

APPROVED

Village of Riverwoods
Plan Commission Meeting
Meeting Minutes November 10, 2022

A meeting of the Village of Riverwoods Plan Commission was held on Thursday, November 10, 2022 at Village Hall. Chairperson Laurie Breitkopf called the meeting to order at 7:30 PM.

Present:

Karl Blalock
Laurie Breitkopf, Chairperson
Jay Datt
Sherry Graditor
Stephen Levin
Carey Rothbardt

Also Present:

Bruce Huvad, Village Attorney
Andrew Eastmond, Village Trustee
Steve Zimmerman, Village Ecologist
Michael Blue, Planning Consultant, Teska Associates

1. Approval of Minutes

Mr. Blalock moved to approve the minutes from the October 6, 2022 Plan Commission meeting. Ms. Graditor seconded the motion. There were minor corrections. The motion passed unanimously on a voice vote.

2. Visitors wishing to address the Plan Commission

There were no visitors wishing to address the Plan Commission.

3. Old Business

There was no Old Business.

4. New Business

Continuation of Public Hearing for 3750 Deerfield Road (Federal Life property) on application of Lexington Homes L.L.C. to consider (i) zoning text amendments to Sections 9-4A-3 and 9-11-12 of the Village Code, (ii) rezoning the subject property to the 1-R 42,000 Square Foot (Exclusive Of Road Easements) Single-Family Residential District, and (iii) granting a special use permit for a Residential Planned Unit

Development under Section 9-11 12 of the Village Code as amended, for a townhome development.

Discussion of possible text amendment to govern residential planned unit developments in the 1-R zoning district. This is a continuation of the Public Hearing from October 6, 2022.

Mr. Huvard noted this portion of the Hearing will focus on the zoning relief being requested and the nature of the request to remove more of the woodlands than is allowed under Village ordinances.

Mr. Blue explained the existing ordinance gives the Village the authority to reduce a “protected woodland” by up to 20 percent, while the petitioner wants to reduce the woodlands by an amount greater than 20 percent. In order to do this, the zoning relief requested asks to give the Board authority to modify the requirements of the Tree and Woodland Protection Ordinance. Mr. Blue emphasized this is not an amendment to the zoning map; rather, it is an amendment to the text of the zoning ordinance that governs planned unit developments. Mr. Huvard noted this amendment is only for Planned Unit Developments (PUDs) but Mr. Blue noted the PUD amendment, if approved, would potentially apply to other properties in the Village being considered for a PUD. Mr. Blue explained the PUD ordinance could offer varying degrees of relief than what is requested, and this is not a yes or no question. But whether to amend the PUD Ordinance in this manner is a threshold question.

Mr. Datt asked about other changes requested to the PUD provisions. Mr. Huvard noted the current PUD ordinance is limited to the R-1 district occurring on a minimum tract of 125 acres. The requested change is to allow a PUD to be granted in the 1-R District on a minimum tract of 8 acres, which could then include multifamily development.

Hal Francke, attorney for Lexington Homes, explained there are a number of elements to the application. His client is the contract purchaser of the Federal Life property. Lexington is requesting that the property be rezoned as 1-R with approval of a PUD, as a Special Use in the 1-R district and with a density bonus modification to reduce the minimum parcel size and minimum lot area required (reducing density limits of 7,000 square feet of land per unit to 5,600 square feet of land per unit). The project also requires relief from the Tree and Woodland Protection Ordinance since the project requires the removal of more than 20 percent of the protected woodlands. The project also requires a plat of subdivision for the development.

Luay Aboona, Traffic Engineer with KLOA, performed the traffic study for the proposed development. He looked at the Deerfield Road corridor and took the future improvements into consideration. The Lexington development would have two access points. The western access lines up with the Cube Smart access drive and the eastern access will provide full access to the site until the County improvements to Deerfield Road are made. Each access drive will have a stop sign rather than a traffic signal.

The traffic generated by the proposed Lexington development will be less than traffic related to the Federal Life building.

Jeff Torrenz, Landscape Architect, showed the delineated woodlands of 1.54 acres total and water bodies. The existing woodland does not screen the Federal Life property year-round due to the lack of an evergreen component.

Mr. Torrenz noted there are 290 trees within the protected woodland area, many of which are not desirable. The proposed redevelopment of the property will be completed in three phases. Phase 1 will include grading and stormwater management. Phase 2 will incorporate the residential development and Phase 3 will complete the access drive leading to the Colonial Court commercial properties. Phase 1 would remove 36% of the protected woodland and Phase 2 would remove 45.8%, leaving 18.2% of the protected woodland. 22 trees in the protected woodland would remain.

