

**APPROVED MINUTES
VILLAGE OF LAKE ZURICH
Board of Trustees
70 East Main Street**



Monday, December 16th, 2019 7:00 pm

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.01p.m.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Janice Gannon, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Also in attendance: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Dir. of Innovation Michael Duebner, Deputy Fire Chief John Kelly, Police Chief Steve Husak, Dir. Of Community Services Sarosh Saher, Public Works Dir. Mike Brown.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT**

Marty Filson, 33 E. Harbor Dr., addressed the Board on a recent newspaper article, Lake Co. charges on the water bills, suggested bi-monthly billing and phone survey.
Jeff Halen, 154 S. Pleasant Rd., addressed the Board on a Pioneer Press article, transparency, public hearings, L. Michigan water costs and finance transfers.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
 - A. **Ancient Oaks Foundation Update with President Judi Thode.** Ms. Thode addressed the Board with their end of the year. She mentioned that Ancient Oaks Foundation (AOF) has is 13 years old, they had 600 hours of volunteering, educational programmes in cooperation with the Park Dept., had an intern from Dist. 95. At Kuechman Arboretum, she suggested a Nature Playscape be installed and that milkweed be removed from the list of the Village's noxious weed code. Mayor Poynton thanked AOF for their work in the Village, he asked how residents could volunteer and Ms. Thode responded through their website.
6. **CONSENT AGENDA**
 - A. **Approval of Minutes of the Village Board Meeting, December 2, 2019**
 - B. **Approval of Semi-Monthly Warrant Register Dated December 16, 2019 Totaling \$1,261,804.75**
 - C. **Reduction of Letter of Credit for Freddy's Steakburgers at 1095 South Rand Road to \$8,910.00**

Summary: Freddy's Steakburgers has requested a reduction in the letter of credit for the property at 1095 South Rand Road from \$89,100 to a remaining escrow of \$8,910 for its new location in Lake Zurich. This reduction level is for the ten percent required for Village maintenance bond guarantees.

- D. **Resolution Approving the Execution and Attestation of an Amended and Restated Annexation and Development Agreement with Taylor Morrison of Illinois, Inc., an Illinois Corporation and Chicago Title Land Trust Company, as Successor Trustee to State Bank of Lake Zurich, under the Provisions of a Trust Agreement Dated November 19, 1997 and Known as Trust No. 87-0087 RES #2019-12-039**

Summary: Taylor Morrison of Illinois requests approval of an amended and restated annexation agreement and Final Plan and Plat approval to proceed with development of a 35-lot single family residential subdivision known as Avery Ridge. This development was initially proposed by M/I Homes in 2018 and received Village Board approval of an annexation agreement and zoning classifications on November 19, 2018. However, M/I Homes has been unable to come to agreement on the sale of the property with the owners and subsequently ended their negotiations to proceed. Taylor Morrison has now acquired the development plans and zoning entitlements that were previously granted to M/I Homes.

- E. **Ordinance Granting Final Plan Approval for a Planned Unit Development for Avery Ridge at 24168 Midlothian Road ORD. #2019-12-347**

Summary: The Planning and Zoning Commission considered the Avery Ridge subdivision development at a public meeting on November 20, 2019 and found that the final plan was in substantial conformance with the development concept plan from the November 19, 2018 Village Board meeting. The PZC voted 5-0 in favor of recommending approval of the final plan for the development of the property.

- F. **Ordinance Amending Title 13 Entitled "Comprehensive Fee Schedule" of the Village of Lake Zurich Municipal Code to Amend Fees related to the Costs of Municipal Services ORD. #2019-12-348**

Summary: In December 2018, Title 13 was added to the Lake Zurich Village Code as a Comprehensive Fee Schedule to provide a single convenient location for a list of all fees and fines that have been codified into the Village Code over several decades. The proposed Ordinance amends various fees and fines that have not been adjusted in several years in order to offset increases to the Village's costs of administering and enforcing local laws and building codes.

Motion was made by Trustee Weider, seconded by Trustee Sprawka, to approve the Consent Agenda as presented.

AYES: Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

7. **OLD BUSINESS**

None at this time.

8. **NEW BUSINESS**

- A. **Courtesy Review for Prestige Development LLC on Request to Develop the Hummel Property on the South Side of Honey Lake Road at 24909 West Signal Hill Road with Duplex Residences**

Summary: Prestige Development LLC is proposing development of a portion of the 37-acre property on the south side of Honey Lake Road with a new

residential subdivision to be known as Honey Lake Subdivision. The property is commonly referred to as the Hummel property and is currently located in unincorporated Lake County. Prestige Development has acquired Taylor Morrison's previous design concept to develop only the five acres along Honey Lake Road and entirely north of the stormwater release area.

