

**THE CITY OF LAKE FOREST
CITY COUNCIL AGENDA**
Monday, December 4, 2017 at 6:30 pm
City Hall Council Chambers

Honorable Mayor, Robert Lansing

Prudence R. Beidler, Alderman First Ward
James E. Morris, Alderman First Ward
Timothy Newman, Alderman Second Ward
Melanie Rummel, Alderman Second Ward

Stanford Tack, Alderman Third Ward
Jack Reisenberg, Alderman Third Ward
Michelle Moreno, Alderman Fourth Ward
Raymond Buschmann, Alderman Fourth Ward

CALL TO ORDER AND ROLL CALL

6:30pm

PLEDGE OF ALLEGIANCE

REPORTS OF CITY OFFICERS

1. COMMENTS BY MAYOR

A. Approval of a Resolution of Sympathy for former Mayor Rhett Butler

A copy of the Resolution can be found on **page 9**.

COUNCIL ACTION: Approval of the Resolution

2. COMMENTS BY CITY MANAGER

3. COMMENTS BY COUNCIL MEMBERS

4. OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS
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5. ITEMS FOR OMNIBUS VOTE CONSIDERATION
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1. Approval of the November 20, 2017 City Council Meeting Minutes

A copy of the minutes can be found on **page 11**.

COUNCIL ACTION: Approval of the Minutes

2. Consideration of an Ordinance adopting the second supplement (S-2) to the Code of Ordinances for the City of Lake Forest (waive first reading and grant final approval)

STAFF CONTACT: Margaret Boyer, City Clerk (810.3674)

PURPOSE AND ACTION REQUESTED: Staff is recommending approval of the second supplement to the City of Lake Forest, Code of Ordinances.

BACKGROUND/DISCUSSION: In 2013 the City entered into a contract with American Legal Publishing to review, edit and compile the City code. A draft copy of the code and a list of questions were returned to the City in early March 2014. Staff had an opportunity to review sections. At that time, Staff made two types of recommended changes, *minor and **substantive. Only minor changes were submitted to American Legal Publishing and the City received a finished copy of the code on December 18, 2014. On January 20, 2015, City Council granted final approval of an Ordinance adopting an updated City Code with legislation through September 2, 2014.

In May 2016, the City Council granted approval of an Ordinance adopting the first supplement that included legislation through April 20, 2015. The substantive changes that were submitted were then seen by the City Council throughout the remainder of 2016. (Some examples include Traffic, Parks and Playgrounds, Health and Sanitation, Streets and Sidewalks and Development related provisions)

PROJECT REVIEW:

Reviewed	Date	Comments
City Council	12/4/2017	Pending approval of an Ordinance adopting the second Supplement (S-2) to the Code of Ordinances for the City of Lake Forest including legislation through December 5, 2016 <i>** the substantive recommended changes are included</i>
City Council	5/16/2016	The City Council grants final approval of an Ordinance adopting first supplement (S-1) to the Lake Forest Code of Ordinances through April 20, 2015 <i>*the minor recommended changes are included</i>
City Council	1/20/2015 12/18/2014	The City Council hears first reading and grants final approval of Ordinance that allows for the revising, amending, restating codifying and compiling of existing Ordinances with legislation through 9/2/2014
Staff/Council Liaisons		Continues review of draft and submits minor and substantive changes
City Council	3/2014	Draft Code delivered to the City
City Council	12/1/2013	City enters into a contract with American Legal Publishing to review, edit and compile the City Code

Per the contract, staff has supplied American Legal Publishing with legislation through December 5, 2016 and includes Ordinance 2016-76. A copy of the Ordinance adopting the second supplement can be found beginning on **page 18**. Due to the volume of the supporting documents, they are available for review at City Hall. Upon final approval the Code will also be updated on the City's website.

COUNCIL ACTION: If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance adopting the second Supplement (S-2) to the Code of Ordinances for the City of Lake Forest.

3. Award of Contract for The City of Lake Forest to join the Municipal Partnership Initiative Tree Pruning Services for 2017

STAFF CONTACT: *Corey Wierema, City Forester/Forestry Supervisor, 810-3564*

PURPOSE AND ACTION REQUESTED: Staff is requesting City Council approval for the City of Lake Forest to join the Municipal Partnership Initiative (MPI) Tree Pruning contract, and enter into a contract with Advance Tree Care Inc.

BACKGROUND/DISCUSSION: Tree pruning is one the most important components in maintaining a healthy urban forest. Pruning removes dead and/or competing branches to encourage healthy new growth and maturation. The process maximizes a tree's value and maintains its numerous environmental and community benefits, among which are increased property values.

City staff has previously briefed the City Council on MPI, a program that takes advantage of economies of scale for securing low bid prices among neighboring municipalities which bid similar projects each year. This year, the City will be joining three other communities (Glenview, Highland Park and Kenilworth) to take part in the MPI Tree Pruning contract for 2017.

The City plans to contractually prune approximately 1,200 trees totaling 18,000 inches under this contract for 2017/2018. This work will extend the functional lifespan of the City's trees and delay long-term expenses associated with the removal and replacement of unhealthy trees.

BUDGET/FISCAL IMPACT: The MPI Tree Pruning contract has been in place since 2015 and is renewable for three years with the option to renew for two additional one-year periods. By joining the MPI, the City will save approximately \$3,000 to \$4,000 per year (based on previous year's contract pricing) on necessary tree pruning. If awarded, work on this project is expected to be completed in one month. Forestry staff will provide daily oversight and quality control.

FY2018 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
Fund 220 Forestry Operations	\$34,000	\$34,000	Y

COUNCIL ACTION: Award of Contract for The City of Lake Forest to join the Municipal Partnership Initiative Tree Pruning Services for 2017

4. Authorization to Dispose of City Property

STAFF CONTACT: *Michael Thomas, Director of Public Works (810-3540)*

PURPOSE AND ACTION REQUESTED: Staff is requesting City Council authorization to dispose of surplus equipment. Per Administrative Directive 3-2, any item staff believes has a current value of \$4,000 or more requires City Council approval to sell. The items are sold via the public bidding process with all of the required posting, public viewing and sealed bid requirements fulfilled. The invitation to bid was placed on the City's website, printed in the Chicago Tribune, and mailed to over 300+ registered landscapers, forestry, and construction companies on file. Anyone is allowed to submit a sealed bid and all items must be paid via cash or cashier's check.

BACKGROUND/DISCUSSION: The only piece being sold this fall with a value of \$4,000 or more is a 2001 Ford F-550, 36' tower truck. The unit has accrued over 110,000 miles and was authorized to be replaced by City Council in April, 2016. The replacement truck was not received until early 2017 and the vendor selling the new truck did not accept trade-in equipment. Therefore the unit was placed out to bid to be sold to highest bidder.

The bid opening for the sale of this truck occurred on Wednesday, November 29, 2017 and the highest bid is being recommended for City Council approval:

Bidder Name	Amount
Utility Dynamics	\$14,000
Rob January	\$ 5,110
John Baldwin	\$ 4,500
N. Shore Truck & Eqpt.	\$ 3,855
Fred Hamburg	\$ 1,002

BUDGET/FISCAL IMPACT: Per Section 3.10 of Administrative Directive 3-2, all revenues received from the sale of this tower truck will be credited to the Capital Fund from which the truck was purchased and carried in inventory.

COUNCIL ACTION: Staff requests authorization to dispose of City property to the highest bidder, Utility Dynamics, for the sale of the Streets tower truck as noted above. Proceeds of the sale will be deposited into the Capital Fund.

COUNCIL ACTION: Approval of the four (4) Omnibus items as presented

6. ORDINANCES

- 1. Consideration of a Recommendation from the Plan Commission in Support of a Special Use Permit Authorizing a Car Wash and Gas Station as Components of a Commercial Development Proposed on the Southeast Corner of Everett and Waukegan Roads. (First Reading of an Ordinance)**

Presented by: Catherine Czerniak, Director of Community Development
(810-3504)

PURPOSE AND ACTION REQUESTED: Based on a recommendation from the Plan Commission, the City Council is asked to consider first reading of an ordinance approving a Special Use Permit to allow Waterway Carwash to redevelop the 1-1/2 acre parcel located on the southeast corner of Everett and Waukegan Roads with a carwash, gas station and convenience store.

BACKGROUND AND DISCUSSION: The property proposed for redevelopment is configured in an L-shape with the narrower portion of the site extending toward the corner of Everett and Waukegan Roads. Redevelopment of this site, including landscaping of the streetscape, has long been anticipated to improve the appearance of the southern entrance to the business district along Waukegan Road and to provide increased services to residents in the surrounding area.

History

For many years, the property was the site of a gas station, near the corner, and a garden supply store; both of which vacated the site more than ten years ago. The site has remained unused since then. In 2008, the City approved a plan for redevelopment of the site with two buildings totaling 18,400 square feet of retail and service business space, 75 parking spaces and a drive-thru associated with a drug store. Due to the economic downturn, the redevelopment of the site did not proceed. In 2011, the property was acquired by IP Properties, the local Stuart family, as a long term investment. IP Properties intends to retain ownership of the site. Waterway Carwash would redevelop the property and operate on the site under a long term lease.

Overview of Current Proposal

Waterway Carwash proposes to redevelop the site with a high quality car wash, gas station and convenience store. A single 7,800 square foot building is proposed to house the car wash and retail space. Five islands with gas pumps are proposed on the southern portion of the site. The car wash tunnel is oriented south to north through the site with the exit located at the north end of the site, near Everett Road. Finishing stations are located beyond the exit from the car wash tunnel and direct traffic away from Everett Road. The convenience store faces Waukegan Road. Thirty-five parking spaces are proposed on the site for employees and customers. Currently, there are six access points to the site, two from Everett Road and four from Waukegan Road. As directed by IDOT, three of the existing access points will be eliminated, of the three remaining access points, two curb cuts will be located on Waukegan Road and one on Everett Road.

REVIEW TO DATE

Reviewed	Date	Comments
Plan Commission	11/8/2017	Public Hearing Closed <i>Recommendation forwarded to the City Council subject to conditions.</i>
Plan Commission	3/8/2017	Public Hearing Continued

		<i>Commission voiced conceptual support for the petition subject to further due diligence.</i>
Plan Commission	10/22/2015	<i>Public Hearing Opened Commission directed revisions to the site plan to mitigate impacts on surrounding properties, further due diligence on various issues and directed the petitioner to seek input from IDOT on ingress/egress.</i>

At each meeting, the Plan Commission heard a significant amount of public testimony and received written testimony and petitions as well. With few exceptions, the testimony was in opposition to the proposed use; primarily the carwash. Concerns included, but were not limited to, off-site noise impacts, traffic congestion, traffic and pedestrian safety, and the appropriateness of the proposed development for the site. Correspondence received since the November 8 Plan Commission meeting was made available to the City Council.

At the conclusion of the public hearing, the Commission voted 4 to 2 to recommend approval of the Special Use Permit to the City Council incorporating various revisions to the plan in response to the concerns raised and conditions of approval. A summary of the key measures put in place to address the concerns raised during the review process is provided below.

