

PLAN

REPORT OF THE PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF NORTHFIELD
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of
Northfield Plan and Zoning Commission taken at the
Northfield Village Hall, Council Chambers, Northfield,
Illinois on the 5th day of October, 2009, at the hour of
7:01 o'clock p.m.

MEMBERS PRESENT:

BILL VASELOPOULOS, Chair
ROBERT CALDWELL
E. LEONARD RUBIN
JOHN DOLAN
DAN DELOYS
CHRIS BROCCOLO

MEMBERS ABSENT:

PHILIP JONES
WILLIAM HIELSCHER
JOANNA STEIN

ALSO PRESENT:

ANNE E. KANE - Community Development Director

1 CHAIRMAN VASELOPOULOS: I'd like to call to order the
2 October 5th meeting of the Plan and Zoning Commission. My
3 name is Bill Vaselopoulos, I'm the Chairman of the Plan and
4 Zoning Commission. And at this point, I'd like the other
5 Commission members to introduce themselves, starting with
6 John.

7 COMMISSIONER DOLAN: John Dolan.

8 COMMISSIONER RUBIN: E. Leonard Rubin.

9 CHAIRMAN CALDWELL: Bob Caldwell.

10 COMMISSIONER DELOYS: Dan deLoys.

11 COMMISSIONER BROCCOLO: Chris Broccolo.

12 CHAIRMAN VASELOPOULOS: Thanks very much. And we also
13 have Anne Kane here.

14 MS. KANE: Thank you.

15 CHAIRMAN VASELOPOULOS: The purpose of tonight's
16 meeting is to conduct a public hearing to consider a special
17 use amendment to the Fields group planned unit development at
18 770 Frontage Road. Public Hearing format will provide an
19 overview of the proposal and provides a forum for public
20 comment and input. This Commission is a recommending body,
21 and a recommending body only that will forward our
22 recommendations to the President and the Board of Trustees
23 for the final determination whether or not to grant this

1 amendment.

2 Now the Village Board will consider these items being
3 discussed this evening at their next board meeting, which
4 will be scheduled for Tuesday, October 20th at 7:00 o'clock,
5 right here in this board room.

6 Tonight's meeting requires that all persons wishing to
7 be heard and to enter testimony on a specific case will be
8 asked to be sworn in, and this includes any petitioner,
9 individuals in addition to the petitioner, any interested
10 parties and neighboring property owners. Following the
11 petitioner's presentation and after the Commission has had an
12 opportunity to ask questions or discuss amongst ourselves,
13 then all the interested parties will be given an opportunity
14 to speak. Prior to speaking, we request that all parties
15 provide their name, address and interest for the record.

16 These proceedings are recorded and that's why we
17 request that you speak only when asked and at the podium or
18 with the microphone.

19 First order of business will be to approve the minutes
20 from July 6, 2009. Do I have a motion?

21 COMMISSIONER RUBIN: So move.

22 COMMISSIONER DOLAN: Second.

23 CHAIRMAN VASELOPOULOS: All those in favor?

1 (Chorus of ayes.)

2 CHAIRMAN VASELOPOULOS: All opposed? Motion passes.

3 First order of business today is the one and only item
4 on our agenda at 700 and 770 Frontage Road to consider a
5 request for the preliminary and final approval of two lots
6 resubdivision for the Fields Imports located at 700 and 770
7 Frontage Road. Petitioner is Fields Imports.

8 MS. KANE: I'd like to provide a little background
9 history, if I could.

10 CHAIRMAN VASELOPOULOS: Great.

11 MS. KANE: As you'll recall, back in 2007, Fields came
12 in to request a PUD amendment to include the office building
13 that's located at 770 Frontage Road as part of their PUD at
14 that time. Plans for the future use of that were
15 unspecified. At that time it also allowed for the expansion
16 of BMW's service department, which extended up over the
17 current property line that's in a diagonal, separating these
18 two pie shaped parcels.

19 When Fields presented plans earlier this year, specific
20 for the 32,000 square foot Volvo sales and service facility,
21 a condition of that PUD amendment was that they were to
22 record with the Cook County Recorder of Deeds the plat of
23 consolidation that had been presented to the Plan Commission

1 back in 2007 and approved by the Village Board at that time.

2 Subsequent to the PUD Amendment earlier this year,
3 Fields has indicated to staff that for financing and product
4 manufacturer's requirements between BMW and Volvo, it would
5 be more simple for them to simply subdivide the two parcels
6 into two almost rectangular lots, complying with the
7 Village's subdivision code requirements.

