

Village of Riverwoods
Board of Trustees Meeting
May 25, 2023
APPROVED

Present:

Kris Ford, Mayor

Michael Clayton

Liliya Dikin

Andrew Eastmond

Henry Hollander

Rick Jamerson

Jeff Smith

Also Present:

Bruce Huvard, Village Attorney

Bruce Dayno, Police Chief

Russ Kraly, Director of Community Services

Carissa Smith, Village Engineer

Katie Bowne, Village Clerk

The meeting was called to order at 7:30 pm.

Mayor Ford said there is one agenda item only-consideration of request of Lexington Homes, LLC for zoning text amendment, reclassification of Federal Life Property to 1-R District and Special Use for multiple family housing preliminary subdivision plat approval. She read the protocol to be observed regarding discussion and visitor comments which is also posted on the boardroom wall entrance.

Trustee Dikin and Trustee Jamerson will be out of town for the June 6 BOT meeting. Since every effort will be made to have a full BOT for the Lexington vote, most likely the matter will continue until June 20 unless a special meeting is scheduled. TIF support discussions will begin on June 20 and will last 30 to 90 days as they involve discussions with Lake County for its contribution towards comp storage costs.

Mr. Huvard thought it would be helpful if each of the Village consultants who worked on various facets of the Lexington proposal provided a brief overview of their findings with regard to:

•**Stormwater Compliance**-Village Engineer Carissa Smith said any new development has to meet the minimum standards stipulated in the Lake County Watershed Development Ordinance (WDO). Lexington representatives have acknowledged the WDO stormwater regulations and their proposal complies with those regulations but it is pending final site plan submittal.

•**Woodland Ordinance**-Village Ecologist Steve Zimmerman worked on the proposal's compliance with the Woodland Protection Ordinance (Ord. 18-03-05) which states that no more than 20% of the protected woodland may be removed. The proposal shows 19.5% protected woodland removal (pending final site plan submittal) so it does fulfill the under 20% requirement. Mr. Zimmerman also provided recommendations for the west and south detention basins. He advised they be constructed in a way that allows naturalization so they better fit in with the character of Riverwoods.

•**Access Road & Traffic Circulation**-Village Engineer Carissa Smith said the connecting road into Colonial Court from Deerfield Rd. upholds the traditional 12 ft. lane width necessary for adequate flow of traffic. Emergency vehicle access currently meets turning radius standards but is pending final site review by the Lincolnshire-Riverwoods Fire Protection District (LRFPD).

•**Site Plan & Density**-Lee Brown, President of Teska & Associates, who also acts as the Village Planner spoke about site plan and density. Mr. Brown noted that there have been substantial changes to Lexington's site plan based on consultant feedback. Previously, Lexington was asking for several exceptions to building standards that are now no longer needed.

Modifications of circulation and building locations to eliminate setbacks are two of the specific changes that have been incorporated into Lexington's revised plan. Connecting sidewalks where practical to make the area safer for pedestrians, providing more community open spaces, and having a centrally located rain garden are additional enhancements.

The density meets the zoning that is requested. There are no exceptions requested for the present total number of 54 units. Reducing the total number of units from the initial submission has provided a more liveable environment for the community itself by providing more open space. Trustee Jamerson confirmed with Mr. Brown that there is no zoning ordinance change necessary to accommodate the Lexington development.

Trustee Jamerson asked Ecologist Zimmerman if there is a mitigation fee for the 19.5% woodland removal. Ecologist Zimmerman responded that there is only a fee if protected species of trees are removed from the protected woodland. Ecological mitigation such as removal of invasive species or tree planting may also be an option if protected species trees within the protected woodland are proposed for removal.

•**Affordable Housing**-3 of the 54 townhomes would be affordable housing units. There would be a series of restrictive covenants recorded against the 3 units that would define and regulate the income eligibility of the residents living in those townhomes. Mr. Huvad has been in contact with Rob Anthony of Community Partners for Affordable Housing who has conveyed that his organization would be pleased to administer Riverwoods affordable housing units. His agency would find tenants, vet them, and give them training courses so the Village does not have to do it.

For the remaining 5 units that the developer proposes not to have on site, a fee in lieu of \$125,000 per unit is proposed (\$625,000 total fee). Riverwoods does not have an affordable housing ordinance but the Village has a goal. The goal is to have 15% of new units as affordable housing. Trustee Eastmond questioned whether an evaluation consultant should be employed to see the impact of affordable housing on neighboring home values. Trustee Smith wanted to know more details about the fee in lieu, specifically how it would be managed and where the money would be held. Mr. Huvad said those decisions would have to be made by the BOT as the Village does not have previous experience accepting a fee in lieu of for onsite affordable housing.