- Elongation of the carwash tunnel by 25' to allow the blower (the noise generating mechanical equipment) to be recessed into the center of the tunnel rather than located near the exit door as normally occurs.
- Construction of additional sound baffling walls around the blowers in the center of the carwash tunnel.
- Installation of sound attenuating materials in the tunnel space just beyond the blowers and before the exit door to further buffer the noise from the blowers.
- Installation and use of high speed, automated doors at both the entrance and exit to the car wash tunnel.
- Installation of a 10' solid fence along the east and south property lines along with landscape screening.
- Improvements including landscape enhancements on neighboring properties to the east and south, if desired by neighboring owners, and the installation of sound mitigating glass in windows on neighboring properties.
- Reduction of operating hours from those originally proposed and normally followed at other Waterway locations.
- Relocation of trash/recycling area away from the east property line.
- Installation of lights that direct all light downward and are equipped with shields to block light spillover on to the neighboring properties.

The draft Ordinance and the site plan is included in the Council packet beginning on **page 20**. The complete record for this petition was provided to the City Council and is available for review in the Community Development Department.

BUDGET/FISCAL IMPACT: A preliminary estimate of annual revenues that the City would anticipate receiving as a result of the proposed development is provided below.

▪ Property tax	\$21,000
▪ Sales tax – fuel sales	\$37,500
▪ Sales tax – store sales	\$ 3,500
▪ Water/Sewer	<u>\$28,000</u>
Total	\$90,000

COUNCIL ACTION: If determined to be appropriate by the City Council, approve *first* reading of an ordinance granting a Special Use Permit authorizing a carwash and gas station and approving the overall redevelopment plan presented by Waterway Carwash for property located on the southeast corner of Everett and Waukegan Roads.

AND

Direct the Building Review Board to consider the design aspects of the project and upon completion of the review, direct the Board to forward a recommendation to the City Council for consideration.

7. NEW BUSINESS

8. ADDITIONAL ITEMS FOR COUNCIL DISCUSSION

EXECUTIVE SESSION

1. EXECUTIVE SESSION pursuant to 5ILCS 120/2 (c), (5), The City Council will be discussing the consideration of Land Acquisition and 5ILCS 120/2 (c), (6), The City Council will be discussing the disposition of property and the consideration for the sale or lease of property owned by the Public Body and 5 ILCS 120/2 (c), (2), The City Council will be discussing personnel.

Adjournment into Executive Session

RECONVENE INTO REGULAR SESSION

9. ADJOURNMENT

Office of the City Manager

November 29, 2017

The City of Lake Forest is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are required to contact City Manager Robert R. Kiely, Jr., at (847) 234-2600 promptly to allow the City to make reasonable accommodations for those persons.





Resolution of Sympathy

WHEREAS, on behalf of The City of Lake Forest, the City Council expresses its sadness at the profound loss of Rhett W. Butler on November 22, 2017; and

WHEREAS, Rhett Butler was a long-time friend to many and valued resident of Lake Forest; and

WHEREAS, Rhett Butler served as Mayor of Lake Forest from 1993-1996, and during which time, initiated the City's first Strategic Plan, the City's first Comprehensive Park Plan, and introduced the broadcasting of City Council meetings on cable television; and

WHEREAS, prior to being elected Mayor, Rhett Butler served as Third Ward Alderman from 1991-1993; was a member of the Plan Commission from 1986-1990 and was actively involved in the renovation of Lake Forest Beach, and Chairman of the Plan Commission from 1990-1992; and

WHEREAS, Rhett Butler also oversaw historic restorations at City Hall; led efforts to pass a \$5.6 million bond issue for sewers, roadways and bridges; Co-Chaired the Fort Sheridan Army Base Closedown Commission; and led the City's efforts to develop Settler's Square, a focal point of the west side business district; Fire Station No. 2 on Telegraph Road; and

WHEREAS, Rhett Butler also served as a Trustee of Chicago's Museum of Science and Industry; Lake Forest College and DePauw University; a Director of Lake Forest Symphony and YPO; as President of the Lake Forest Graduate School of Management and Rotary International; a Director of various corporate boards; and

WHEREAS, Rhett Butler, was a beloved husband to Kay, loving father of daughters Elizabeth and Karen, and loving grandfather; and

WHEREAS, Rhett Butler was a graduate of DePauw University and received an MBA from the Kellogg Graduate School of Management at Northwestern University; and

WHEREAS, before making Lake Forest his home, Rhett Butler worked for Goodyear in Ohio, Unistrut in Michigan and GTE in Connecticut, where he was responsible for increasing productivity and corporate profits; and

WHEREAS, Rhett Butler, despite a debilitating motorcycle accident in 2000, retained his energetic spirit and love for The City of Lake Forest and remained involved in the community; and

WHEREAS, Rhett Butler was a strong, enthusiastic and kind man who deeply loved his family, community and fellow residents; his contributions to Lake Forest were significant and he will truly be missed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lake Forest in session on December 4, 2017, hereby express its deep regret and sincere sympathy to the members of the Butler Family.

BE IT FURTHER RESOLVED that this Resolution be appropriately inscribed and conveyed to the Butler Family, with a copy to be included in the official minutes of the December 4, 2017 meeting of the Lake Forest City Council.

Robert T.E. Lansing
Mayor

The City of Lake Forest
CITY COUNCIL
Proceedings of the Monday, November 20, 2017
City Council Meeting - City Council Chambers

CALL TO ORDER AND ROLL CALL: Honorable Mayor Lansing called the meeting to order at 6:30pm, and the City Attorney called the roll of Council members.

Present: Honorable Mayor Lansing, Alderman Beidler, Alderman Morris, Alderman Rummel, Alderman Reisenberg, Alderman Moreno and Alderman Buschmann.

Absent: Alderman Newman and Alderman Tack.

Also present were: Robert Kiely, Jr., City Manager; Victor Filippini, City Attorney; Catherine Czerniak, Director of Community Development, Elizabeth Holleb, Director of Finance; Susan Banks, Communication Manager; Michael Thomas, Director of Public Works; Pete Siebert, Fire Chief; Sally Swarthout, Director of Parks & Recreation; DeSha Kalmar, Director of Human Resources; Mike Strong, Assistant to the City Manager, along with other members of City Staff.

There were approximately 45 persons present in the Council Chamber.

CALL TO ORDER AND ROLL CALL 6:30pm

PLEDGE OF ALLEGIANCE was recited by all those present in the Chamber.

REPORTS OF CITY OFFICERS

COMMENTS BY MAYOR

Mayor Lansing invited all to the tree lighting ceremony on Friday, November 24 in Market Square.

COMMENTS BY CITY MANAGER

A. Community Spotlight
-Country Day School
- Bob Whalen, Head of School

City Manager Robert Kiely reported that the City is very blessed with many opportunities for education and he introduced Bob Whalen. Mr. Whalen reported that the Country Day School is in its 130th year of service in the community. He said that the school has taken a look back at the educational changes over the years and it is very clear that the focus is still on community relationships, and the school continues to marry tradition with innovation. Mayor Lansing wished the best to Mr. Whalen on his impending retirement and thanked him for his service.

COMMENTS BY CITY COUNCIL MEMBERS

FINANCE COMMITTEE REPORT

1. Elawa Farm Budget Presentation

Finance Committee Chairman James Morris reported that the Finance Committee was pleased with the financial functions of the Elawa Farm Commission. He introduced Barry Hollingsworth, Chairman of the Elawa Farm Commission. He explained the difference between the Elawa Farm Foundation and the Elawa

Farm Commission, and he gave an overview of the fundraising projects and the proposed two fee changes. The proposed changes include the rental rate for the hay barn and the second is to the Wildlife Discovery Center (WDC), after explaining the two fees he requested that the facility use fee be tabled until a review of the operating agreement can be completed. Mr. Hollingsworth reported that both the Farm and the Wildlife Discovery Center are outgrowing the shared space and both have different missions, and said that the Commission will begin a review process to look at the related agreements that Elawa has with The City of Lake Forest. The City Council had discussion on financial forecasts and the possibility of relocating the Wildlife Discovery Center.

Mayor Lansing asked if there was anyone from the public who wanted to address the Council on this topic. Seeing none, he asked for a motion.

COUNCIL ACTION: It is recommended that the City Council consider approval, approval with modifications, or rejection of the Elawa Farm Annual Budget and Plan. If rejected, the Elawa Farm Foundation would be authorized to operate and occupy the property in accordance with the Annual Budget and Plan last approved by the City Council subject to rate adjustments not exceeding the change in the Consumer Price Index.

Alderman Moreno made a motion to approve the Elawa Farm Annual Budget and Plan, tabling the Hay Barn rental fee for the Wildlife Discovery Center, seconded by Alderman Reisenberg. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

2. Gorton Community Center Budget Presentation

Finance Committee Chairman James Morris reported that the Finance Committee was also pleased with the financial functions of the Gorton Community Center, and he introduced Barrett C. Davie, Gorton Board Chair. Mr. Davie reported that Gorton is the hub of not-for-profits and philanthropy in the community. He gave an overview of the success factors of the past six years and reviewed the goals for 2018 to include target programming. Mr. Davie credited recent success to Gorton Director, Amy Wagliardo. He then introduced, William Moskoff, Finance Chair. Mr. Moskoff gave an overview of the broad support Gorton has received from across the community. He reported on financials that include a 3.3 million endowment, expected revenue growth and that most of the programming at Gorton is sponsored. The City Council had discussion on the success Gorton has seen over the past six years and that it is another example of exemplary public private partnerships throughout the City.

Mayor Lansing asked if there was anyone from the public who wanted to address the Council on this topic. Seeing none he asked for a motion.

COUNCIL ACTION: It is recommended that the City Council consider approval, approval with modifications, or rejection of the Gorton Community Center Annual Budget and Plan. If rejected, the Center would be authorized to operate and occupy the property in accordance with the Annual Budget and Plan last approved by the City Council subject to rate adjustments not exceeding the change in the Consumer Price Index.

Alderman Beidler made a motion to approve the Gorton Community Center Annual Budget and Plan, seconded by Alderman Buschmann. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

Alderman Beidler reported on the Deerpath Golf Course fund raising campaign and that residents can donate to the Deerpath Golf Course by visiting the City's website.

3. Consideration of an Ordinance approving a Fee Schedule and Ordinance adopting new fees related to Development Activity (First Reading)

Elizabeth Holleb, Finance Director reported that the fee revisions and proposed new fees were considered at the November 13, 2017 Finance Committee meeting and as part of the budget process. Annually, all departments are asked to review their user fees. A comprehensive fee schedule was provided as Exhibit A to the Ordinance approving a fee schedule, which clearly identifies the proposed fee increases highlighted in yellow and the proposed new fees highlighted in orange. Ms. Holleb reported that fees highlighted in green are not reflective of changes in existing fees; rather, they are clarifications due to a review of City Code and current practices.

The Finance Director stated that City Departments have provided supplemental memos justifying their proposed fee adjustments and new fees. Since new fees require a separate Ordinance to be submitted by the department proposing the new fee and accompany the Ordinance approving the fee schedule. There are two ordinances submitted for City Council consideration at this time; an ordinance approving a fee schedule and an ordinance adopting new fees related to development activity.