8 As far as staff is concerned, we believe this satisfies
9 the intent of the condition. We worked
10 with the Petitioner to get the appropriate easements, the
11 appropriate certificates and language on the plat so that you
12 may recall from the original PUD that Volvo's access is
13 solely from the BMW site and we wanted to insure that if
14 Fields was ever to sell off that dealership, any subsequent
15 dealers would still have that right for that access through
16 the BMW property that is shown on this parcel, as well as the
17 shared garbage facilities have the appropriate easements
18 provided.

19 I do want to also thank Fields here this evening,
20 because they've been very cooperative in working with the
21 fire department and allowing them to do various skills and
22 exercises and training in the 770 building before it's
23 demolished here before the end of the month.

1 And finally, I do want to mention that the Village has
2 hired a lighting consultant, as you know. I think the
3 outstanding concern that was expressed by neighbors at the
4 PUD amendment public hearings, were concerns with the
5 lighting levels along the rear of all three properties. The
6 Village has secured a lighting consultant to help us and in
7 reviewing the plans, exploring ways to reduce the impact of
8 the lighting on neighboring property owners, because while it
9 meets our performance standards for lighting, we recognize
10 that concerns have been expressed and we're trying, and
11 Fields has been more than cooperative in willing to look not
12 only at the Volvo's proposed lighting plan, but a willingness
13 to re-examine the BMW and Jeep properties.

14 So, we are hopeful that we'll be able to present that
15 plan at the November Architectural Commission Meeting, and
16 courtesy notice will be provided to all the residents along
17 Happ Road that abut this property.

18 COMMISSIONER DOLAN: What about the landscaping?

19 MS. KANE: The landscaping in the hundred foot
20 easement? The Village owned property? That has been
21 installed. That contract was awarded and completed, I
22 believe in July.

23 CHAIRMAN VASELOPOULOS: Thank you. Is there anyone

1 here from Fields, ready to have any comments? Yes, ma'am.
2 Step to the microphone please, and give your name.

3 MS. PELINSKI: My name is Shermin Pelinski. I'm in-
4 house counsel for Fields. I don't really have any additional
5 comments, but if there are any questions, I'd be more than
6 happy to answer some.

7 CHAIRMAN VASELOPOULOS: Okay.

8 COMMISSIONER RUBIN: Is the only reason for the request
9 the problem with the office building? I'm just trying to
10 understand better the reason for consolidation.

11 MS. PELINSKI: Well, currently the property line
12 between 700 and 770 is a diagonal line between the two
13 properties. The most recent improvements, an expansion at
14 the BMW Dealership, actually now encroach on that property
15 line. So that was one of the problems we're trying to
16 address, and the reason that we're doing a resubdivision as
17 opposed to just a consolidation of the 770 and 700 properties
18 is really, really getting more into the financing and
19 manufacturer requirements.

20 But the Village had indicated that something needed to
21 be done because of the encroachment at the BMW building.

22 COMMISSIONER RUBIN: All right. Got it. Thank you.

23 COMMISSIONER BROCCOLO: And just to confirm Anne, each

1 individual development meets all the setbacks and the code
2 requirements?

3 MS. KANE: Correct. And as an overall PUD. The
4 setbacks really are just on the perimeter of all three of
5 these lots in total. But standing alone, should they sell
6 off a parcel, it will still meet the setbacks.

7 COMMISSIONER BROCCOLO: And you mentioned demolition
8 will occur later this month? Do you know what the
9 construction time line is?

10 MS. KANE: I will turn that over to Shermin.

11 MS. PELINSKI: We are, we're ready to start demolition.
12 We're waiting for a permit from the County related to the
13 water main. So we, that's essentially the only thing that's
14 holding up the demolition. With regard to the construction,
15 we were, as we were going through some of the earlier
16 approval processes, we were approached by Volvo Cars of North
17 America, and they indicated that they would like to, like our
18 building to be a LEED certified building, and they wanted to
19 participate in that process.

20 So, we're just starting that process with them in terms
21 of what sort of certification, what level of certification is
22 realistic with this project. And
23 then also if we need to go back through either this

1 Commission or architectural with some adjustments to the
2 plans, we can do that over the winter and we expect to start
3 construction in early Spring.

4 COMMISSIONER BROCCOLO: Great, thanks.

5 COMMISSIONER RUBIN: The, from what I hear with no
6 expertise and nothing except what I read in the papers, the
7 probable sale of Volvo doesn't affect your plans at all, am I
8 right?