Hal Francke, lawyer with the firm of Meltzer, Purtil & Stelle LLC representing Lexington, presented a high-level overview of Lexington's proposal. Mr. Francke began by introducing the other members of Lexington project team.

Mr. Francke explained that the project has changed dramatically since it began approximately six months ago. Mr. Francke talked about the proposed comprehensive plan amendment which the Plan Commission unanimously recommended for approval in 2021. The amendment would introduce the Mixed Use Overlay Category for the first time. The purpose of the amendment is to encourage consideration of office, business and residential uses, including multifamily development that works harmoniously to benefit the larger planning area.

The current zoning of the Federal Life property is O & R1 Office and Research District One. Lexington would like Section 9-4A-3 of the Village code amended to allow a multiple-family housing development. Additionally, the requested proposal would rezone the property from O & R1 Office and Research District One to I-R District. Special use for a multiple family housing development with specific bulk regulations that are determined in accordance with Section-9-4A-3, as amended is also requested. Finally, Lexington would like preliminary plat of subdivision approval.

Mr. Francke presented the site plan that was approved by the Plan Commission vote of 5-1. Since the Plan Commission vote, additional enhancements have been added which include: fencing, removal of woodland path and footbridge access, and evergreen tree screening north of new homes and south of preserved woodland area.

Sharon Dickson, principal and lead landscape architect of Dickson Design, spoke next on woodland preservation. The site has 1.29 acres of total delineated woodland area. 19.4 % of the woodland is to be removed which is under the no more than 20% woodland removal ordinance specification. 80.6% of the woodland would be preserved. The primary reason for woodland tree removal is for stormwater management.

In Ms. Dickson's opinion, the woodland provides a natural deterrent to trespassing into the Meadowlake subdivision. She shared the site plan for two stormwater management retention basins that will be maintained by a certified contractor and paid for by the development's HOA in perpetuity. 26 protected species of woodland trees would be removed which is within the woodland ordinance specifications of less than 20% woodland removal.

Three landscape modifications have been made since the Plan Commission vote. These modifications include eliminating the mulch path, adding architectural features such as decorative fencing and pavement plus the naturalization of the retention basins. There will also be a rain garden and plantings that are conducive to the area's climate zone. Ms. Dickson showed slides of several natural areas within the development where residents will be able to gather, sit or read.

Mr. Francke reported on the 8 benefits of the development which include providing a new housing option for existing residents, dedication of right-of-way and granting of easements which will help facilitate Deerfield Rd. improvements, stormwater management improvements, construction of an alternate access route for commercial properties, improved drainage, construction of affordable housing units, contribution for construction of additional affordable housing units, and new Village tax revenues with little impact on taxing bodies.

Mr. Francke asked Nate Wynsma of Lexington Homes to comment on the impact of the development on neighboring homes. Mr. Wynsma provided a flyer of Meadowlake resale comparisons to Lexington Reserve prices which is attached to the end of the minutes. Trustee Dikin questioned whether the comparisons were meaningful because there was such a wide disparity in sale prices.

Trustee Hollander wanted to know if an ecological contractor would be used for the entire area or just the two retention ponds. Mr. Wynsma said a certified ecological contractor will care for the woodland area too but it is intended to be kept as a preservation area.

Trustee Hollander also wanted to know why the fence between the development and Meadowlake isn't extended all the way to the east. Mr. Wynsma said the fence was not extended because installing it would disturb the mature woodlands. Also, the woodland area acts as a natural barrier. Ecologist Zimmerman agreed and cautioned that a certified ecological contractor should only be used in the natural areas not in the formal areas. Mr. Zimmerman also said he has no issues with the landscape plan presented by Sharon Dickson and his recommendations were incorporated in her plan.

Trustee Hollander confirmed with Mr. Wynsma that Lexington is open to considering an increased price for the payment in lieu of onsite affordable housing. Trustee Hollander questioned what specifically is the "area" that is used for the affordable housing medium income definition. Mr. Huvad commented that the "area" refers to a 6 county region throughout IL.

Trustee Hollander asked Nate Wynsma how Lexington became involved in the Federal Life development. The property is privately owned. The owners hired a broker who marketed the property to residential developers. The Lexington purchase contract is contingent upon plan approval. Federal Life is going to move to another office space if the sale happens.

