these items. All these items will be put on an Agenda and can be pulled if there are further discussion.

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Feldman seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 10:58 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk