

MINUTES OF THE PLAN COMMISSION SPECIAL MEETING
April 18, 2022

The special meeting of the Plan Commission was called to order by Temporary Chairman Eric Steffe at 7:00 p.m. at the Village Hall.

Commissioner Oakley moved, seconded by Commissioner Wheeler, to appoint Commissioner Steffe as Temporary Chairman of the Plan Commission in Chairman Mark Moore's absence.

Motion carried 5 - 0.

Members present: Temporary Chairman Eric Steffe, Amy Flores, Walter Oakley, Richard Pyter, and Gregory Wheeler.

Members absent: Chairman Mark Moore and Thomas Rankin.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner; and Jeff Cooper, Village Engineer.

Others present: Marcus Martinez, Village Attorney.

OLD BUSINESS:

**PC 22-07 Moises Cukierman, CHILM Libertyville Residential LLC, Co-Applicant
George Archos, 1783 N. Milwaukee Parking, LLC, Co-Applicant
1761, 1765 and 1783 N. Milwaukee Avenue**

Request is for a Planned Development Final Plan in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District.

**PC 22-08 Moises Cukierman, CHILM Libertyville Residential LLC, Co-Applicant
George Archos, 1783 N. Milwaukee Parking, LLC, Co-Applicant
1761, 1765 and 1783 N. Milwaukee Avenue**

Request is for a Final Plat of Subdivision for property approximately 15.3 acres in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District.

Mr. David Smith, Senior Planner, introduced the requests for Final Plan and Planned Development Final Plan. Mr. Smith stated that the Final Plan is intended to refine and implement elements of the Development Concept Plan and will serve as a complete and permanent public record of the

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planned development. He stated Plan Commission is to consider whether the Final Plan is in substantial conformity with the approved Development Concept Plan.

Mr. John Spoden, Director of Community Development, stated that the Staff recommendations in the DRC Staff report have been amended to remove Lot 2 of the First Addition to Young's Subdivision from the lot coverage and interior parking lot landscaping requirement.

Ms. Katriina McGuire, agent on behalf of the co-applicant CHILM Libertyville Residential LLC, introduced the petition on behalf of the applicant. She stated that during the course of the public hearings for the Development Concept Plan they have reduced the proposed number of townhomes from 90 to 80. They have combined the detention ponds and reduce them from four (4) to two (2), they have increased the open space, and they have increased the setbacks of the townhomes from certain property lines. She stated that in response to feedback received from the Village Board of Trustees they have addressed a potential monotony issue in the design of the town homes by incorporating additional architectural designs that alternate between the townhome buildings and have provided those changes in the Final Plans.

Mr. Jim Olguin, agent on behalf of co-applicant George Archos-1783 N. Milwaukee Parking, LLC, stated that the interior parking lot landscaping will be made up in the commercial vacant lot when it is developed. He stated that the overall lot coverage when combining the Wildberry parking lot expansion and the development of the vacant commercial lot will be compliant as a combined parcel.

Mr. Mark Steinhauser, 195 Adler Drive, stated that the Plan Commission recommendation is important. He stated that he believes that the proposed residential development does not reflect the intent of the Village's Comprehensive Plan. He stated that the proposed development is being shoe horned into the site and is too dense. He stated that the proposed height of the townhome buildings is too high at 39 feet. He stated that he is concerned about the storm water management for the proposal and that the overall proposal will be a detriment to the community.

Commissioner Oakley stated that many accommodations were made by the developer to get the plans to where they are now.

Commissioner Flores asked for clarification of the crosswalk configuration where the new road meets Adler Drive. Mr. Spoden explained the changes.

Commissioner Wheeler asked about the storm water drainage at the northwest corner of the site. Mr. Jeff Cooper, Village Engineer, explained the current conditions of the site and how the proposed detention ponds will address the storm water management.

Commissioner Wheeler asked the school impact fees. Mr. Moises Cukierman from CHILM Libertyville Residential LLC, stated that they will comply with the Village's fee ordinance.

Commissioner Wheeler asked how the snow will be removed. Ms. Sharon Dickson, landscape architect for the petitioner, stated that there is space at the end of each motor court between the townhome buildings to push excess snow.

