

**Long Grove Plan Commission & Zoning Board of Appeals (PCZBA)  
Regular Meeting Minutes --- April 7, 2017**

Present: Commissioners Jeff Kazmer, Shelly Rubin, Magdalena Dworak, Charles Cohn, Helen Wilson, and Bill Peltin.

Absent; Chairman Fred Phillips

Also Present: James Hogue, Village Planner, Betsy Gates, Village Attorney, and members of the public.

**1. Appointment of Chairman *pro tem*.** Commissioner Rubin nominates Commissioner Cohn as Chairman *pro tem* for purposes of this PCZBA meeting. Seconded by Commissioner Kazmer. On a voice vote, all ayes.

**2. Call to Order:** Chairman *pro tem* Cohn called the meeting to order at 7:06 p.m.

**3. Visitors Business:** Chairman *pro tem* Cohn asked if there was anyone from the audience who wished to address the Commission on a non-agenda item. Mr. Mike Demar came forward indicating he wished to address the Commission on the Karen's Corner project which is to the south of the property scheduled for public hearing.

Chairman *pro tem* Cohn asked if this was in relation to the Karen's Corner project itself or the project as it relates to the Deer Trail PUD (to the north) which is the topic of the scheduled public hearing?

Mr. Demar indicated that his comments were related to the project itself. Mr. Demar then began to explain the proposal at was referred by the Village Board in March. He went into detail on project focusing on the connection to the Deer Tail proposal to the north and the difference in lot sizes between the two developments.

Chairman *pro tem* Cohn then indicated he was uncomfortable with the information being presented noting it was more appropriate for the public hearing than for "visitor business" before the PCZBA. He asked Mr. Demar to save his comments for the public hearing.

Mr. Demar complied with this request.

**4. New Business:**

Consideration of a request for a Zoning Map Amendment to the R-3 District and a Special Use Permit to allow a 31 lot Planned Unit Development/ subdivision (density bonus requested) to be known as the Deer Trail Subdivision including; 1) lot sizes of less than 33,000 sq. ft; 2) setback relief from the underlying R-3 District regulations in excess of the 20% maximum provided for in the Village Code; 3) text amendments to the Village Code to allow the Planned Unit Development as proposed (w/lot sizes and setback relief) and/or additional relief necessary and/or appropriate under the village code to allow the development of property zoned under the R-3 PUD district classification as proposed upon annexation to the Village of Long Grove per a proposed annexation agreement as submitted

by Swanson Development L.L.C.

Chairman *pro tem* Cohn read the request into the record and swore in the witnesses to testify.

Planner Hogue summarized the staff report distributed to the PCZBA. He noted as proposed the property in question is being considered for PUD development to allow a 31 lot PUD subdivision. Annexation will need to occur (per an annexation agreement) as the property is currently in unincorporated Lake County. A density bonus (5%) is being requested as part of this proposal as well as lot size and setback relief. The densities and land uses as proposed in this development are consistent with the proposed comprehensive plan for the area but in conflict with the 2 acre minimum lot size contemplated under the current plan. He encouraged the PCZBA to consider other aspects of the current plan (such as clustering, community character, preservation and restoration of open space) as well.

The petitioner proposes a “conservation design” type development that serves to protect environmentally sensitive features of the site while maximizing open space. The concept of clustering of lots, to preserve open space and minimize impacts to the land, is supported by the comprehensive plan as well. Open Space preservation has been a long standing goal of the village also. As the property is can be serviced by sanitary sewer smaller lot sizes are an option at this location in the village.

Ten acres (or 26 %) of the property will be impacted by development. The remaining 28 acres (or 74%) of the property will be preserved as common open space. The required 100’ scenic corridor buffer along Old Hicks Road will be replanted with native trees and plantings to enhance the character of the area as well as the development.

Homes will range in size from 2,800 to 4,500 sq. ft. with lot sizes ranging from 10,000 to 16,000 square feet. This is in response to market conditions identifying a trend of smaller homes on smaller lots with high quality amenities as opposed to large house/ large lot developments. Net site density (excludes 50% of wetlands & conservancy areas) is calculated at .95 +/- acres of land area per dwelling unit. Gross site density is 1.24 acres of land area per dwelling unit.

As the zoning and PUD regulations do not anticipate nor allow for lot sizes or setbacks as proposed by the applicant, a text amendment to the village code would be required for the development to move forward as proposed. Overall, net site density of .95 acres of land area per unit is contemplated. This is consistent with the proposed land use plan, a text amendment (perhaps similar to that granted as part the Steinbach PUD; preliminarily approved in 2016) may provide the necessary relief for the proposal to move forward. A density bonus (5%) is required to achieve 31 lots on the property as well.