The developers are requesting feedback through courtesy review with the Village Board on the potential to develop the property in a similar configuration to what Taylor Morrison proposed, but with their product of duplex residences constructed in masonry and wood/composite siding with three different models either as single-story ranches or two-story homes. They propose to request annexation of the property to the Village of Lake Zurich to develop this residential subdivision.

Recommended Action: Staff recommends the Village Board provide feedback on this proposed use of this property and highlight any areas of concerns to the applicant. This is a non-voting agenda item for the Board at this time.

Dir. Of Community Services Sarosh Saher introduced Greg Schmitt and Mona Schmitt of Prestige Development and Mr. Schmitt gave his presentation. They propose to develop 5 acres of the 34.5 acres they are purchasing and the remainder is wetlands they would like deed to conservators such as Citizens for Conservation or the Village. The proposal is for 24 duplex homes, they would make the necessary road improvements, curbs and the lift station. The Board members questions were answered and included ranch style, 2/3 bedrooms, price point, road improvements, donation of the wetlands acreage. Staff also answered the Board's questions. A positive consensus was given to the proposal. Dir. Of Community Services Sarosh Saher

B. Courtesy Review on Request to Amend Existing Special Use Permit to Allow Outdoor Storage Use for Life Storage at 300 East Route 22

Summary: Life Storage at 300 East Route 22 wishes to update the Village Board on its request for a second amendment to the Special Use Permit for a self-storage facility to allow for outdoor storage on the property. The Zoning Code currently prohibits outdoor storage on properties with frontage on Route 12 and 22.

Life Storage was granted its existing Special Use Permit on September 6, 2016. This Special Use Permit was amended by the Village Board on December 4, 2017 to allow for the visibility of display storage lockers from the right-of-way but only from the east and west elevation of the buildings and not on the south elevation of the building.

The company would like to utilize the vacant 2.7 acre portion of the property to the east of the existing building to establish an outdoor storage and parking area for boats, RV's, and commercial vehicles. This area of the property has frontage along Route 22 but is currently screened by industrial buildings on the east, west and north, and by berms and landscaping on the south.

Life Storage is requesting feedback from the Village Board to consider amending the text of the land use listing within the Zoning Code to eliminate the provision that prohibits the establishment of an outdoor storage yard accompanying warehousing and self-storage warehousing on properties with frontage along Route 12 and Route 22 and subsequently amend the Special Use Permit granted at this property.

Recommended Action: Staff recommends the Village Board provide feedback on this proposed use of this property and highlight any areas of concerns to the applicant. This is a non-voting agenda item for the Board at this time.

Dir. Saher introduced Atty. Cal Bernstein, counsel for Steve Schwartz of Lifetime Storage. Atty. Bernstein addressed the Board on background information on the property. Mr. Steve Schwartz gave a PowerPoint presentation on the proposal of outdoor storage and parking. Board members then asked questions on the proposal, including ingress and egress from property, lighting and hours of operation, site lines provided by berms and landscaping, stormwater runoff which might be mixed with oil etc, snow removal and access for emergency vehicles. Staff responded to questions on stormwater mixed with oil etc, Knox box for access by emergency vehicles. Consensus was given to Mr. Schwartz by the Board.

9. TRUSTEE REPORTS AND COMMENTS

Trustee Gannon spoke about a recent phone survey which she said the Board had not discussed, residents were surprised at the survey.

Trustee Euker thanked Bonnie Caputo and her staff, and volunteers for the great Miracle on Main Street.

Mayor Poynton said that the phone survey was an information gathering survey as part of the Barn at Paulus Park and Fire Station #1 problems.

Village Manager Ray Keller addressed the phone survey comments and stated that the Trustees had received an email from his office about the work being done by consultants who have been hired to look at the future of the Village's properties. The fire at the Barn has accelerated the concepts. The phone survey was an exercise to glean information, and it will be presented when all information is gathered.

10. VILLAGE MANAGER'S REPORT

A. Monthly Data Metric Reports

Village Manager Keller mentioned the Special Events this year and then wished everyone Safe and Happy Holidays.

11. ATTORNEY REPORT.

There was none.

12. DEPARTMENT HEAD REPORTS

There were none.

Mayor Poynton pointed out that the Village Board has no control of news article. He then wished everyone Merry Christmas and Happy New Year.

13. ADJOURNMENT

Motion to adjourn was made by Trustee Euker, seconded by Trustee Sprawka.

AYES: Trustees Beaudoin, Euker, Gannon, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 0

MOTION CARRIED.

Meeting adjourned at 8.55pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



Thomas M. Poynton, Village Mayor

1-8-2020
Date.