Ms. Holleb reported that revenue for the new and increased fees is estimated to be \$5,260 in the General Fund, \$290,000 in the General Fund (transferred to public safety pension funds), \$14,110 in the Parks and Recreation Fund, \$165,233 in the Water Utility Fund and \$24,564 in the Golf Course Fund.

The City Council had discussion on median home values, the percentage of the overall total tax bill that actually comes back to the City (22%), and the decrease of full time employees and how the objective has changed over recent years.

Mayor Lansing asked if there was anyone from the public who wanted to address the Council on this topic. Terry Desmond, 1681 Yale Court, Lake Forest addressed the Council.

Finance Director Elizabeth Holleb reported to the Council that Police and Fire Personnel contribute 9% to the pension fund(s). Seeing no further discussion, Mayor Lansing asked for a motion.

COUNCIL ACTION: Grant first reading to the proposed ordinances.

Alderman Moreno made a motion to grant first reading to the proposed ordinances, seconded by Alderman Buschmann. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

4. Consideration of an Ordinance Establishing the 2017 Tax Levy (First Reading)

Elizabeth Holleb, Finance Director, reported that this was first reading of an Ordinance establishing the 2017 tax levy. During City Council workshops held in June and September of 2017, the City Council considered recommendations from its independent actuary related to the funding of police and fire pension costs. Recommendations related to the mortality, salary increase and payroll growth assumptions were approved and incorporated in to the actuarial valuations of both pension funds as of April 30, 2017. The result of these changes was an immediate increase in funding requirements in order to reduce the future annual increases the City has experienced over the past several years.

Ms. Holleb reviewed each of the spreadsheets that were included in the packet for the proposed tax levy for 2017, they included; 1) the tax levy limitations under the tax cap; 2) the tax levy distributed by fund without new growth and allowances distributed; 3) the tax levy by fund with new growth and allowances distributed; and 4) an explanation of the tax increase to an average homeowner.

The tax levy to be approved includes the needs of all City departments, as well as for pensions and debt service requirements. A summary of the proposed levy is as follows:

FUND	Proposed 2017 LEVY	2016 Extension	\$ CHANGE	% CHANGE
City General	\$ 14,367,553	\$ 13,913,628	\$ 453,925	3.26%
Pension Funds	5,316,023	4,775,101	540,922	11.33%
Fire Pension PA 93-0689	86,098	64,910	21,188	32.64%
Recreation	1,403,613	1,374,743	28,870	2.10%
Parks	3,124,170	3,059,912	64,258	2.10%
Recreation & Parks/Specific Purpose	125,000	125,000	0	0.00%
Special Recreation	465,040	440,054	24,986	5.68%
Capital Improvements	816,750	822,000	(5,250)	-0.64%
Library	3,669,016	3,570,809	98,207	2.75%
Library sites	403,026	394,737	8,289	2.10%
Bond Funds	1,521,588	1,429,804	91,784	6.42%
TOTAL TAX LEVY - CITY	\$ 31,297,877	\$ 29,970,698	\$ 1,327,179	4.43%
School District 67- ESTIMATED	\$ 32,747,809	31,822,090	\$ 925,719	2.91%
GRAND TOTAL	64,045,686	61,792,788	\$ 2,252,898	3.65%
Ordinance (exclude Bond Funds)	<u>\$62,524,098</u>			

Finance Director Holleb stated that the proposed tax levy for 2017 reflects a 4.43% increase over the 2016 tax levy extensions for the City and Library operating funds and City pension and debt service funds. This increase is comprised of the 2.10% property tax cap increase on operating and IMRF pension levies; debt service bond levies as previously approved by City Council bond Ordinances, subject to abatement for debt paid by alternate revenue sources; increases attributable to new construction; and increases in police and fire pension costs as a long-term strategy to managing these State-mandated costs. The average increase to existing residents (using \$800,000 as median home value) is projected to be \$123 or 3.76%.

The City Council had discussion on other taxing bodies, the difference between the City and other communities who have separate park districts and the new Open Gov tool for residents on the City's website as it relates to transparency in the municipality.

Mayor Lansing asked if there was anyone from the public who wanted to address the Council on this topic. Seeing none, he asked for a motion.

COUNCIL ACTION: Grant first reading of an Ordinance Establishing the 2017 Tax Levy.

Alderman Rummel made a motion to grant first reading of an Ordinance Establishing the 2017 Tax Levy, seconded by Alderman Moreno. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

5. Approval of Ordinances Abating 2017 Tax Levies for Various G.O. Alternate Revenue Bond Issues (First Reading)

Elizabeth Holleb, Finance Director, reported that staff is seeking first reading of ordinances abating 2017 tax levies and that the proposed Ordinances provide for the abatement of 2017 taxes levied for the various outstanding general obligation Alternate Revenue bond issues. The abatement of these general obligation Alternate Revenue bonds is possible due to the fact these bond funds have an adequate revenue source from water sales, golf fees, sales tax or payments from the U.S. Treasury. Therefore, the general obligation tax levy can be abated as was planned at the time the bonds were issued.

A summary of the proposed tax levy abatements is provided below:

2017 Debt Service Levy and Abatements

	<u>Levy per County</u>	<u>TIF</u>	<u>Golf</u>	<u>Water</u>	<u>.5 NHRST</u>	<u>Int Rebate</u>	<u>Net Levy</u>
2009	278,745.00						278,745.00
2010A	0.00						0.00
2010B	172,500.00					(72,385.31)	100,114.69
2010C	461,098.76					(76,870.68)	384,228.08
2011A	139,975.00			(139,975.00)			0.00
2011B	2,676,750.00		(92,967.50)	(2,062,927.50)	(520,855.00)		0.00
2013	533,762.50						533,762.50
2015	464,050.00	(239,312.50)					224,737.50
	4,726,881.26	(239,312.50)	(92,967.50)	(2,202,902.50)	(520,855.00)	(149,255.99)	1,521,587.77
1% L/C	4,774,150.07						

Mayor Lansing asked if there was anyone from the public who wanted to address the Council on this topic. Seeing none he asked for a motion.

COUNCIL ACTION: Grant first reading approval of the Ordinances abating tax levies for various general obligation bond issues.

Alderman Morris made a motion to grant first reading approval of the Ordinances abating tax levies for various general obligation bond issues, seconded by Alderman Buschmann. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Reisenberg, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

Ray Buschmann reported to the City Council on the Hiawatha line expansion and suggested sending a letter of appreciation and support to Congressman Schneider's office with a copy to IDOT and WisDOT. He also reported receiving an update on the IDOT WisDOT review process. The City Council had lengthy discussion.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS

The following people addressed the City Council on the topic of freight trains/third rail issues.

1. Dennis Meulemans, 1100 Sir William Lane, Lake Forest
2. Tom McIntosh, 105 Canterbury Ct, Lake Forest
3. Kathryn Galloway, 525 Greenvale, Lake Forest
4. Nancy Cooley, 1251 Stanford Ct, Lake Forest

5. Michael Mannis, 1680 Yale Ct, Lake Forest
6. Renee Settels, 544 Lexington Drive, Lake Forest
7. Frank Nimesheim, 1111 Pine Oaks Circle, Lake Forest
8. JoAnn Desmond, 1681 Yale Ct, Lake Forest
9. David Tanaka, 1142 Pine Oaks, Lake Forest
10. Carol Dall, 1660 Cornell Ct, Lake Forest
11. Richard Jaworski, 1670 Cornell Ct, Lake Forest
12. Karyn Davidman, from Senator Brad Schneider's office

City Manager Robert Kiely reported that, according to WisDot, additional analyses are being completed to provide more quantitative data regarding noise and vibration impacts. In order to fulfill this request, a capacity analysis will be completed to determine the impact of extending the third rail track and the resulting impact of the project on environmental resources will be evaluated. The noise and vibration analysis is being updated using more detailed information on proposed Amtrak Hiawatha Service operations and potential changes to freight and Metra operations as a result of implementing the Program. The project team obtained current freight volumes and operating patterns, which will allow for more accurate identification of noise and vibration levels where noise and vibration exist. Mr. Kiely stated that information relating to this matter can be found on the City's website.

ITEMS FOR OMNIBUS VOTE CONSIDERATION

1. **Approval of the November 6, 2017 City Council Meeting Minutes**
2. **Award of Contract for Professional Services on Data Migration to Sharepoint Online (Office 365 Phase II)**
3. **Award of Contracts for Wi-Fi and Backhaul Replacement and Implementation**
4. **Approval of a Two-Year Contract Extension with Lake Forest Bank and Trust for Banking Services**
5. **Consideration of a Recommendation from the Plan Commission in Support of the Final Plat for a 4-Lot Subdivision, the Saunders Estates – Lake Forest Subdivision. (Approval by Motion)**
6. **Consideration of an Ordinance Approving a Recommendation from the Building Review Board. (First Reading and if Desired by the City Council, Final Approval)**
7. **Approval of Health Insurance Contract Renewals**

COUNCIL ACTION: Approval of the seven (7) Omnibus items as presented

Mayor Lansing asked members of the Council if they would like to remove any item or take it separately. The City Council had discussion on item #4 and #5. Mayor Lansing allowed comments from the Public: Dan Sebald, 560 Ivy Ct, Lake Forest addressed the City Council on items #5 and Items #6. Catherine Czerniak, Director of Community Development reported on both items and City Council discussion was held. Mayor Lansing once again asked the City Council if they would like to remove any item or take it separately. Seeing none, Mayor Lansing asked for a motion to approve the seven Omnibus items as presented.

Alderman Moreno made a motion to approve the seven omnibus items as presented, seconded by Alderman Reisenberg. The following voted "Aye": Aldermen Beidler, Morris, Rummel, Moreno and Buschmann. The following voted "Nay": None. 6- Ayes, 0 Nays, motion carried.

Information such as Purpose and Action Requested, Background/Discussion, Budget/Fiscal Impact, Recommended Action and a Staff Contact as it relates to the Omnibus items can be found on the agenda.

ORDINANCES

NEW BUSINESS

1. Consideration of City Decision-Making Parameters

Robert Kiely, City Manager reported that in 1994, as part of the City's Strategic Planning Process, the City Council formally adopted "Decision-Making Parameters" to memorialize the long-standing representation and decision-making policies of the Governing Body. Since then, the City staff and Council members have periodically reviewed and consistently adhered to the parameters in its governance of the community. Mr. Kiely stated that he and the Mayor thought it would be appropriate to revisit the parameters as we look ahead to future budgetary, land use and service provision challenges.

The City Council had discussion on the matter and will forward any edits or modifications to the City Manager for consideration at a future City Council meeting.

COUNCIL ACTION: It is recommended that the City Council consider ratification or approval with modifications of the Decision-Making Parameters.

The City Council did not take action on this item

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION
--

ADJOURNMENT

There being no further business. Alderman Tack made a motion to adjourn, seconded by Alderman Newman. Motion carried unanimously by voice vote at 9:50p.m.

Respectfully Submitted
Margaret Boyer, City Clerk

A video of the City Council meeting is available for viewing at the Lake Forest Library and on file in the Clerk's office at City Hall. You can also view it on the website by visiting www.cityoflakeforest.com. Click on I Want To, then click on View, then choose Archived Meetings Videos.

THE CITY OF LAKE FOREST

2017- ____

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF
ORDINANCES FOR THE CITY OF LAKE FOREST, ILLINOIS

WHEREAS, On January 20, 2015, City Council granted final approval of an Ordinance adopting an updated Code of Ordinances of the City of Lake Forest, Illinois (the "**Lake Forest City Code**"); and

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed a supplement (the "**S-2 Supplement**") to the Lake Forest City Code, which contains the ordinances approved by the corporate authorities of the City Council through December 5, 2016, and includes Ordinance 2016-76; and

WHEREAS, the corporate authorities of the City have authorized an update to these sections in accordance with the changes of the law of the State of Illinois; and

WHEREAS, it is necessary to provide for the usual daily operation of the City and for the preservation of the public peace, health, safety, and general welfare of the City that this ordinance adopting the S-2 Supplement be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Ordinance.

SECTION TWO: Adoption of the S-2 Supplement. The S-2 Supplement to the Lake Forest City Code as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, is hereby adopted by reference as if set out in its entirety.

SECTION THREE: Savings Clause. To the extent that the City finds or determines that the S-2 Supplement inadvertently omitted or erroneously incorporated the terms of specific ordinances adopted by the City Council, the City Council may re-adopt any such ordinance inadvertently omitted or erroneously incorporated, and upon such re-adoption the specific ordinance as originally approved will relate back to its original adoption.

SECTION FOUR: Effective Date. The S-2 Supplement shall be in full force and effect upon the passage, approval, and publication in pamphlet form of this Ordinance, after which time the City Clerk shall cause the Code of Ordinances of the City of Lake Forest, Illinois in its entirety to be made available to the public through the City website and other means.

PASSED this ____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this ____ day of _____, 2017.

Mayor

ATTEST:

City Clerk

THE CITY OF LAKE FOREST

ORDINANCE NO. 2018-_____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AUTHORIZING WATERWAY TO
LOCATE A CAR WASH, GAS STATION AND ASSOCIATED CONVENIENCE STORE ON THE
SOUTHEAST CORNER OF WAUKEGAN AND EVERETT ROADS,
1015 – 1045 S. WAUKEGAN ROAD

WHEREAS, Waterway Gas and Wash Company, a Missouri corporation authorized to do business in Illinois (the "**Business Owner**"), intends to enter into a long-term lease regarding, and undertake redevelopment of, that certain real property that is commonly known as 1015 - 1045 S. Waukegan Road, Lake Forest, Illinois and legally described in Exhibit A, attached hereto ("**Property**"); and

WHEREAS, the Property is located in the B-1 Neighborhood Business District under the Lake Forest Zoning Ordinance; and

WHEREAS, the Property has historically been the site of auto-related businesses including a gas station, vehicle service and repair shop, and a garden supply retail business with indoor and outdoor merchandise displays; and

WHEREAS, the Property has been vacant for the past ten years and cited by many as an eyesore at the south entrance to one of the City's business districts; and

WHEREAS, carwashes and gas stations are permitted in the B-1 District pursuant to the grant of a special use permit; and

WHEREAS, the Business Owner, with the consent of IP Properties Lake Forest, LLC (Robert C. Stuart, Jr. 1996 Declaration of Trust, 100%) (the "**Owner**"), has filed a petition (the "**Petition**") for a special use permit ("**SUP**") to authorize the operation of a carwash and gas station in combination with a convenience store on the Property (the "**Improvements**"); and

WHEREAS, the Petition was filed in accordance with the regulations of Section 159.045, Special Uses, of the Lake Forest Zoning Code; and

WHEREAS, the Plan Commission did conduct a properly noticed public hearing on the Petition over the course of three meetings that occurred on October 22, 2015; March 8, 2017, and November 8, 2017, and after having fully heard and having considered the evidence and testimony by all those who wished to testify and after deliberating, voted 4 to 2, to make the following findings and to recommend approval of the "**Proposal**" [being the proposed redevelopment and use of the Property with the Improvements as generally depicted in Group Exhibit B (the "**Preliminary Plans**")], subject to the terms and conditions of approval hereinafter set forth:

1. The Zoning Code establishes criteria that must be considered prior to approving certain businesses in the B-1 zoning district, but does not prohibit such uses. A car wash, gas station and convenience store meet the frequent and recurring needs of residents in the surrounding area. No other gas stations or car washes exist in the west part of The City of Lake Forest.
2. The Property is located within and at the south end of the business district that extends along Waukegan Road, a State highway. The use of the Property for commercial, auto-oriented uses pre-dates the surrounding residential development.
3. The Proposal for the Property presents uses not unlike those that historically occupied the Property, and will not impede the orderly development of other properties in the area. For the most part, properties in this area are already developed.
4. The streets and the intersection in this area can accommodate the Proposal. Traffic counts were conducted in 2015 and again in 2016. The Traffic Study presented to the Plan Commission was based on the higher of the two traffic counts and factored in an allowance for regional growth on an annual basis. The on-site parking lot provides sufficient parking spaces to meet the Code requirements and public parking lots are located nearby and available for off-site employee parking by permit, if necessary. Based on the Traffic Study submitted and the undertakings of Business Owner and Owner pursuant to the Proposal, the Proposal will not have a negative impact on traffic volumes or the flow of traffic in the general vicinity.

5. The Proposal will maintain and enhance pedestrian connections to the intersection and neighboring uses.
6. Adequate utilities are in place to continue to serve the Property and the Proposal. An increased demand for services, beyond that required for other commercial uses previously located on this Proposal, will not result from the Proposal.
7. The Proposal includes a 7,800-square foot building, a fueling area canopy, signage and streetscape landscaping all of which will be subject to review by the Building Review Board, and a recommendation on the design aspects of the Proposal will be forwarded to the City Council for consideration. The improvements constructed on the Property will be minimal and will not prevent the future use of the Property for an alternate use.
8. The Proposal will not be detrimental to surrounding businesses or the business district as a whole and will take advantage of existing traffic on Waukegan Road, attract employees and draw local residents who may, in addition to patronizing the Improvements on the Property, also patronize other businesses in the area.
9. With the incorporation of substantial sound mitigation measures and other conditions of approval, the Proposal will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
10. The Proposal will not substantially diminish property values in the area.
11. The Proposal shall conform to the applicable regulations in the B-1 zoning district except as modified by the City Council through this Special Use Permit.

WHEREAS, the City Council (i) concurs with the findings of the Plan Commission, (ii) finds that the uses and Improvements included in the Proposal and as authorized herein will satisfy the requirements of Section 159.045(E) of the Zoning Code, and (iii) subject to the terms and conditions herein set forth, finds and determines that it is in the best interests of the City and its residents to approve the Proposal and grant the SUP as set forth in the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE. Recitals: The foregoing recitals are incorporated into this Ordinance as if fully set forth.

SECTION TWO. Approval of Amendment to SUP: Pursuant to Section 159.045 of the Zoning Code and subject to the limitations set forth in the City Code and the conditions set forth in Section Three of this Ordinance, the City Council hereby approves the Proposal and grants the SUP authorizing the use and related Improvements on the Property, as more fully depicted on the Preliminary Plans.

SECTION THREE: Conditions on Approval. The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Laws.** Chapters 150, regarding building and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property must be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. **Compliance with the Plans.** The Improvements (including on-site landscaping and screening) must be developed on the Property in substantial compliance with the Preliminary Plans; provided, however, that such Preliminary Plans shall be subject to the review and recommendation of the Building Review Board and ultimate approval of the City Council (the "***Building Review Approval Process***"). To the extent that modifications to the Preliminary Plans are required pursuant to the Building Review Approval Process, the Proposal shall only be authorized to proceed in accordance with plans as approved through the Building Review Approval Process. To the extent that the Preliminary Plans reflect landscaping or other improvements on nearby properties ("***Adjoining Improvements***"), the obligation to undertake and complete such Adjoining Improvements shall be

conditioned upon the Business Owner obtaining the necessary approvals of such nearby properties.

D. Fees and Costs.

The Business Owner and Owner shall be jointly and severally responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Business Owner and Owner (or the successor of Owner) shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.

E. Use Limitations.

1. The operating hours shall not exceed the following:

a. Gas and Convenience Store

Monday – Saturday	7:00 a.m. – 9 p.m.
Sunday	8:00 a.m. – 8:00 p.m.

b. Car Wash

Monday – Saturday	7:30 a.m. – 7:30 p.m.
Sunday	8:00 a.m. – 6:00 p.m.

2. Any material changes to the use, structures, methods, or equipment on the Property will be subject to review by the City's Director of Community Development and may be subject to further public hearing and amendment of the SUP if such changes are not in general conformity with the terms of this Ordinance (as determined in the discretion of the Director of Community Development).
3. If one or more of the permitted special uses cease to operate on the Property, all structures and improvements related to that use shall be removed and the Property shall be restored to a level grade in a reasonable time frame as determined by the City.

F. Improvements and Site Operations

1. Automated doors shall be installed at the entrance and exit to the car wash tunnel and shall operate on a consistent basis. The doors shall be raised and lowered between cars and the exit door shall be closed at all times while the blower is operating to the extent reasonably possible. If one of more of the

doors become inoperable, the car wash shall cease operation until the necessary repairs are made to allow the door(s) to function consistent with this condition.

2. The noise levels from the car wash are not permitted to exceed two (2) dB above the ambient time-weighted average noise levels in the area consistent with the Business Owner's representations. A post-construction study, prior to the issuance of a Certificate of Occupancy, and later periodic studies shall be conducted by a consultant hired by the City. The study shall involve, but not be limited to: 1) recording the noise at two residential locations for several hours after 3 PM or on a Sunday; 2) determining a one hour time-weighted average for every hour; and 3) extracting the ambient noise from the recording (between washes). An additional post-occupancy study shall be undertaken after approximately six months to assess compliance with the noise level standards in this Ordinance. A bond, in an amount to be reasonably determined by the City Manager, shall be posted by the Business Owner to cover reasonable Consultant fees for such studies, which bond shall be held for 12 months after the issuance of a Certificate of Occupancy. Expenses incurred by the City related to monitoring noise levels after the first 12-month period shall be reimbursed in accordance with Section 3(D) of this Ordinance.

In the event that noise levels are found to exceed the limit stated above, a Notice to Correct shall be issued to the Business Owner allowing a reasonable cure period. At the Council's option, this Special Use Permit may be revoked for failure to take corrective action within the allowed cure period.

3. In order to satisfy the noise level standards in this Ordinance, and in addition to any Adjoining Improvements, replacement of windows on impacted properties in the vicinity of the Property (including the Church Rectory, the neighboring office building, and the residential units immediately adjacent to the east and south of the car wash facility) may be offered to mitigate sound impacts if determined to be necessary by the City's acoustical engineer to meet accepted standards after six months of operation of the car wash; provided, however, that Business Owner's inability to implement such window replacement or other off-site sound mitigation measures shall not excuse Business Owner from complying with the noise level standards of this Ordinance.
4. Except for any signage illumination approved as part of the Building Review Approval Process, all exterior lights on the Property shall be directed downward and the source of light shall be fully shielded from view from off of the Property. After close of business, all exterior lights, except those determined to be necessary for safety and security of the site by City public safety officials, must be turned off. An overnight lighting plan shall be required as part of the submittal for building permit.

5. The building, lighting, landscaping and signage shall be subject to review as part of the Building Review Approval Process, with particular attention to establishing a streetscape character consistent with the overall business district.
6. In connection with the building permit process, all Improvements on the Property shall be evaluated to determine whether they are designed to reasonably satisfy the noise level standards set forth in this Ordinance. The City may require Business Owner to meet construction standards that exceed standards in the City Code if necessary to satisfy the noise level standards in this Ordinance.

SECTION FOUR: Amendment to Ordinance. Any amendments to the terms, conditions, or provisions of this Ordinance that may be requested after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in Section 159.045 of the Zoning Code, including an amendment to the SUP itself in the manner provided in the Zoning Code and by applicable law.

SECTION FIVE: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council as set forth in a resolution duly adopted without public notice or hearing, be of no force or effect if Owners have not (i) executed and (ii) thereafter filed with the City Clerk, within 30 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit C and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The City Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED THIS ____ DAY OF _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ DAY OF _____, 2018.

MAYOR

ATTEST:

City Clerk

EXHIBIT A
Legal Description of the Property

Lot 1 in "Everett Garage Subdivision" being of part of the NE ¼ of Section 7, Township 43 North, Range 12, East of the Third Principal Meridian according to the plat thereof recorded April 13, 1965, as Document 1259517, in Book 42 of plats, Page 14, in Lake County, Illinois.

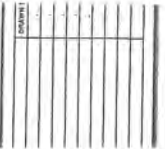
P.I.N. 16-07-202-012-0000

Commonly known as: 1015 - 1045 S. Waukegan Road

GROUP EXHIBIT B

Preliminary Plans

DRAFT



WATERWAY GAS AND WASH
LAKE FOREST, ILLINOIS
SITE DIMENSIONAL AND PAVING PLAN

30

WGWLFILO1



GARDENS **WINTER**



GLOSSY BLACK CHOKEBERRY



MILLENNIUM ALLIUM



ACCOLADE ELM



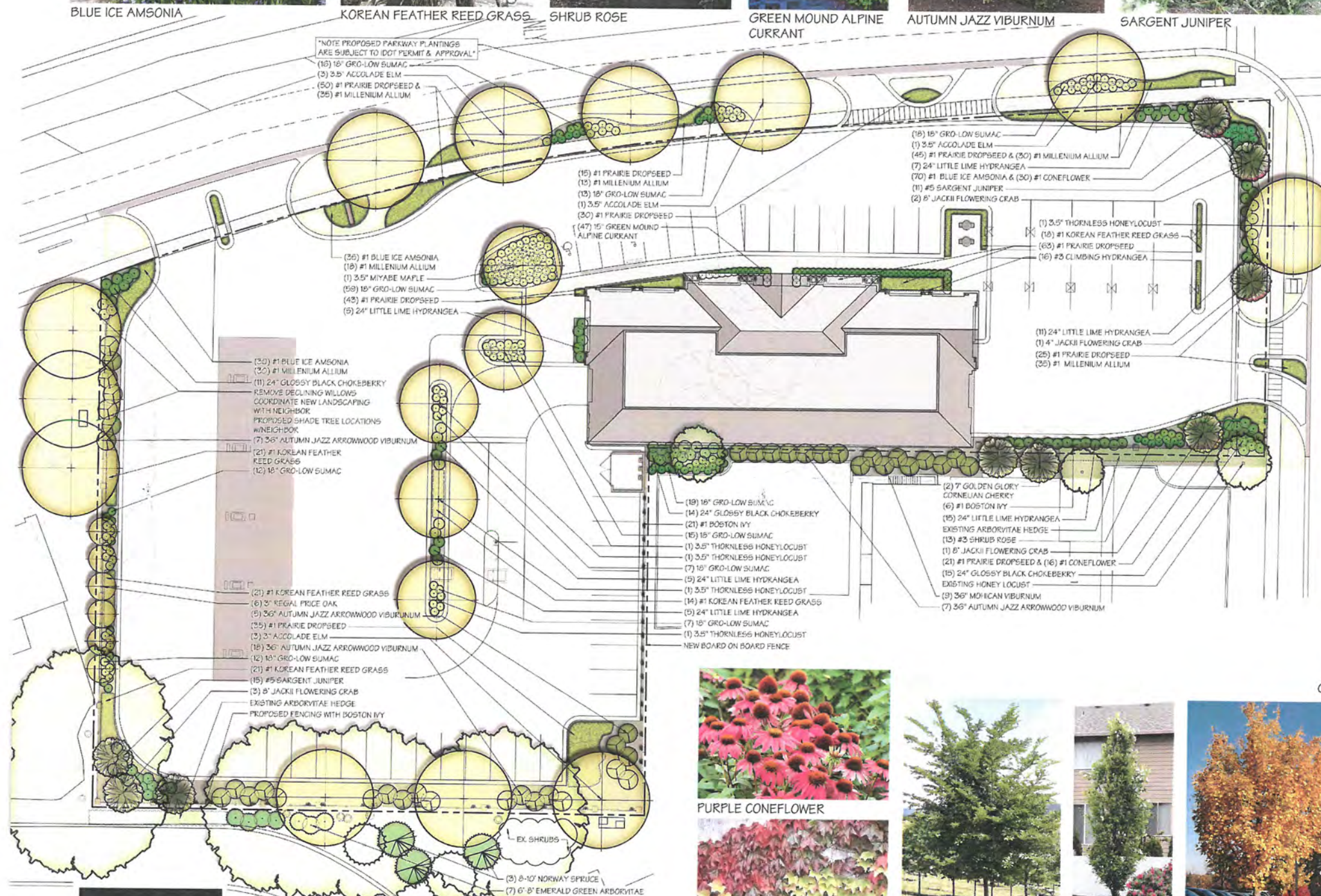
REGAL PRINCE
OAK



MIYABE MAPLE



THORNLESS HONEYLOCUST



Preliminary Landscape Plan

Scale: 1/16"=1'-0" FRIDAY OCTOBER 6, 2017

300 rockland road lake bluff, illinois 60044
tel: 847.234.2172 fax: 847.234.2754
www.marianlandscape.com



727 Goddard Ave
Chesterfield, MO

New Facility For:
Waterway Car Wash
Lake Forest, IL

Architect:
SP Architects
738 Westport Plaza
St. Louis, MO 63146
314-434-9700





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Chesterfield, MO

New Facility For:
Waterway Car Wash
Lake Forest, IL

Architect:
SP Architects
738 Westport Plaza
St. Louis, MO 63146
314-434-9700

04-07-2017
S | P
architects

EXHIBIT C

Unconditional Agreement and Consent

Pursuant to Section Five of The City of Lake Forest Ordinance No. 2018 - ____ ("Ordinance"), and to induce the City Council to grant the approvals provided for in such Ordinance, the undersigneds acknowledge for themselves and their successors and assigns in title to the Property that they

1. have read and understand all of the terms and provisions of Ordinance No. 2018 - ____;
2. hereby unconditionally agree to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, The City of Lake Forest City Code, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledge and agree that the City is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the City's issuance of any permits for the use of the Property, and that the City's issuance of any permit does not, and shall not, in any way, be deemed to insure the Owners against damage or injury of any kind and at any time;
4. acknowledge that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance;
5. agree to and do hereby hold harmless, defend, and indemnify the City, the City's corporate authorities, and all City elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of these parties with respect to the Property or any City action respecting the Proposal, including without limitation the adoption of the Ordinance or granting the approvals to the Owners pursuant to the Ordinance, except as may arise from the City's gross negligence or willful misconduct, and provided that the City shall assert its available immunities in connection with such claims. In the event that the City elects to retain separate counsel in defense of any such claims, the undersigneds hereby agree to reimburse the City for its attorneys' fees and costs incurred in connection of such defense of claims; and
6. represent and acknowledge that the persons signing this Unconditional Agreement and Consent are duly authorized to do so on behalf of the Owners of the Property.

OWNER: _____

By: _____
Its _____

ATTEST:

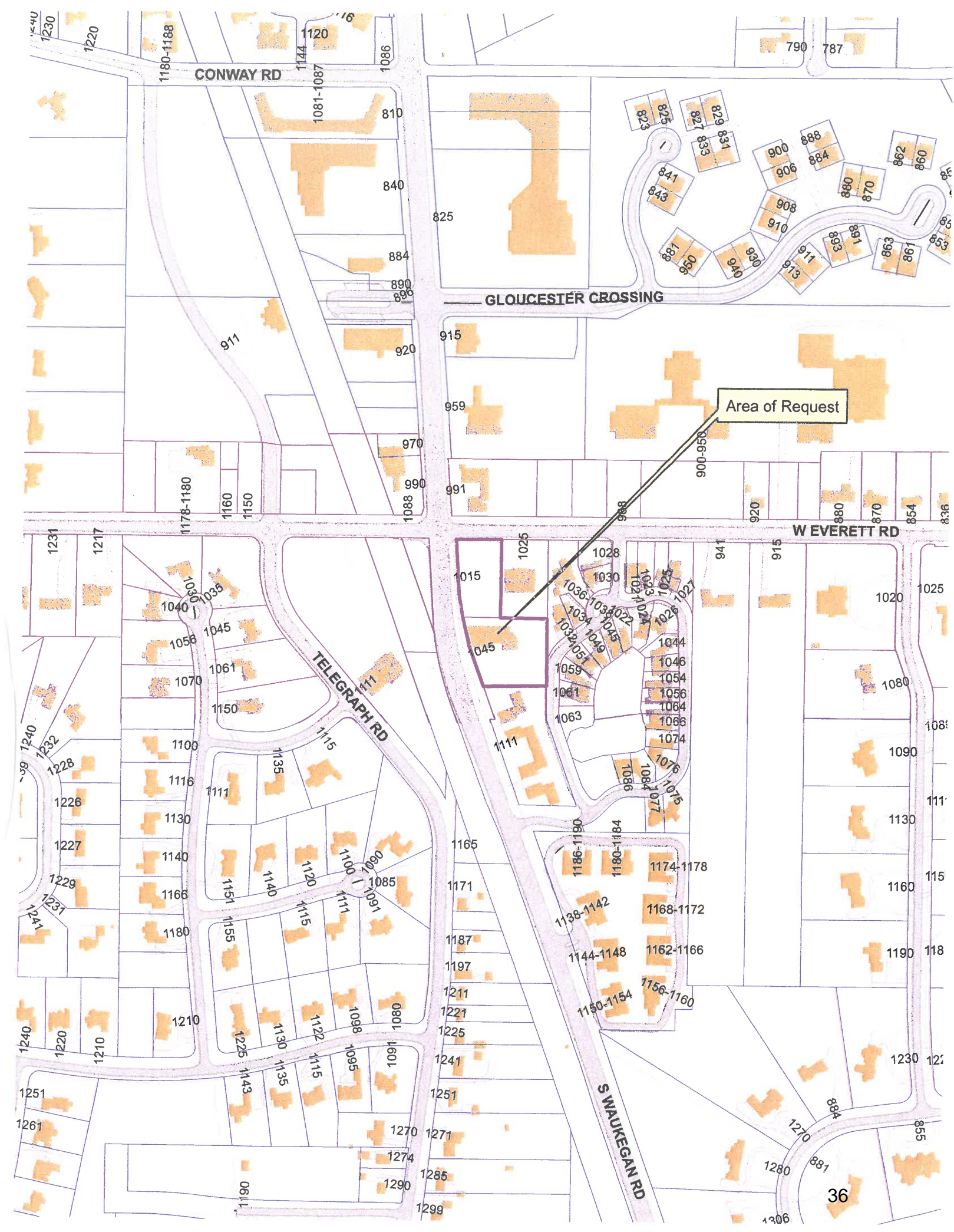
BUSINESS OWNER:

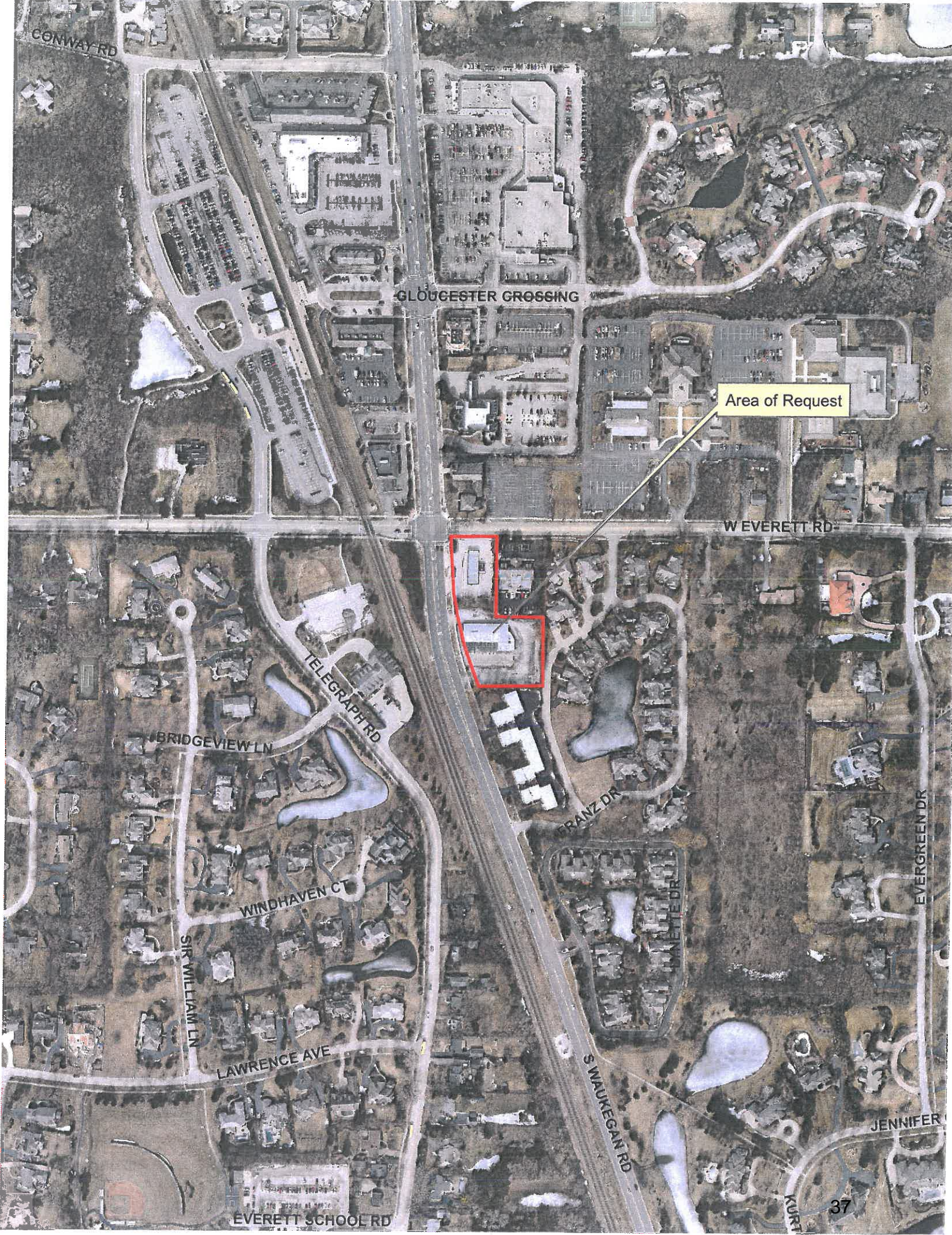
By: _____

Its _____

ATTEST:

DRAFT





GLoucester Crossing

Area of Request

W EVERETT RD

TELEGRAPH RD

BRIDGEVIEW LN

WINDHAVEN CT

SIR WILLIAM LN

LAWRENCE AVE

FRANZ DR

S WAUKEGAN RD

EVERGREEN DR

JENNIFER

KURT

EVERETT SCHOOL RD



Area of Request

S WAUKEGAN RD

W EVERETT RD

MAR LANE DR

FRANZ DR

TELEGRAPH RD



PLAN COMMISSION REPORT AND RECOMMENDATION

TO:	Honorable Mayor Lansing and members of the Council
DATE:	November 8, 2017
FROM:	Chairman Ley and members of the Plan Commission
SUBJECT:	<i>Special Use Permit – Car Wash, Gas Station, Convenience Store – SE Corner Waukegan and Everett Roads</i>

Property Owner

IP Properties
(Robert Stuart Trust, Jr.
1996 Declaration of Trust)
150 Field Drive, Suite 100
Lake Forest, IL 60045

Property Location

Southeast Corner –
Waukegan/Everett Roads

Zoning District

B-1 – Neighborhood Business
District

Applicant/Proposed Tenant: Waterway Gas & Wash
727 Goddard Avenue
Chesterfield, MO 63005

Representative Sandy Stuart, Property Owner
Michael Goldman, Waterway V.P. and General Counsel
Various Consultants

This petition was initially introduced to the Plan Commission in October, 2015. The Commission considered this petition again on March 8, 2017. At the end of the March meeting, the Plan Commission continued consideration of the petition and the public hearing to allow further study and responses to questions and concerns raised primarily related to noise impacts on surrounding properties, but also relating to traffic and the overall compatibility of the proposed use with the surrounding uses.

On November 8, 2017, the petition was presented to the Commission for final consideration. After presentations, public testimony and deliberation, The Commission voted 4 to 2 to recommend approval of a Special Use Permit to authorize a car wash and gas station as components of redevelopment of the property. Findings in support of the recommendation are detailed in the Ordinance in the Council packet.

Summary of the Request

This is a request for a Special Use Permit to authorize a car wash, gas station and convenience store in the B-1, Neighborhood Business District on an approximately 1-1/2 acre site. A retail store is permitted by right in the B-1 District and does not require authorization through a Special Use Permit. That means that if a retail business and the related parking lot *only* were proposed for this site, no Plan Commission review would be required. However, in this case, since a Special Use Permit is required for both a car wash and a gas station, so, the overall development proposal is being considered through a single process.

The following key modifications were made to the proposed site plan and operations on the site in response to comments, concerns and questions raised throughout the public review process.

- ✓ A 10-foot solid, wood fence with masonry piers was added and will extend along the east and south perimeters of the property to, along with landscaping, provide a buffer between the proposed development and adjacent existing uses.
- ✓ The car wash tunnel was extended 25 feet to allow the blowers to be located deeper into the tunnel, away from both the entry and exit doors. (In order to accomplish this, the petitioner worked with ComEd to vacate an used easement that extended through the site.)
- ✓ Sound mitigating construction will be used around the blower.
- ✓ Blowers that utilize the newest sound mitigating technology will be installed.
- ✓ The chamber beyond the tunnel, and before the exit, will be enhanced with sound mitigating materials.
- ✓ An automatic door is proposed at the exit from the car wash tunnel. The door is intended to be closed when the blowers are in operation.
- ✓ The trash and recycling enclosure was moved away from the east property line.
- ✓ On site circulation was modified by shifting the fuel islands away from the south property line and further into the site and with the addition of a pass thru lane at the north end of the site to minimize traffic exiting on to Everett Road.
- ✓ The petitioner's traffic consultant submitted revised plans to IDOT in response to earlier direction received from IDOT. IDOT has approved the site geometry and access and is awaiting the submittal of final engineering plans if the project moves forward.

Factual Information

- The property is zoned for commercial use and has been developed with service and non-retail uses in the past including a gas station, a garden supply store and a vehicle service station. Commercial uses on the site pre-date the adjacent residential development.
- The site is located adjacent to a State highway, near a signalized intersection and near an at grade railroad crossing.
- The site has been vacant for more than ten years. The site is an eye sore at the entrance to the City of Lake Forest and is often the subject of complaints received by City officials.
- In 2008, redevelopment of the site was approved and included approval of a 10,000 square foot building with a drive thru located near the eastern property line, a 7,900 square foot building located close to the intersection of Waukegan and Everett Roads, and 75 parking spaces.
- Waukegan Road is under the jurisdiction of the State of Illinois. IDOT has approved the proposed curb cuts and turning movements into and out of the site.
- The City engaged an independent traffic consultant and an acoustical engineer to review and advise staff on the information submitted by the petitioner and the residents.
- During the course of discussions, many residents voiced significant concerns about the potential for noise impacts on surrounding residential properties and the Church, traffic, whether too much is proposed for the site and about the overall compatibility of the proposed uses with the surrounding area.
- Some residents expressed support for a gas station in west Lake Forest as well as support overall for new businesses in the community and redevelopment of the site.

Background

The property proposed for redevelopment is about one and a half acres in size and is configured in an L-shape with the narrower portion of the site extending toward the corner of Everett and Waukegan Roads. The southern portion of the site, the bottom of the "L", is wider and borders residential developments to the east and south. Presently, the site is about 80% impervious surface

with no significant landscaping along the streetscapes and little buffer from the adjacent residential properties. Redevelopment of this site has long been anticipated to enhance the southern entrance to Lake Forest and the business district along Waukegan Road and to provide increased services to residents in the surrounding areas.

For many years, this property was owned by the Wilson family and was formerly the site of an Amoco gas station and the Pasquesi garden supply store. Pre-dating those uses, a vehicle service station was located in the building that remains on the site. The site has been unoccupied since the Amoco and Pasquesi businesses vacated the site. The gas station building and the underground fuel tanks were removed from the site a number of years ago. The former Pasquesi building and the hardscape over most of the site, remain.

In 2008, the City approved a plan for redevelopment of this site with retail and service businesses. A drug store with a drive thru was proposed on the southern part of the site, a multi-tenant building was proposed for the northern end of the site. Due to the economic downturn, the redevelopment of the site did not proceed. In 2011, the property was acquired by IP Properties, the local Stuart family, as a long term investment. As proposed, IP Properties will retain ownership of the site and Waterway will redevelop the property and operate on the site under a long term lease.

Today, the site is minimally maintained and the existing structure on the southern part of the site is deteriorating. The City often receives inquiries about the property, complaints about its condition and hears interest in seeing it redeveloped. The location of this property, at this prominent corner, at the southern edge of the City's west business district, makes redevelopment of this site with a quality development a priority for the community.

Review of Proposed Site Plan and Operations

The petitioner proposes to redevelop the acre and a half property with a single development which will include a high quality car wash, gas station and convenience store. A single 7,800 square foot building is proposed and will house the car wash and retail space. Waterway will be the only tenant on the site.

Five islands with gas pumps are proposed at the south end of the site. The gas pumps are located under a flat roof canopy to provide shelter from the weather for people filling up their vehicles. The car wash tunnel is oriented south to north through the site, away from the adjacent residential properties. The entrance to the car wash and queuing area is proposed at the south end of the building. The exit from the car wash is located at the north end of the building, near Everett Road. Outside, beyond the exit from the car wash, "finishing stations" for vacuuming the interior of vehicles, are proposed. The vacuum operating system is located in the building to mitigate noise. The retail store will have entrances for customers on the south and west elevations. Customer parking spaces are provided on the south and west sides of the convenience store. Customers using the car wash can get out of their vehicles at the entrance to the tunnel and enter the store using the door on the south wall.

Key Issues

Zoning

The B-1 Zoning District is intended to accommodate small retail and service businesses that meet the recurring needs of residents in nearby neighborhoods. The neighborhood business district along Waukegan Road was developed and enhanced through a Tax Increment Financing District which was established in this area in the early 1990's. Today, this area includes a variety of businesses; retail, restaurants, offices, banks and medical offices. A Church, school and train station are also

located in the area. Higher density residential, townhomes and condominiums, adjacent to the commercial district serve as a transition to larger single family lots to the east. The purpose of the B-1 district as stated in the Zoning Code is as follows:

The B-1 Neighborhood Business District is designed to accommodate small retail and service businesses required to meet the frequently recurring needs of residents in adjacent or nearby residential areas.

The proposed use is consistent with the intent of the B-1 zoning district. Residents frequently stop to put gas in their vehicles and today, there is not a gas station in the western part of Lake Forest. As a result, many residents likely fill up their vehicles outside of Lake Forest. There is one car wash in Lake Forest and it is located in the Central Business District, adjacent to residential condominiums and near the railroad tracks. Sunset Foods, a full service grocery store, is located on Waukegan Road and meets the needs of many residents, however, there is not a small convenience store located in the area to offer a quick and easy opportunity to pick up an item or two.

Comprehensive Plan

The Comprehensive Plan designates this site for commercial use in the form of retail, service businesses or office use. The property is zoned B-1, Neighborhood Business, consistent with the rest of the Settler's Square commercial area.

The proposed redevelopment plan is consistent with the Comprehensive Plan designation for the property.

Safe and efficient ingress and egress.

One of the most difficult aspects of this site, regardless of how the site is developed, is the ingress and egress. The site itself, with its proximity to the intersection and the long, narrow configuration, presents limited ingress and egress opportunities. This will be the case no matter how the property is developed. The former gas station and garden store together had multiple curb cuts, four on Waukegan Road and two on Everett Road. IDOT has limited the proposed development to two curb cuts on Waukegan Road, and one on Everett Road.

One access to Waukegan Road is located at the southwest corner of the property and as approved by IDOT, allows for full turning movements into and out of the site for both northbound and southbound traffic. The second curb cut on Waukegan Road is located about mid-way between the southern curb cut and the intersection with Everett Road. IDOT requires that this curb cut be to limited to northbound traffic, allowing only right-in and right-out movements. The curb cut at this location is configured to discourage left turns either into or out of the site.

Staff acknowledges that access to this site is not ideal given the proximity to the intersection, limited frontage on Everett Road and the nearby railroad crossing; however, the property is a buildable commercial parcel and access to the parcel must be provided. As noted above, IDOT regulates and makes decisions about ingress and egress from Waukegan Road, not the City.

Today, two curb cuts on to the property exist on Everett Road. A single, three-quarter access curb cut is proposed for this development. The curb cut closest to the intersection will be eliminated. The proposed curb cut is located at the northeast corner of the property, and as proposed, will allow exiting vehicles to turn right to travel east bound on Everett Road. No left turns on to Everett Road will be permitted. An interior travel lane was added at the north end of the development site to allow vehicles intending to travel south on Waukegan Road to circulate, on private property, around the perimeter of the site, to the curb cut at the south end of the property. This change is in

response to concerns raised by residents of the Lake Forest Chateau development to the east about the potential for vehicles exiting the car wash and turning right on to Everett Road to travel through their neighborhood to get on to southbound Waukegan Road. Signs should be installed on the site to direct southbound Waukegan Road traffic to exit directly on to Waukegan Road to avoid the potential for cut through traffic. At times, making a left hand turn out of the site on to Waukegan Road will be difficult. It is important to note that vehicles exiting the car wash and queuing for finishing and interior cleaning, estimated to be over 80% of the customers, will not be able to access Everett Road directly from the site.

Westbound and eastbound vehicles on Everett Road will be able to enter the site. Both a right turn and a left turn from Everett Road are permitted under the proposed plan.

Proposed uses.

The redevelopment of the property for commercial use is responsive to comments frequently heard from residents in this area that more retail and service businesses are needed in this area. The developer is proposing uses that are permitted by right or as special uses in the B-1 zoning district.

Sufficient on site parking.

Thirty-five parking spaces are proposed. The parking as proposed exceeds the parking requirement in the Code for retail uses which is 4.5 parking spaces per 1,000 square feet of retail space. Only a portion of the proposed building is retail space. Twelve to fifteen employees will typically be on site at any one time. Employee parking is proposed generally in the spaces along the east perimeter of the site.

Setbacks and adequate buffering of adjacent residential developments.

Front and corner side yard setbacks of 20 feet are required in the B-1 Zoning District. No setback variances are requested as part of this petition. The concept of locating buildings close to the street, as opposed to locating parking lots along the street, is one that is supported by the Comprehensive Plan. However, other commercial buildings in the Waukegan Road Corridor are set back from the street with parking located in front of the buildings. Significant streetscape plantings will be important to screen views of parked cars and pavement and enhance the entrance to Lake Forest in this area.

As noted above, this redevelopment site borders residential property to the east and south. The proximity of the gas pump canopy should be clearly reflected on the site plan to verify compliance with the required setback distance. In addition, detailed elevations of the canopy and information about the appearance of the roof surface, because it may be visible from windows on the upper floors of the adjacent condominium, will be important as part of the Building Review Board's design review process.

The developer is proposing a ten foot, solid fence with masonry pillars along the east and south property lines to provide a visual and sound buffer for the adjacent residential and office developments. Consideration was given to a masonry wall, however, input from the acoustical engineers indicated that a solid wood fence, without gaps, will provide similar noise mitigate as a masonry wall.

The Code requires that parking lots to be screened by landscaping, fencing or both.

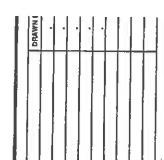
The trash area is located adjacent to the southeast corner of the building, away from the property line. Information on the treatment of the trash enclosure should be presented during the design review process.

Public Comment

Public notice of this petition was provided by the petitioner and by the City in accordance with applicable requirements. A notice was sent by certified mail to surrounding property owners by the petitioner. Representatives of Waterway met with some neighboring residents and property owners.

Notice was mailed by the Community Development Department to surrounding properties prior to each of the Plan Commission meetings and the required notice was published in the local newspaper prior to each Plan Commission meeting as well. The agendas for meetings were posted at five public locations and posted on the City's website along with the materials submitted by the petitioner.

All written correspondence received was distributed to the Commission and made available to the City Council.



WATERWAY GAS AND WASH
LAKE FOREST, ILLINOIS
SITE DIMENSIONAL AND PAVING PLAN

PROJ. MGR.: RJS
PROJ. ASSOC.: ADJ
DRAWN BY: AS
DATE: 10-06-17
SCALE: 1"=20'