9 MS. PELINSKI: No, it does not.

10 CHAIRMAN VASELOPOULOS: Any other questions from the
11 Commission? Does anyone in the audience have any questions?
12 Certainly, if you could step up to the microphone and
13 identify yourself and state your position.

14 MR. PRESTON: Hi, I'm Philip Preston at --

15 CHAIRMAN VASELOPOULOS: Excuse me, if you could, Anne
16 do we need a swearing in for comments too?

17 MS. KANE: No, we don't need that.

18 CHAIRMAN VASELOPOULOS: No? Excuse me, continue.

19 MR. PRESTON: I shall. My address is 705 Happ Road and
20 so I, my backyard continued across the power lines and
21 railroad tracks would be at the fields of BMW Service.

22 CHAIRMAN VASELOPOULOS: Okay.

23 MR. PRESTON: Just to put it in perspective. And, my

1 main concern with the existing fields, dealership and any
2 future expansion is really related to the lighting. And so,
3 I don't know if any of this is being covered in the meeting.

4 When you get a notice of a meeting, that doesn't really give
5 you any agenda items.

6 However, I would like to say that in the past, I've
7 lived at 705 Happ now since just before the BMW expansion,
8 and I've been told by neighbors who were there long before I
9 was that when Fields first came in that there were a lot of
10 promises made about landscaping and filtering and good
11 neighbors, and once permits were issued, all of that went by
12 the wayside.

13 And I expressed concern at the meetings with BMW's
14 expansion and I can tell you that from my bedroom window, I
15 could read a book, with no lights on, in the winter months,
16 when the leaves are off the trees, from all the light from
17 the BMW dealership. And in fact, even in the early stages of
18 these discussions of the Saab expansion and now I guess it's
19 a Volvo, whatever it is now, I would express that, I said,
20 what are your service hours. They said, well, you know, it
21 goes until whatever, 6:00 o'clock. I said, why is there a
22 big service light in my bedroom window 24-7. And they said,
23 oh, that's someone just forget to turn it off. Well, even

1 since that meeting, they've forgotten to turn it off.

2 What I'm saying here is, you know, I appreciate it,
3 they've got a business to run. God bless them. Sell lots of
4 cars, bring in lots of tax dollars to the Village, I love it.

5 But there's a way to do that and be a good neighbor at the
6 same time. You don't have to light it up like it's a federal
7 prison. And in terms of, you know, the argument of security
8 issues, that's not the real reason it's lit up that way. The
9 real reason is some crazy idea, in my mind it's a crazy idea,
10 that you're going to actually sell the BMW to someone that's
11 doing 60 miles an hour down the Edens Expressway, I really
12 think that, I wish they'd have more confidence in the car.
13 People will go there and buy cars without having it lit up
14 that way. There isn't any need.

15 And actually, we talked to Mark, one of my neighbors,
16 they don't, I don't want to steal your thunder, Mark, but as
17 you brought up a really good point in talking with them, we
18 expect that the problem of the lighting is going to be
19 significantly worse this winter versus prior winters because
20 Com Ed decided to come in and spray a few thousand gallons of
21 Garlon Free along the power line right-of-ways, and defoliate
22 our backyards. And so we're even going to lose what little
23 filter there was.

1 I would just ask this Board to consider the
2 neighborhood and just granting permits and have some more
3 responsible approach to lighting and there really isn't any
4 need for this. And I invite anyone to come and see it in
5 about another two, three weeks, you'll think there's a full
6 moon every night.

7 So, I appreciate your consideration and, you know, help
8 the neighbors and I think that really we can all live
9 together, they can sell lots of cars during working hours and
10 if they ran them, like, you know, if they could run half the
11 lighting in there, and it really isn't going to impact
12 security. You know, I don't think there's, I've actually
13 tried to go on line and Google, how much lighting would it
14 take to make it so no one's going to come in and steal wheels
15 off a BMW. It's just, you can't find any data to support
16 that lighting it up in this fashion, makes it safe. And so,
17 I do know that lighting up the way they are is compromising
18 my lifestyle and kind of making me regret that, you know,
19 when I bought this property it was this beautiful, kind of
20 woodsy spot. It's changed dramatically, and not for the
21 better. So, anyway, thanks for the time.

22 COMMISSIONER RUBIN: May I ask a quick question?

23 Are you talking about the general lighting that they're

1 using from the towers to shine on the entire property or are
2 you referring to light towers that are not shielded at all so
3 that the light from the tower comes right into your bedroom,
4 as well as lighting the premises.