Trustee Jamerson noted that the Village's current 1-R ordinance requirements indicate building elevation should be no more than 35 feet. On the development plan, the building mean or average is indicated as 35 feet so the building is 5 feet too tall. Mr. Huvad explained that the measurement is defined from the building grade to the peak of the roof so Lexington's plan is compliant.

Trustee Jamerson asked about garbage/recycling pick up. He wanted to know if the plan is that all residents have their own garbage and recycling receptacles. Mr. Wynsma confirmed that each resident would have their own receptacles and put them out on the scheduled pick up date. Trustee Jamerson questioned the K-8 child calculations. Hal Francke noted that the numbers come directly from a chart that was developed by demographers and is widely used by developers.

Trustee Jamerson inquired about the traffic study. He had several questions about the number of drivers turning left during morning and afternoon rush hours. Javier Millan, principal with KLOA, Inc. said cameras were used for the traffic study. Once the numbers are generated, they are put into a traffic model. Mr. Millan said the traffic results are fairly typical. Mr. Millan explained that the volume to capacity ratio was analyzed as well.

Trustee Jamerson wanted to know if the Lincolnshire-Riverwoods Fire Protection District (LRFPD) was asked if the emergency equipment could make the turns in the development but especially between buildings 7 and 8. He also questioned the semi turning radius for moving and other trucks.

Todd Shaffer, principal at Haeger Engineering, responded to Trustee Jamerson by saying that the development meets the Hammerhead turning radius standards and there is adequate fire truck circulation. Mr. Shaffer acknowledged that moving trucks will likely run over the development's curbs but they have been designed to be mountable. Trustee Jamerson requested that the LRFPD be contacted to confirm the emergency apparatus turning radius is adequate. Trustee Jamerson commented that building number 10 has a setback of 25 ft. while building 7 has a 35 ft. setback which is very close to Deerfield Rd.

Trustee Jamerson noted that the sidewalk along Deerfield Rd. is still being shown in all the plans but was not approved by the Village Board. Mr. Huvard said the sidewalk was left in as a design option and was not voted against.

Trustee Jamerson wanted confirmation that the HOA has to uphold maintenance of the cedar decorative fencing as well as other design elements. Mr. Huvard said that there would be a restrictive covenant between the Village and the HOA.

Trustee Jamerson does not think there is enough guest parking for the residents if they wish to have a social gathering. Additionally, he wanted to know if an irrigation system is going to be installed for the green spaces. Nate Wynsma said a motorized irrigation system is not planned but water may be trucked in in extremely dry conditions if necessary.

Trustee Clayton wanted to know how many years it will take for the site to resemble the renderings used in the presentation. Sharon Dickson said 3-5 years is typical. Tree height will resemble the renderings in approximately 10 years. Trustee Clayton wanted to know what protections the Village has if the HOA does not uphold their end of the property maintenance covenant. Trustee Clayton also wanted to know if the attractiveness of Stevenson High School will enhance the development's pool of buyers. Mr. Wynsma said the unit price point rather than the designated high school has more influence on sales.

Trustee Smith agreed that there does not appear to be enough guest parking. He questioned the possible light pollution generated by the development. Trustee Smith also asked for clarification on the affordable housing initiative. Hal Francke relayed that the law established a process for identifying communities with the most acute shortage of local housing stock available at an amount that would be affordable to: • Homebuyers at 80% of the regional median household income. • Renters at 60% of the regional median household income.

Trustee Eastmond questioned specifically what the proposed stormwater improvements are as described in the project benefits. Todd Shaffer said downed and dead trees block drainage and there is also an earthen access drive and that is not functioning according to the original design. Work will be done in cooperation with the Village Engineer to mitigate both situations.

Trustee Hollander inquired about using more mature trees for the development. Both Ecologist Zimmerman and landscape architect Sharon Dickson said that using larger trees is not a good idea because they grow slower due to a larger critical root system.

Trustee Hollander commented that guest parking is a problem throughout Riverwoods. Trustee Jamerson responded that a new development should not have parking problems from the very beginning.

It was agreed that the meeting would be continued at a later date. Trustee Jamerson wanted to know when the project would be turned over to the HOA. Nate Wynsma said typically the project is turned over to the HOA when 75% occupancy is reached.

The next BOT is June 6, 2023 but a special meeting focused solely on Lexington will be scheduled prior to June 20.

Adjournment

Trustee Clayton moved to adjourn the meeting. Trustee Jamerson seconded the motion. The motion passed unanimously on a voice vote.

The meeting was adjourned at 9:49 pm.

Respectfully submitted,

Katie Bowne
Village Clerk