SHEET

3 OF 11

WGWLFILO145

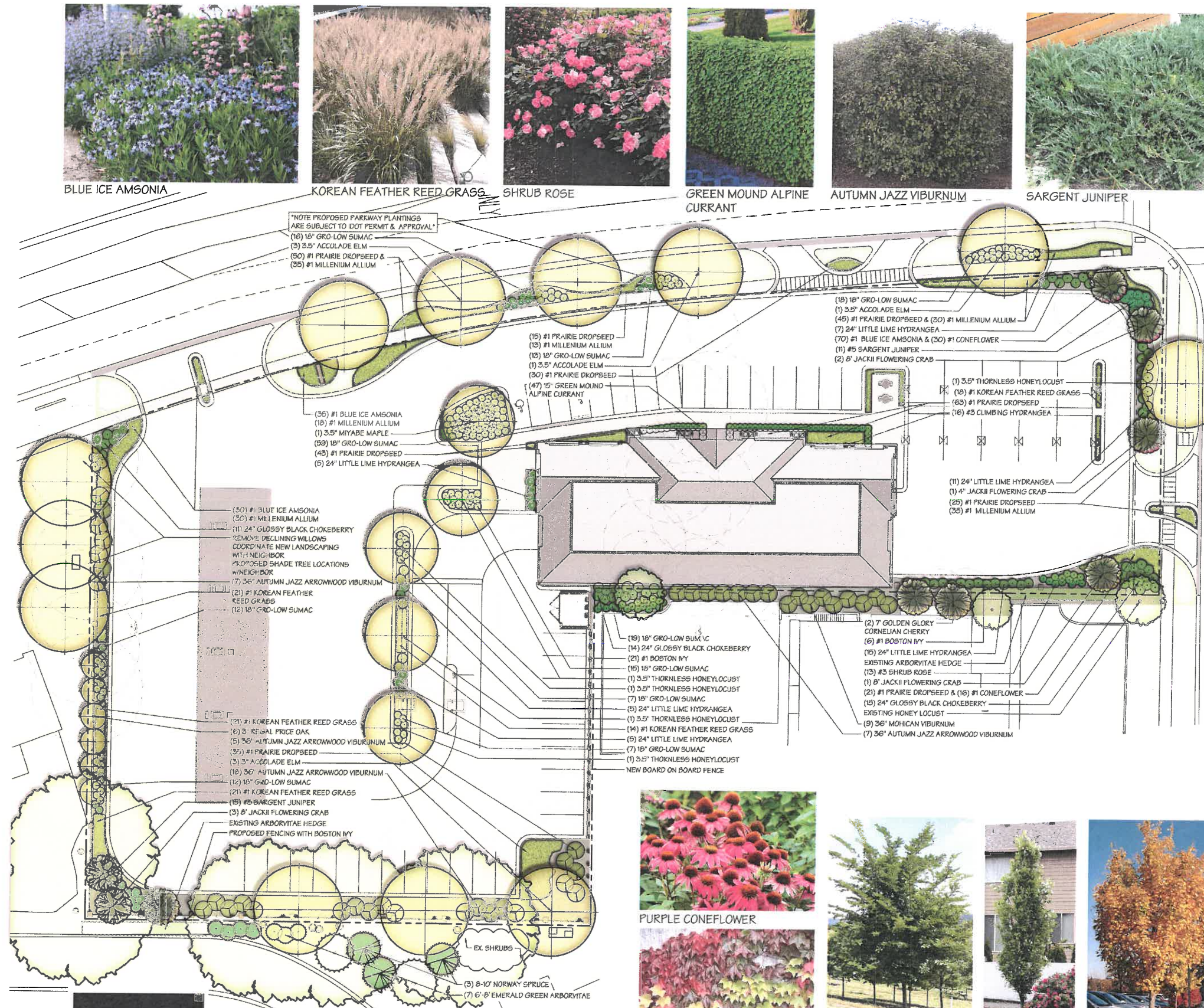
12-0-13

PAVEMENT LEGEND

	<p><u>STANDARD DUTY PAVEMENT</u></p> <p>1 1/2" BITUMINOUS SURFACE COURSE, HOT-MIX ASPHALT, MIX D, NSO 2 1/4" BITUMINOUS BINDER COURSE, HOT-MIX ASPHALT, IL-19, NSO 8" AGGREGATE BASE COURSE, TYPE B</p>
	<p><u>HEAVY DUTY PAVEMENT</u></p> <p>2 1/4" BITUMINOUS SURFACE COURSE, HOT-MIX ASPHALT, MIX D, NSO 2 1/4" BITUMINOUS BINDER COURSE, HOT-MIX ASPHALT, IL-19, NSO 12" AGGREGATE BASE COURSE, TYPE B</p>
	<p><u>CONCRETE PAVEMENT</u></p> <p>8" PORTLAND CEMENT CONCRETE PAVEMENT W/ 6 X 6 W1.4 WWF 4" COMPACTED AGGREGATE BASE, TYPE B</p>
	<p><u>PROPOSED SIDEWALK</u></p> <p>5" PORTLAND CEMENT CONCRETE PAVEMENT 4" COMPACTED AGGREGATE BASE, TYPE B</p>
	<p><u>POROUS CONCRETE</u></p> <p>8" POROUS CONCRETE 4" CHOKER COURSE (CA-7) 10" BASE COURSE (CA-1)</p>

- 08-10-12
- SITE DIMENSIONAL AND PAVING NOTES:**
1. ALL DIMENSIONS ARE FACE OF CURB TO FACE OF CURB OR BUILDING FOUNDATION UNLESS NOTED OTHERWISE.
 2. ALL PROPOSED CURB AND GUTTER SHALL BE B6.12 UNLESS OTHERWISE NOTED OTHERWISE.
 3. ALL CURB RADI SHALL BE 3' MEASURED TO FACE OF CURB UNLESS NOTED OTHERWISE.
 4. THE ALL PROPOSED CURB AND GUTTER TO EXISTING CURB AND GUTTER WITH 2-6" BARS X 18" LONG DOWELED INTO EXISTING CURB.
 5. BUILDING DIMENSIONS AND ADJACENT PARKING HAVE BEEN PREPARED BASED UPON ARCHITECTURAL INFORMATION CURRENT AT THE DATE OF THIS DRAWING. SUBSEQUENT ARCHITECTURAL CHANGES MAY EXIST. THEREFORE, CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS. ADVISE THE ARCHITECT AND ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
 6. IMPROVEMENTS ADJACENT TO BUILDING, IF SHOWN, SUCH AS TRUCK DOCK, STAINLESS WALLS, SIDEWALKS, CURBING, FENCES, CANOPIES, RAMPS, HANDICAP ACCESS, PLANTERS, DUMPSTERS, AND TRANSFORMERS ETC. HAVE BEEN SHOWN FOR APPROXIMATE LOCATION ONLY. REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS, SPECIFICATIONS AND DETAILS.
 7. LOCATION OF PRIVATE SIDEWALKS SHALL BE COORDINATED WITH PROPOSED DOORWAY. CONTRACTOR TO VERIFY ACTUAL BUILDING PLAN LOCATIONS WITH ARCHITECT/DEVELOPER PRIOR TO CONSTRUCTING THE SIDEWALKS.
 8. ALL ROADWAY AND PARKING LOT SIGNAGE, STRIPING, SYMBOLS, ETC. SHALL BE IN ACCORDANCE WITH LATEST JURISDICTIONAL GOVERNMENTAL ENTITY DETAILS.
 9. SOME EXISTING ITEMS TO BE REMOVED HAVE BEEN DELETED FROM THIS PLAN FOR CLARITY. SEE DEMOLITION PLAN FOR ITEMS DELETED.
 10. DEPRESS CURB & GUTTER AT ALL SIDEWALK AND PATH LOCATIONS FOR HANDICAP ACCESS AS PER FEDERAL AND STATE STANDARDS.
 11. THE CONTRACTOR SHALL CONTACT J.U.I.L.E. (1-800-882-0123) PRIOR TO ANY WORK TO LOCATE UTILITIES AND SHOWN ON THE DRAWING. OWNER SHOULD UTILITIES ARE TO BE IN CONFLICT WITH THE PROPOSED IMPROVEMENT.
 12. ALL ROADWAY AND PARKING LOT IMPROVEMENTS SHALL BE COMPLETELY IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, DEPARTMENT OF TRANSPORTATION, STATE OF TEXAS, LATEST EDITION.

This plan is conceptual. All dimensions are to be verified. Materials are represented as they appear in the field. All dimensions are to be verified. Materials are represented as they appear in the field. All dimensions are to be verified. Materials are represented as they appear in the field.



BLUE ICE AMSONIA

KOREAN FEATHER REED GRASS

SHRUB ROSE

GREEN MOUND ALPINE CURRANT

AUTUMN JAZZ VIBURNUM

SARGENT JUNIPER

LITTLE LIME HYDRANGEA

GLOSSY BLACK CHOKEBERRY

MOHICAN VIBURNUM

GRO-LOW SUMAC

PRAIRIE DROPSEED

JACKII FLOWERING CRAB

GOLDEN GLORY CORNELIAN CHERRY

MILLENNIUM ALLIUM

CLIMBING HYDRANGEA

PURPLE CONEFLOWER

BOSTON IVY

ACCOLADE ELM

REGAL PRINCE OAK

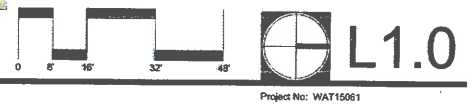
MIYABE MAPLE

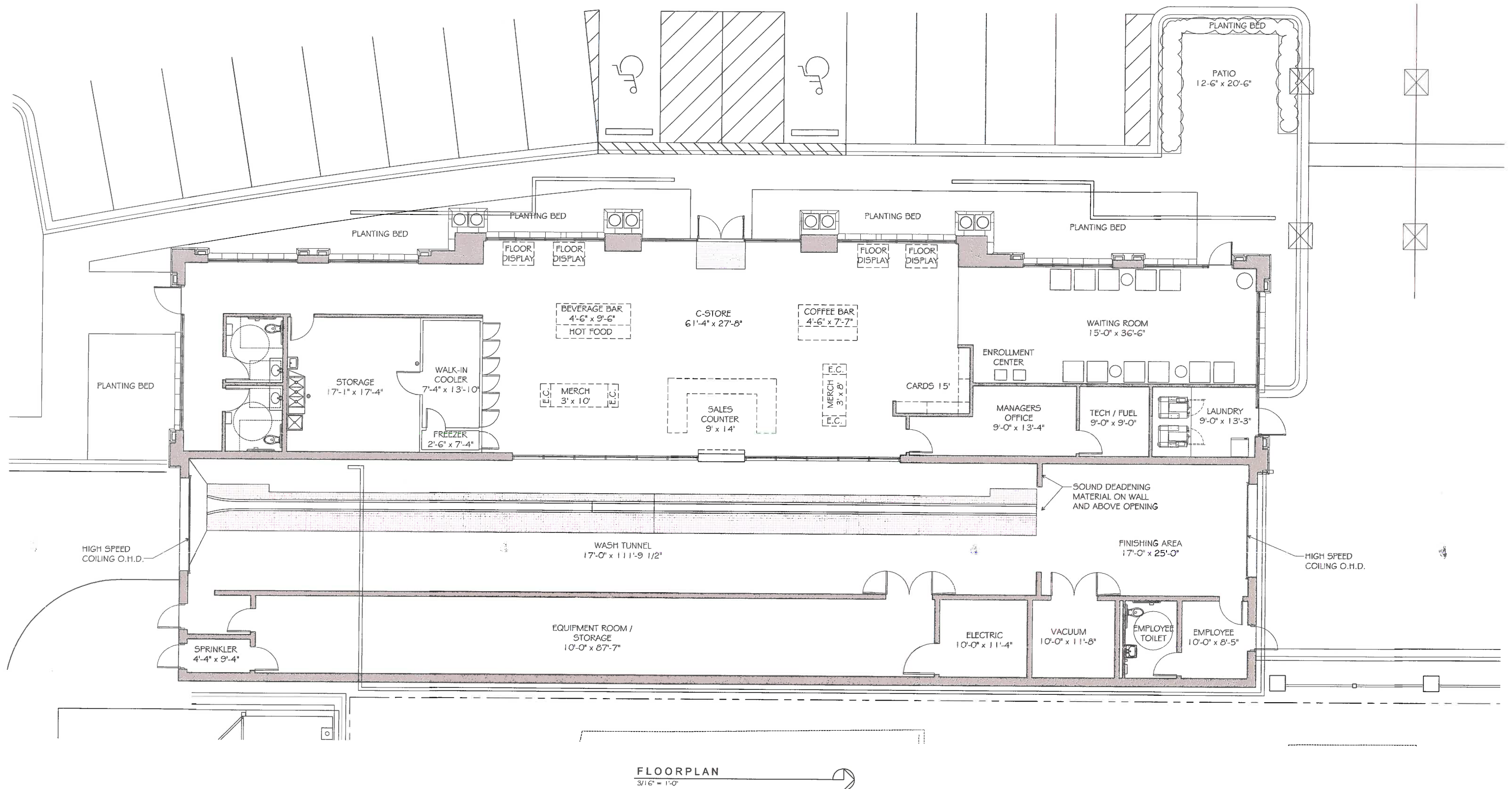
THORNLESS HONEYLOCUST

mariani landscape
300 rockland road lake bluff, illinois 60044
tel: 847.234.2172 fax: 847.234.2754
www.marianilandscape.com

Preliminary Landscape Plan
Scale: 1/16"=1'-0"
Friday October 6, 2017

Waterway Gas & Wash
Lake Forest, IL







727 Goddard Ave
Chesterfield, MO

New Facility For:
Waterway Car Wash
Lake Forest, IL

Architect:
SP Architects
738 Westport Plaza
St. Louis, MO 63146
314-434-9700

04-07-2017





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Lake Forest, IL

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