5 MR. PRESTON: Well, to some degree, it's both. I
6 believe all of the lighting in the area where the cars are
7 kept, I believe it all has some sort of shielding, however,
8 especially when there's snow on the ground, obviously, the
9 light goes down, it reflects everywhere. In addition, though,
10 there's also, in my case, there's the lighting on the
11 building itself, you know, I look out my bedroom every night
12 and see the word service. Really don't need any service.
13 So, in a way it's a reach, but I think the most objectionable
14 to the vast majority of the neighbors, however, would be just
15 the general lighting of the lot.

16 COMMISSIONER RUBIN: Thank you.

17 COMMISSIONER DOLAN: And the lighting study,
18 has this already started?

19 MS. KANE: We've just gotten into the lighting plans.
20 It was very frustrating and difficult to find a lighting
21 consultant. We reached out to Glencoe who had used a
22 Wisconsin consultant. My attempts to reach him, I think he's
23 changed firms, no longer in Wisconsin, never responded. So,

1 while we could find engineering firms that offered the
2 service up, they were familiar with IDOT standards, it wasn't
3 obviously what I think the neighbors wanted, what we wanted
4 and what Fields want.

5 So, we did, we were able to find a firm out of Hoffman
6 Estates, and they're lighting forensics, they're members of
7 Dark Sky International, it's a program aimed at really
8 reducing the lighting levels. So, we've just gotten the
9 plans to them as of the end of last week and hope to meet
10 with them in the next couple weeks to educate staff, look at
11 what kind of code amendments we may need, but more
12 importantly, work specifically on this property and how we
13 can make adjustments to the proposed plans for Volvo and what
14 sort of retrofitting of the existing facilities we can work
15 with Fields to implement to minimize the negative effect on
16 the neighbors.

17 COMMISSIONER DOLAN: Do they make their recommendations
18 based on on-site evaluations or?

19 MS. KANE: Yes, they'll review the plans. Right now
20 they're just reviewing the plans proposed for Volvo and then
21 we will do a site visit, I'm sure.

22 COMMISSIONER DOLAN: Because the site visit would
23 really be kind of pointless until all the leaves fall off the

1 trees, because that is when the light is what he said, in the
2 winter, there's no barrier.

3 MS. KANE: Yes. Good point and we'll bear that in mind
4 and schedule it for later on in the month when I think that
5 the leaves will be down.

6 MR. PRESTON: Yeah, there was something that came up at
7 the last meeting that I thought might be throwing out there
8 again. I don't have the exact numbers, don't have my notes
9 with me, but there was an approximate. Was it \$30,000 for
10 planting?

11 MS. KANE: 39,000 and there was about 14,000 remaining.

12 MR. PRESTON: Okay, thank you. There were plantings
13 along the road trail, that would be the old North Shore
14 Electric Line. Well, you know, these are trees, that,
15 they're lovely, but let's face it, I can't remember how many
16 were put in on that --

17 MS. KANE: Thirty-nine.

18 MR. PRESTON: Thirty-nine trees in the entire --

19 MS. KANE: Thirteen hundred linear feet.

20 MR. PRESTON: Okay. On my hundred and twelve feet, on
21 that same spot, I put 30. And I started out with roughly
22 eight to ten foot trees, and I believe these were six foot
23 trees that were --

1 MS. KANE: Well, about eight to ten.

2 MR. PRESTON: They're nice.

3 MS. KANE: Yes.

4 MR. PRESTON: But you know, it's very well intentioned,
5 but it's kind of like holding up a pencil and thinking you're
6 not going to see it. It's well intentioned, but it's not
7 going to cut it. And I won't live long enough to see the
8 real benefit of those trees, I'm sorry to say.

9 And an idea was thrown out there and I just want to
10 tell you that I would support the idea, that the remaining
11 funds that BMW put towards these plantings, I think would be
12 better spent to bring the electrician in to BMW to arrange it
13 so that lights would, maybe 50 percent of the lights in the
14 lot, would turn off after their business hours. You know,
15 let them conduct their business, but then switch them off.
16 They seemed to indicate oh, that might be hard, turning off
17 every light, every other light or something like that.
18 Actually, it's not, because that many lights is probably
19 drawing about 500 amps at least, and you know, every breaker
20 is going to be about 30 amps. So you could probably go
21 through and flip off every other breaker and it wouldn't
22 mind.

23 But, you know, that might be an alternative, because

1 while the plantings were really a well intentioned idea, it's
2 nice, it really isn't going to have a positive impact on the
3 people affected by the lighting.