The PUD regulations do however make an exception for smaller lot sizes for property to be annexed into the Village as follows;

*(2) Exception For Annexed Lots: Notwithstanding the requirements of subsection (E)2(m)(1) of this section, the village board may, pursuant to an annexation agreement with the owner of property located in unincorporated Lake County and proposed to be annexed to the village, authorize an exception from the thirty three thousand (33,000) square foot lot area requirement in subsection (E)2(m)(1) of this section, but only to the extent that the applicable*

*county development regulations would have permitted development on less than thirty three thousand (33,000) square feet in lot area.*

This provision of the village code may be applicable and the petitioner should provide testimony to that fact. If applicable the lot size issue may potentially be addressed in this manner. The proposed annexation agreement would need amendment as well.

He noted the following issues per staff review of the proposal adding this list may not be all inclusive as further issues may arise as part of the public hearing process.

- The appropriateness of the use of the property for the “R-3 District” purposes as anticipated in the proposed plan update; R-2 densities are contemplated per the adopted Comprehensive Plan;
- Consideration of the proposal in light the goals and objective and other aspects of the Comprehensive Plan.
- Consideration of the density bonus (5%; less than the 15% maximum) lot size and setback relief requested in light of the quality (open space, landscaping, overall design) of the development ;
- Referral of preliminary plat, landscape plan to the AC meeting; signage and lighting would required further review and approval if proposed in the future;
- Arborist review of the landscape & tree removal\protection; a condition on those findings may be appropriate;
- Consideration of better integration between this development and the “Karen’s Corner” proposal to the south.
- Consideration the scenic corridor, conservancy easements, pathways and plantings and potential referral to the CSCC;
- Consideration of the Preliminary PUD Plan, Plat and development plans;
- Consideration of the “quality of the development” in light of the relief requested and benefits to the Village and impacted to the character of the area.

He also reminded the Commission that as a Special Use necessary and reasonable conditions may be placed on proposal to help to mitigate any “externalities” associated with the project.

Mr. Rick Swanson, Swanson Development, 1930 Amberley Court, Lake Forest, Illinois introduced himself, and gave a PowerPoint presentation on the proposal for the “Deer Trail of Long Grove” development.

He explained conservation design and cluster developments noting he has been successfully using this development technique for the last 15 years. He encouraged PCZBA members to visit his “Everett Farms” development in Lake Forest. This proposal is very similar to that development.

He then reviewed the proposed site plan, and engineering noting that the development would be serviced with sanitary sewer (to be extended from the south via the Karen’s Corner Development). All engineering concerns noted by the village engineer can be addressed. Roads would be private and additional setback in addition to the 100’ scenic corridor would be added for the total of 130’ of setback from Old Hicks Road. A connection is identified for property to the south per the urging of village staff and for better

coordination of both developments is shown. He indicated a preference for individual wells as opposed to a private water system based upon the opinion of his well driller Joseph H. Huemann & Sons. He also noted the traffic study for the development prepared by KLOA Consultants. Results of this study indicate there would be little impact to the existing roadway system with this development and no roadway improvement are required with this proposal.

The current R-3 zoning regulations for the village require 1 acre minimum lot sizes, front yards of 50 and side and rear yards of 30. He is requesting lot sizes of 11,000 to 16,000 which are in conflict with both the PUD and subdivision regulations which require a minimum of 33,000 sq. ft. of land area per lot. Additionally, setbacks of 30 feet on the front and rear yards and 12 feet on the side yards are also requested. The PUD regulations allow a reduction in setbacks not to exceed 20% of the requirement for the underlying zoning district (i.e. front yards of 40 feet and side yards of 24 feet). As proposed front and side yard setback reductions exceed this amount. He is seeking relief from these requirements as well.

He went on to explain the proposed architectural style of the development (referencing photos from the Everett Farms Development) noting house sizes would be in the 2,800 to 4,500 sq. ft. range and utilize high quality materials in construction. Incorporation of high quality amenities would also be features of these homes.

He noted that his company has been very respectful of the planning process for the village. He would have preferred to bring this application forward once the revised comprehensive plan for the village was approved. However, due to the length of this process and pressure from the property owner he needed to bring the application forth at this time. He has been following the progress of the plan update and has reviewed the current comprehensive plan for the Village. He believes that this proposal implements many of the goals and objectives of current plan for the village and well as those anticipated in plan update.

He respectfully asked that the proposal be approved by the PCZBA.

Chairman *pro tem* Cohn then asked for comments from the public.

Mr. Michael Demar, of Fidelity Wes Builders, 201 Robert Parker Coffin Rd, Long Grove, IL 60047 noted he was the owner and developer of the property abutting and to the south of this proposed development. Mr. Mike Demar indicated he is the developer of the Karen's Corner project which is scheduled for public hearing at the May PCZBA meeting.