Mr. Huvad noted that, per the engineering plans, the landscaping buffer on the northern portion of the property covers an underlying stormwater pipe that will need to be restored after the pipe is buried. A swale will be created. Mr. Torrenz explained Lexington would like to enhance the landscaping in this area with evergreens and native plantings. Lexington proposes removing the originally included path on the northern portion of the property to allow for enhanced deciduous trees and evergreen screening.

Mr. Zimmerman noted the evergreens would be planted on a berm. The Tree and Woodland Protection Ordinance states if highly desirable protected woodlands are removed and the tree mitigation fees exceed \$5000, the owner may propose an ecological mitigation plan for ecological restoration using the amount of the mitigation fees. Mr. Zimmerman explained the existing buffer is a denser buffer than what will be restored. The honeysuckle and buckthorn would be removed.

Another concern was the space between the buildings and property line. Mr. Torrenz proposed supplementing the plantings with evergreens. He is currently working with the Village Ecologist on berming and landscape screening to add seasonal interest throughout the year. Mr. Torrenz noted the motor courts have been narrowed to allow for additional screening.

Nate Wysma with Lexington Homes understands they need to request relief but will need to quantify exactly what relief is needed. The number of trees to be removed may change as the process is finalized. They are not asking the Plan Commission to make any recommendations at this point. Mr. Wysma explained the plan is a work in progress and they will continue to work with the Village to satisfy the Village's goals which include down-zoning from office to residential, provisioning for a new option for housing, improving the intersection, improving existing drainage, assisting with access to retail and a comprehensive approach to stormwater management. Lexington proposes an aesthetic residential facility.

Mr. Wynsma noted the plan includes an access drive for the Colonial Court commercial properties, which is critical after Deerfield Road is widened. The Lexington development will increase the Village's property tax base. In addition, this development can advance the Village's affordable housing goals. If there were no Lexington redevelopment plan on the site, there would still be a Lake County plan for a large, regional stormwater management facility with a large swale. Mr. Wynsma stated that the County plan for detention would not have the aesthetic qualities that Lexington's comprehensive plan will provide, including naturalized landscaping, additional plant materials for screening, long-term landscape management and maintenance.

Mr. Datt explained the project narrative from September 13, 2022 mentions woodland preservation in conjunction with the Deerfield Road improvements. He questioned Lexington's use of the word "relief" and asked what it will be. Mr. Datt noted the Comprehensive Plan references Riverwoods as a woodland community and asked how that can be reconciled with Lexington's plan. Mr. Wynsma believes "relief" is something that will be defined in the Text Amendment. He noted the property is part of the flood plain and takes drainage from other properties. Because of the County's Deerfield Road expansion plans, the property access and stormwater management facility have implications beyond the property and the woodlands. This overall development plan is not just a townhome plan; rather, it also includes a significant stormwater facility and an access road.

Mr. Francke noted the Comprehensive Plan talks about a number of goals and objectives for the Village including affordable housing and neighborhood facilities but does not have provisions to get relief from the Tree and Woodland Protection Ordinance. Without the townhome development, 36 percent of the woodlands would be affected by stormwater facilities the County would need to construct resulting from the Deerfield Road expansion. Mr. Francke suggested that the expanded stormwater management facilities on the site also would require relief from the Tree and Woodland Protection Ordinance. Mr. Datt noted the Village will not remove the Tree and Woodland Protection Ordinance.

Ms. Graditor moved to the Village because of the trees. She believes the damage to root systems will be more extensive than what is suggested because of the drainage pipe going through the center of the buffer area. Ms. Graditor asked if the drainage pipe could be moved to the outskirts of the property to give relief to Meadowlake. Mr. Francke will provide an answer at the next meeting.

Ch. Breitkopf questioned whether the development could be built with fewer than 69 units to avoid disturbing the woodland buffer area. Mr. Blalock asked if the Village could deny a woodland reduction.

Jerry Betsios asked why the Village needs affordable housing. This area is an upper middle-class area and most people do not have a challenge affording their homes. His experience has been that subsidized residents are the ones that cause issues. Mr. Betsios questioned why this development could get exemptions from the Tree and

Woodland Protection Ordinance while residents have to follow the rules. He does not want a lot of commercial developments, apartments or townhomes in the community. Mr. Huvard noted that the Plan commission recently recommended the consideration of multifamily in this area as a change to the Comprehensive Plan. In 2005, the Village adopted goals for affordable housing, to comply with the State goal. The developer was told to meet the Village's affordable housing goal. Mr. Betsios suggested putting affordable housing in an area where it is needed.