4 Thanks for your help with the numbers. Thank you.

5 COMMISSIONER RUBIN: Thank you.

6 CHAIRMAN VASELOPOULOS: Does anyone else have any other
7 comments or questions?

8 COMMISSIONER CALDWELL: Yeah, weren't we going to
9 facilitate a meeting in between Fields and the neighbors,
10 wasn't, has that ever happened?

11 MR. PRESTON: No.

12 COMMISSIONER CALDWELL: Never has?

13 MR. PRESTON: No.

14 MS. KANE: No, and I don't recall having that
15 conversation, or direction, but I think we are, you know,
16 Philip had made that recommendation at the Village Board
17 level and that is our intention is working, using leftover
18 funds to pay for a consultant and then the leftover monies
19 to, you know, maybe go 50/50 on modifications that are also
20 acceptable to Fields, because I want to make sure you
21 understand that they do meet our performance standards on our
22 foot candles and all those measurements and they do have
23 shielded lights and they have made modifications over the

1 years. So, anything that we do require of retrofitting of
2 the existing dealerships would be in cooperation and at
3 Field's willingness to accommodate that request.

4 CHAIRMAN VASELOPOULOS: Anne, I remember in a prior
5 meeting, there was a discussion about the lights in the back
6 of the buildings, and reducing those by some 50 percent.

7 MS. KANE: I don't know if that was with the Volvo
8 component. I believe that with Volvo, they are shutting off
9 every other light, so they've implemented that recommendation
10 on the proposed plan that's coming in and I think that the
11 neighbors also want to see a similar plan or process
12 implemented on the existing facilities where every other
13 light would go off, and that's what Mr. Preston was getting
14 at.

15 So, that has been implemented on the site that will yet
16 be developed.

17 CHAIRMAN VASELOPOULOS: What does Fields think about
18 that, the BMW site and the Jeep site?

19 MS. PELINSKI: Well, as Anne indicated, I think we're
20 still kind of looking at it and that's part of the reason of
21 hiring a consultant is, you know, part of it is just trying
22 to figure out what's going to be the effect on our property
23 as well as the neighbors. So, I think we're working with the

1 consultant, with the Village, we're going to I guess look at
2 a few different options.

3 COMMISSIONER DELOYS: From a security standpoint, is
4 there an aspect to that, or I mean, is there a reason for the
5 service sign to be on?

6 MS. PELINSKI: The service sign has been fixed.

7 COMMISSIONER DELOYS: Okay. So that should be off at
8 night.

9 COMMISSIONER CALDWELL: I see a shaking head.

10 MS. PELINSKI: Is it not off? I was told it was. I
11 can look into that.

12 MR. PRESTON: I haven't seen --

13 COMMISSIONER CALDWELL: You need to get the neighbors
14 involved --

15 MR. GANTNER: I just have a quick question about --

16 CHAIRMAN VASELOPOULOS: Please step to the microphone
17 so we can record it. Thank you. And if you can give your
18 name, please.

19 MR. GANTNER: I'm Mark Gantner and we live at 723 Happ,
20 which is directly behind the proposed building. We walked in
21 a little late, so I apologize. The consulting group that
22 you're looking and talking to about this, what are you going
23 to do with that information and is it going to be just talked

1 about or is this going to be something that you're going to
2 act on?

3 MS. KANE: No, I imagine they'll come up with
4 recommendations on how they can modify the plan that Volvo
5 can, Fields, excuse me, can modify their proposal to reduce
6 the over spill of lighting onto adjacent properties. What
7 specific recommendations, that's why we've hired the
8 consultants.

9 MR. GANTNER: You're hiring the consultant?

10 MS. KANE: Correct, the Village.

11 MR. GANTNER: Okay. Have you used consultants in the
12 past for lighting?

13 MS. PELINSKI: We have. We have the lighting people
14 who we've used for all of our --

15 MR. GANTNER: And that's how you came up with the
16 current proposal? Okay.

17 MS. PELINSKI: But obviously when we hire a consultant,
18 it's based on our needs --

19 MS. KANE: Oftentimes it's actually a lighting sales
20 company will come up with a lighting plan, I believe, for
21 architects who develop plans. This is not --

22 MR. GANTNER: That's quite different from what you --

23 MS. KANE: Correct, and this is not who we've hired.

1 It's not a sales company. They don't have products to sell.
2 They are experts in their field, they call themselves
3 Lighting Forensic Specialists, they provide expert testimony.