Mr. Demar noted the road connection between the two developments is a good idea. He concurred with the opinion of Mr. Swanson that individual wells were preferable to a private water system. He does not feel comfortable with a communal deep well proposal. He also agreed with the findings of the traffic study. He then presented the revised plans identifying "Phase I & Phase II" of the Karen's Corner Development.

Mr. Demar noted he has concerns with lot sizes as proposed and lot sizes contemplated in the comprehensive plan. He liked the look of Mr. Swanson's proposal but questioned the appropriateness of this type of development in this area of the Village.

Ms. Dina Krueger, 2343 RFD, indicates she is a 30 year resident of the Village. She is not opposed to the development of this property but is concerned with a potable water supply to

the existing residents of the area. As proposed, between the two developments, an additional 60 homes could be constructed. She is concerned the existing homes will be adversely affected by this development. She asked about the timeline for the development of 60 the homes as well.

Additionally, she voiced concerns regarding the findings of the traffic study. Traffic is “horrendous” at the corner of Old Hicks and Route 53 any time of the day. Left turns are very difficult to make at that intersection. Many people use Old Hicks to Schaeffer Road to exit the subdivision. She inquired about the potential for signalization at the Route 53 and Old Hicks intersection.

Chairman *pro tem* Cohn indicated that Route 53 is a controlled by the Illinois Department of Transportation. Access and improvements to that roadway are the purview of the state.

Chairman *pro tem* Cohn also indicated the traffic study included in the application packet submitted by the petitioner is flawed. That report indicates 21 homes would be constructed rather than the 31 now being considered.

Mr. Swanson explained that an older traffic study must have been inserted in the application packet. He noted the PowerPoint presentation is based upon the most current and updated study. He apologized to the PCZBA for the error and indicated the updated study will be provided to the PCZBA for consideration.

Mr. David Cobb, 2339 RFD, indicated he was an 11 year resident of the Village and was very aware of this area of the village. He had two major concerns with the proposal those being traffic & water. With people working he was concerned with traffic around the Country School at pick-up time. He suggested a connection to the “Menards Road” for access into Route 53 (it was noted this is a private road however).

Mr. William Apostolakis, 2330 RFD, noted concerns with the water supply. He indicated with sanitary sewer service groundwater was being converted to surface water. This is unlike septic systems which return waste water as groundwater. He suggested using Dorothy Lane as a connection to Route 53.

Ms. Rita O’Conner, 3531 RFD noted concerns with traffic. She also had concerns with the consistency of this proposal and existing development. She felt a proposal of this nature was not consistent with the existing and proposed comprehensive plans for the village.

Mr. Bob Krueger, 2340 RFD, indicated this proposal will add additional traffic to a bad situation existing on Old Hicks Road.

Village Trustee Mike Sarlitto spoke about the nature of the referral of the request by the Village Board to the PCZBA. He indicated, per the referral the Village Board, the evaluation of the submittal in light of several criteria including other development and development proposals in the area was suggested. He read the referral language as follows:

*Trustee Sarlitto moved to refer to the PCZBA an application for Text Amendment To Establish The New Residential Zoning Classification (Rezoning From Village O-Office & R-1, 3-Acre Minimum) To Proposed Village Residential Planned Unit Development (PUD) (Average Lot Size 1/2-One-Half-Acre) For 65 Single-family Detached Homes For The Property Totaling 36.9*

*Acres Located On The Former CF Industries Property (PINs #14-23-20-007, -015, 027, 028 and 14-23-400-027), To Be Known As Heron Creek Reserve, Asset Ventures Fund 1, LTD.*

*With this referral, the board suggests evaluation of the specific petitioner submittal in a broader integrated context to include consideration of near or adjacent development projects approved within the last several years, ongoing development requests currently under consideration in near/adjacent parcels/areas and, to the extent practical, prior relevant public input regarding proposed/future village-wide development opportunities including ongoing comprehensive plan update public commentary.*

*In particular, several items of interest include: integrated water supply, sewer, traffic flow, public safety (i.e. lighting), trail systems, emergency vehicle access, realistic market-based price points consistent with proposed location, diversity in residence building product, cumulative impervious surface impacts and perceived "fairness" with respect to other recent submittals (i.e. Fidelity Wes, Steinbach, etc.) as relates to minimum acreage requirements; seconded by Trustee Marshall*

He noted the update to the Comprehensive Plan is currently under review. He urged fairness in the evaluation of proposals against other submittals.

Planner Hogue referenced comments submitted in writing against the proposal submitted by Ms. Marsha Marshall. These comments were distributed to the PCBZA at the meeting.