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Commissioner Pyter asked what would cause overland flow during a heavy rain event. Mr. Ron Adams, civil engineer for the petitioner, stated that the storm water management system is designed to accommodate a 100 year rain event.

Commissioner Pyter asked about the direction of the drainage flow. Jeff Cooper described the direction of the drainage flow.

Chairman Steffe asked the petitioner if they are ready for the Plan Commission to vote and render their recommendation.

Mr. Cukierman stated that they are ready for the Plan Commission to make their recommendation tonight.

In the matter of PC 22-07, Commissioner Flores moved, seconded by Commissioner Oakley, to recommend that the Village Board of Trustees approve a Planned Development Final Plan in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District, subject to the following conditions:

1. *In lieu of designating 15% of the 80 residential townhome dwelling units (12 units) to be developed as attainable, as defined by the Illinois Affordable Housing and Appeal Act (310 ILCS 67/1 et. seq.), the Developer shall make a donation of money to the Village of Libertyville to be utilized by the Village to address the attainable housing needs of individuals or households that may occupy low to moderate income housing. The donation amount shall be codified in the Development Agreement to be approved by the Village Board of Trustees.*
2. *That upon development of Lot 19 of the Liberty Junction Plat of Subdivision a.k.a. the vacant commercial lot that the minimum 10% interior parking lot landscaping shall be provided for all of the commercial lots as a whole.*
3. *That upon development of Lot 19 of the Liberty Junction Plat of Subdivision a.k.a. the vacant commercial lot, the maximum permitted lot coverage shall not exceed 85% for all of the commercial lots as a whole.*
4. *That the following items be addressed prior to final engineering approval or the issuance of a site development permit:*
 - a. *A Development Agreement between the petitioners and the Village shall be fully executed and recorded with the Lake County Recorder of Deeds.*
 - b. *A Private Water Main Maintenance Agreement between the petitioners and the Village, in a form acceptable to Village staff, shall be executed by the owner of the property.*

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- c. *Declarations of Protective Covenants, Conditions, and Restrictions shall be established for the residential and commercial components of the subdivision in a manner satisfactory to the Village and shall be executed by the owner(s) of the property.*

Motion carried 5 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Wheeler
Nays: None
Absent: Moore, Rankin

In the matter of PC 22-08, Commissioner Pyter moved, seconded by Commissioner Flores, to recommend that the Village Board of Trustees approve a Final Plat of Subdivision for property approximately 15.3 acres in order to construct a townhome development, expand and improve the parking area for a restaurant, and to mass grade and make pad-ready a commercial parcel for property currently located in the C-3 General Commercial District, subject to the following conditions:

1. *That the following items be addressed prior to adoption of an Ordinance to Approve the Final Plat:*
 - a. *Revise the "Plan & Design Commission Certificate" certificate to just read "Plan Commission Certificate".*
 - b. *Within the text of the School District Certificate, Elementary School District 2 and High School District 100 are incorrectly referenced. Please revise these to '70' and '128' respectively, in conformance with the information listed further below within the same Certificate.*
 - c. *A Public Sidewalk Easement is needed for that portion of the public sidewalk that will run through the north end of Lot 18. Please also add Public Sidewalk Easement provisions to Sheet 3. Please contact the Engineering Division directly for the provisions.*
 - d. *Please revise the title of the second Ingress-Egress easement provisions to read "Lot 18 Non-Exclusive Ingress & Egress Easement Provisions" for clarity. This would include correction of the typo from "None-Exclusive" to "Non-Exclusive."*
 - e. *Please expand on the language of the first set of "Proposed Ingress and Egress Easement Provisions" to clarify to whom rights of access are being granted. Suggested language revisions can be provided by Engineering Division.*
 - f. *Eliminate the small Village Utility Easement (VUE) that is shown within Lot 19 (L278-L280). This stretch of storm sewer shall be privately owned and maintained, as it is solely required for the benefit of Lot 19.*
 - g. *Please revise the note shown at the top-right corner of Sheet 1 to clarify that the blanket easement being described is being established "over Outlot A".*