4 MR. GANTNER: The Village has never done that in the
5 past?

6 MS. KANE: No, correct.

7 MR. GANTNER: Well I think I can speak for the
8 neighbors, we'd be very interested in seeing the proposal on
9 this.

10 MS. KANE: Oh, absolutely.

11 MR. GANTNER: And I think it was in the Architectural
12 Commission that we were in front of the architects from,
13 Fields was here, and he said they were going to come back
14 with recommendations to address our concerns about lighting.

15 So, I don't know if these are two separate directions, but
16 when --

17 MS. KANE: I think that the Village kind of stepped in
18 and said, why don't we get some recommendations rather than
19 having a sales company that's formulating a lighting plan for
20 Fields.

21 MR. GANTNER: But is Fields doing anything from that
22 meeting that we had regarding what they were going to do
23 about this issue?

1 MS. PELINSKI: Well, I think we're working with the
2 Village and the consultant, yes.

3 MR. GANTNER: Okay.

4 MS. KANE: And I don't know if it was subsequent to
5 that that they chose to turn off every other light. I forget
6 at which meetings what modifications were agreed to, but at
7 this point really, the lighting plan is not approved. That
8 was a stipulation of this Commission.

9 MR. GANTNER: And the Architectural Commission.

10 MS. KANE: And the Architectural Commission that that
11 component would have to be ironed out. So, I don't want you
12 thinking that there's anything approved at this point.

13 MR. GANTNER: Okay.

14 MS. KANE: The proposed plan has been sent to the
15 consultant for their review and just some neutral
16 recommendations based on how, you know, well, like I said, it
17 may meet our, you know, very scientific foot candle numbers,
18 but that's not what's concerning you. So, we're trying to
19 find a way that we can work cooperatively with Fields to get
20 them to make modifications to the lighting plan, although it
21 meets the specific letter of our code, it's not meeting --

22 MR. GANTNER: Well, just remember whatever, I know
23 we're talking about a specific new building, not necessarily

1 retrofitting the old, the current Fields, but they are
2 directly interrelated. So, by saying we've addressed the
3 one, you're really, whatever light recommendations to come
4 back, I would hope that they would apply that to the current
5 Fields building that's already up.

6 MS. KANE: Well, we're going to work cooperatively with
7 Fields to get them to voluntarily agree with that. Most
8 times when you're making modifications to code requirements,
9 if that's what it led to, you don't just, you know, stipulate
10 that each business now has to conform. You do give them some
11 --

12 MR. GANTNER: It is one and the same though in this
13 case.

14 COMMISSIONER DOLAN: I think what Mark's asking is that
15 in the study, it's going to be for the whole property line of
16 Fields, and not just the new Volvo.

17 MS. KANE: Yes, we're working on implementing, you
18 know, the retrofit of the existing businesses, the existing
19 automobile dealers, may not occur at the exact same time. I
20 honestly don't know what's coming at, but I want to work with
21 Fields to whatever is approved for Fields, for the Volvo
22 portion, is over time, I don't know a time frame, is
23 implemented on those other two properties so it is

1 consistent.

2 MR. GANTNER: That would be the only way that it would
3 have any effect is realize you're going to do the lighting, -

4 MS. KANE: Uh-hum, I understand what you're saying.

5 MR. GANTNER: -- do something to correct lighting in
6 one building and the other one, even larger is not going to
7 have an effect unless you're really retro. Okay, well, we're
8 just as interested as you are in finding out what the next
9 step is. And I think I speak for some of the other
10 neighbors, everything that Philip expressed, we feel a
11 hundred percent behind him on that. We have the same
12 concerns and we see the same things happening behind. It's
13 unfortunate that the weed killing that came through, just
14 took away the natural brush, it was a natural habitat and now
15 we've got even less of a buffer. So, you know, this is
16 really important to us and I think under these circumstances,
17 it's important that we get it right this time.

18 Okay, thanks.

19 CHAIRMAN VASELOPOULOS: Any other comments from the
20 audience, Commission members, any other comments? Do we have
21 a motion?

22 COMMISSIONER RUBIN: Yes, I'll make a motion.

23 **The Plan and the Zoning Commission moves to approve and**

1 recommend to the Village Board for approval of the Fields
2 Imports, Northfield resubdivision, to subdivide the parcels
3 commonly known as 700 and 770 Frontage Road, prepared by
4 Edward J. Molloy & Associates, Ltd., date stamped received
5 October 1st, 2009.

6 COMMISSIONER CALDWELL: Second.

7 CHAIRMAN VASELOPOULOS: All those in favor?

8 (Chorus of ayes.)

9 CHAIRMAN VASELOPOULOS: All those opposed?

10 Motion passes.

11 Before we conclude tonight, I'm going to ask Anne to
12 speak to some of the recent developments along Willow Road.
13 We notice that the old Citgo Station has been dug up and
14 there's a huge hole in the round.