Chairman *pro tem* Cohn then asked if there were additional comments from the public; hearing none he asked for comments from the Commission beginning with his own.

Chairman *pro tem* Cohn commented on the density of the proposal as it relates to water and traffic and asked if the number of lots could be reduced. He was concerned with the proposal being on the cusp of the plan update.

Mr. Swanson responded that he had reviewed both the existing and proposed comprehensive plans for the Village in formulating his request. He is basing his proposal on the "expectation" of the proposed comprehensive plan. The lots proposed are the minimum number of lots required for the project to be successful. He reiterated the development would have 74% open space and enhanced scenic corridors and natural areas. He cannot have less density.

He indicated Lake County would like to see a development of this nature as an example of Conservation Design Development and would allow lot sizes potentially as small as 5,500 sq. ft. He is not looking to "fight" with village and county and would walk away from the development proposal if not desirable to the village. He is not a fan of larger lot subdivisions and notes smaller lots tend to work better in his development proposals.

Commissioner Wilson asked about other subdivisions that Mr. Swanson had done which were similar to this proposal.

Mr. Swanson noted several Lake Forest developments of this nature such as Conway Farms; Milfork Farms; Ambley Woods and Everett Farms. All of these were conservation design developments. In particular, he noted the Everett Farms development as being very consistent with this proposal. He noted smaller lots are selling faster than larger lots.

Developments of this nature also have a more neighborhood feel than larger lot developments.

Ms. Wilson also had concerns with traffic and in particular service vehicles on roads and the water supply with individual wells. She noted the traffic study was wrong and would like to see a study of the cumulative effect of all development in the area to get a true impact of the traffic situation.

Mr. Swanson stated he could provide well data. Joseph H. Huemann & Sons Well Drilling will be his water consultant. He noted Mr. Huemann had stated a deep well is not a good idea due to issues with radon in deep wells. Wells are anticipated at 250' in depth and should be below, and therefore not impact, existing wells in the area. He understands and respects the residents concern however.

Commissioner Peltin was very sensitive to the water issue. He agreed with the density concept and noted the large lot development are "a thing of the past". He favors smaller lots notes the inefficiencies of large lot developments. He indicated much of this is market driven and suggests the density as proposed is needed to offset the cost of the proposed amenities in the development.

Commissioner Dworak noted the traffic concerns particularly at Route 53 and Old Hicks Road. She noted no left turning lane ( from Old Hicks to 53) was an issue. She suggests intersection improvements to Old Hicks ( a village road) as an improvement to somewhat address the traffic concerns.

Commissioner Rubin asked what was the price point for a "cluster development" of this nature ?

Mr. Swanson responded somewhere in the range of \$750,000 to \$1,000,000 per unit.

Commissioner Kazmer indicated this was a nice looking subdivision and not too dense. He urged connectivity between this and the Karen's Corner proposal. Water and traffic concerns need to be addressed. Perhaps intersection improvements will offer some relief to the traffic issues. The best possible solution to the water issue needs to be identified and pursued.

Commissioner Wilson asked what type of density/lot size would the county allow ?

Mr. Swanson responded that there were three basic options with the county. A "straight" 2 acre estate development; a midrange development with would allow 36 lots and third alternative which would allow lots as small as 6,500 square feet. He favored the "midrange" proposal which is similar to this development plan.

Chairman *pro tem* Cohn then asked if there were additional comments from the Commission; hearing none he asked for a motion from the Commission on this request.

Commissioner Wilson made a motion, seconded by Commissioner Kazmer, to continue this request to the May 2<sup>nd</sup> regular meeting to give the petitioner the opportunity to provide additional information on traffic, water and the level of development allowable in the

county. On voice vote, all aye. Motion carries and the request is continued to the May 2, 2017 regular meeting.

**Approval of Minutes; January 17, 2017 Re-Scheduled Regular Meeting ;**

Commissioner Peltin made a motion, seconded by Commissioner Rubin, to accept the January 17<sup>th</sup> draft meeting minutes as submitted. On a voice vote; all aye.

**Other Business;**

**Update – Proposed amendments to the Village of Long Grove Comprehensive Plan**

Planner Hogue reported that the “Public Hearing” draft of the document was about 95% complete. Once the final draft is completed the Steering Committee will review the document one final time and the dates for presentations and public hearing can be discussed.

**Adjournment**

Commissioner Wilson made a motion to adjourn, seconded by Commissioner Rubin. On a voice vote, all ayes. Meeting was adjourned at 9:18 pm.

**Next Regular Meeting: May 2, 2017**

Respectfully Submitted,

*James M. Hogue,*

Village Planner