Christy Sherman noted Lexington is asking for the PUD ordinance to be modified from a minimum of 125 acres to 8 acres. The root systems will be impacted in Meadowlake. Ms. Sherman believes the ordinances protect Riverwoods. Ms. Sherman does not believe people moving into the proposed development will be Riverwoods residents who are downsizing. She asked about guest parking, as there are only 11 guest spots. Ms. Sherman believes the density is excessive. She noted part of Lexington's justification for requested zoning changes is the access to Colonial Court, but people need to understand that Meadowlake is also adjacent to the project.

Daniel Fourkas has been a resident for more than 20 years. He noted the developers are requesting a number of changes. He asked what benefits the residents would receive from the project. Mr. Fourkas questioned why the Village needs a townhome development.

Mary Oler lives on Chicory Lane. She is not interested in moving into a 3-story development. Ms. Oler expressed concern that the plan does not provide any green space. The only safe, accessible green space for the townhome residents would be in Meadowlake and this development is unfair to the Meadowlake community. Meadowlake has two lakes that are deep enough for a child to drown. Even a no swimming sign will not protect the homeowners' association if a tragedy occurs. If 90 percent of the trees are removed, how long would it take for the new trees to grow tall enough to shield the three-story townhomes. This is not fair to the current residents and is a greedy proposal.

Judi Swimmer asked what this development will do for the residents. It will create an ugly development. She asked how the decision is made. Mr. Huvard explained the Trustees consider the Plan Commission's report and vote on whether to deny or approve the application. .

Matthew Eisenstein questioned what would happen if the development were not built. He asked what would happen if the County took over the entire property for water detention. Mr. Huvard explained that the engineering data submitted show that the County road widening project will need approximately 3 acre-feet for compensatory storage. If there were no townhome development on the site, the County has stated it will proceed on its own to construct the required compensatory storage, in the area of the north detention basin shown in the Lexington Plans. The County has the right of eminent domain and follows a process to acquire the necessary stormwater easements.

Art Borden cautioned the Village about allowing relaxations in the Village's regulations which could be used in other developments. He noted it is very difficult to make a left turn from Chicory to Deerfield Road. This development would reduce the gap in traffic and make it even more difficult for residents on Chicory. Mr. Borden noted the density is too great and overpopulated for the space. This week, 350 Meadowlake residents signed petitions against this project.

David Matzen believes the Commission should consider different alternatives including having the Village purchase the property for a park to preserve green space and the character of the community; a residential development with 8 one-acre homes; or a residential development with 16 homes, both duplex and single-family housing. The 2019 Comprehensive Plan states Riverwoods should take advantage of affordable housing units in larger developments. The second and third options could include 15 percent of the units being affordable. The higher density of Lexington's proposal would not measurably change the amount of affordable housing in the village. Therefore, the Commission should respect the current ordinances.

David Shimberg asked if a modification to the Tree and Woodlands Protection Ordinance would affect only this property. Mr. Blue explained the Text Amendment affects PUDs generally and could apply to other properties, but PUDs could be conditioned based on the size of the property. Mr. Shimberg asked about the light pollution impact of the development. He asked if the traffic study was mapped to the Deerfield Road traffic study. Mr. Shimberg asked what percent of the proposed development would be non-permeable.

Peter Kobierski asked what was it about Riverwoods that made Lexington decide it was a good place to build 3-story townhomes in a 69-unit development.

Brian Voss noted the developer commented that Riverwoods is a tree community yet the developer wants to remove 90% of the protected trees and 80% of the woodlands. He does not believe people looking to downsize will want to move into a 3-story development. Dr. Voss believes changing the Tree and Woodland Protection Ordinance will set a dangerous precedent.

Gene Aperbuch asked how traffic will be reduced with the addition of 69 new homes.

Sheryl Rue-Borden noted Meadowlake has formed a committee. 54 out of 58 homes are opposed to this development. 300 residents signed the petition against this development. People live in Riverwoods for tranquility and trees. She believes this proposed development is about getting tax revenue in Riverwoods.

The Plan Commission continued the Public Hearing to the regularly scheduled Plan Commission meeting on December 1, 2022 at 7:30. When the hearing resumes, the presentation will focus on stormwater management.

5. Adjournment

There being no further business or discussion, Ms. Graditor moved to adjourn the meeting. Mr. Blalock seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 9:57 pm.

The next scheduled meeting of the Plan Commission is December 1, 2022 at 7:30 pm.

Respectfully submitted,

Jeri Cotton