15 MS. KANE: Really?

16 CHAIRMAN VASELOPOULOS: Yeah.

17 MS. KANE: What a beautiful site --

18 CHAIRMAN VASELOPOULOS: And then there may be some
19 action or activity going on at the old BP Station. So if Anne
20 could quickly brief the Board.

21 MS. KANE: Sure, thank you.

22 As you'll recall, Edens Bank, Metropolitan Bank Group
23 had purchased the vacant Citgo Station outside, across the

1 street from the police station and outside my office window,
2 about four years ago, with plans to develop a free-standing
3 bank with drive through. Through many iterations and
4 processes, at the Plan and Zoning Commission, and
5 Architectural Commission and ultimately the Village Board,
6 those plans were denied. The special use for the drive
7 throughs were denied by the Village Board in, I believe,
8 December of '06 and Metropolitan Bank Group filed suit the
9 following spring against the Village for denial of their
10 right to use the property as they had wished.

11 Throughout that same time period, the Village Center
12 Task Force was working on developing the plan and the vision
13 for the Village Center and put a moratorium in place so that,
14 you know, the cart didn't get ahead of the horse on that one.

15 When the Village Board adopted the Village Center Plan
16 in the Spring of 2008, there was hope that there was just
17 going to be a rush of developers coming to assemble
18 properties in downtown Northfield and we'd see all this
19 activity, and it didn't occur, for a variety of reasons, and
20 we all know what's happened in the market for commercial
21 development.

22 But, nonetheless, the Village Board as this lawsuit
23 lingered on and more and more money was going to the

1 attorneys, the Village Board was hopeful of finding a way to
2 reach a settlement agreement and earlier this spring, working
3 with actually architects and designers that the Village
4 brought on board, we were able to work with Metropolitan Bank
5 Group to develop a plan that addressed a lot of the concerns
6 that this Commission expressed at the public hearing back in
7 '06, which was, it was severely deficient in parking, I
8 believe it required about a 50 space parking variance from
9 the 62 required. They were proposing to provide 12 of them.

10 You may recall there was a large wide drive off of
11 Willow Road that was a real concern of the Plan and Zoning
12 Commission, right before the entrance onto the Edens ramp and
13 we can all imagine what sort of rear ends that would result
14 in, as well as the uses that were proposed in 2006 included a
15 Starbucks, and I believe a Dairy Queen which staff would have
16 loved, but the parking generation and the turn over of the
17 vehicles, especially opposite the police station, was a real
18 concern because no matter how much we signage, sign, there
19 will be someone who needs that skim latte at 8:05 that
20 morning.

21 And so the plan that has been approved and is now
22 hopefully going to come out of the ground next spring, you
23 know, work to further the goals of the Village Center Plan

1 where the building has been pulled up to the corner, the curb
2 cut off of Willow has been eliminated, all the required
3 parking is provided on site and in accordance with the
4 Village Center redevelopment plan, and the zoning for this
5 district provides just a single lane drive through facility,
6 which is really tucked in behind the building. So, you know,
7 while it didn't meet all the tenets of the Village Center
8 Plan, the Village Board concluded it met six or seven of the
9 primary ones. And so that's how an agreement was met or was
10 entered into last spring.

11 CHAIRMAN VASELOPOULOS: Will there be any other tenants
12 in that building?

13 MS. KANE: There are two other retail tenant spaces.
14 At this point they will not be food service oriented because
15 of the traffic and volume intensity that that drives, they
16 don't have enough parking for that. If, at sometime in the
17 future we are able to work with Cook County to acquire the
18 parcel east of that and create a public parking deck or, you
19 know, or just a lot or one level, and accommodate additional
20 off-site parking there, there could be a small food service.
21 They're both just a thousand square feet, but that can
22 accommodate a small Starbucks or other food user. At this
23 time they could not have that, but it does have the

1 multipurpose, multi functional destination that we really
2 wanted to encourage in the Village Center. So, we're
3 optimistic.

4 I think the hole is getting a lot bigger than Edens
5 Bank anticipated. It's sure a lot bigger than the plans
6 indicated that we were working with the environmental crew
7 that's cleaning up the known contamination of that site.

8 But we're very pleased that they're cleaning it up,
9 because when I jump to the next site, BP seems to be just
10 ignoring the fact that they know they have known
11 contamination on the site at 1900 next to Youngrens, next to
12 the Middle Fork River. I would think that the IEPA would
13 have stronger concerns than they do. However, BP has been
14 able to acquire what is called a no further remediation
15 letter from the IEPA that's been recorded on that property
16 that indicates that unless someone disturbs the seal of the
17 asphalt that currently covers the site, or digs down for
18 underground parking or a basement for a taller structure, as
19 far as the IEPA and BP is concerned, no further remediation
20 work of the known contamination needs to take place.

21 The Village is working with the developer who has been
22 able to get that property under contract and they are
23 proposing a, their initial proposal was a free standing bank

1 with drive through in the middle of the site. So, pretty
2 much a deja vu of what was presented to us in 2006. I would
3 say a very traditional, suburban bank. The initial plan was
4 revised to include also about a 2,000 square foot retail
5 tenant, again centered on the site.

6 Staff suggested that we reconvene the Village Center
7 Task Force for some informal feedback with that developer,
8 because rather than having them spend 20, \$25,000, maybe even
9 more, 40, 50, they've paid money to BP to have six months
10 contract to do their due diligence. Before they invest in
11 full architectural plans, full civil engineering, full
12 traffic impact studies, staff said let's get these plans
13 before an informal meeting of the Village Center Task Force,
14 just for some feedback, because they weren't hearing it from
15 staff that no, this isn't consistent with our plan, no a free
16 standing bank isn't really what we've been hoping for on this
17 site.

18 We had that first meeting with the Village Center Task
19 Force last month. I think it was the general consensus of
20 the task force that, while they recognize that current market
21 conditions and BP's, you know, unwillingness to work on
22 cleaning up this site is unfortunate, as a corporate citizen.
23 The task force just wasn't willing, at this point, to step

1 away from all the basic principles of the Village Center Plan
2 that really called for pull the building up to the front of
3 this site, encourage pedestrian activity along the corridors,
4 tuck the parking either under or behind the building,
5 encourage multiple purpose destinations.

6 So I think the developer is still anxious and wanting
7 to present his vision for this site and gives us a laundry
8 list of reasons why BP's conditions are forcing him to do
9 this. Current market conditions are forcing him to do this,
10 and I think the Village Center Task Force was saying well,
11 our laundry list is called the comprehensive plan and you
12 haven't really complied with any of that. Come back when you
13 can. And we just received plans late last week which I don't
14 want to taint opinion here, but I don't think it goes far
15 enough yet either. And those plans will be presented to the
16 Village Center Task Force next week for some more informal
17 feedback.

18 And ultimately if the developer chooses to invest that
19 money in getting a design team together, those plans will be
20 presented here to this Commission at a public hearing, with
21 notification to surrounding property owners and notice in the
22 newspaper, you know, because I think as it was stated at the
23 Task Force, you know, our village center is quite small. We

1 only have a few opportunities to get it right we don't have
2 50 different sites. Perhaps this plan would be perfectly
3 fine along the Waukegan Road corridor, but not necessarily
4 with the few sites that we have available for redevelopment
5 in our Village Center. I think what you'll see across the
6 street when it does come out of the ground, the design is,
7 has set the bar real high for kind of not only the image we
8 want to project, but the quality that Northfield is a place
9 that people want to invest in. It's going to be here for the
10 long run. So, we're hoping that will set the tone and tenor
11 for future projects that are presented before this
12 Commission.

13 Any questions? Bill, did I miss anything?

14 CHAIRMAN VASELOPOULOS: No, I think you touched on all
15 the points.

16 MS. KANE: I guess there's another point that I want to
17 make sure you're aware of, and I can only share so much of
18 it. But, the Village is pursuing two legal avenues with BP.
19 We've got them in two different court venues. We do have a
20 judge's order that they are to demolish that structure within
21 60 days or face fines. That date is coming up as of October
22 14th and we've heard nothing, except they have filed further
23 motions with that court, claiming that the judge's decision

1 was flawed or in error, motion to reconsider I believe is the
2 correct terminology. And then we have also filed authority
3 in another Circuit Court downtown requesting that the Village
4 be granted permission to demolish that structure. If BP
5 doesn't want to do it, then perhaps the Village will take
6 that on. But that's opening Pandora's Box, and before we do
7 that, we need to really, really understand what we're getting
8 into. We'd rather that be on BP, who can control that a bit
9 easier than this Village.

10 CHAIRMAN VASELOPOULOS: Thank you, Anne.

11 MS. KANE: Thank you.

12 CHAIRMAN VASELOPOULOS: Any other comments or questions
13 from anybody?

14 Do we have a motion to adjourn.

15 COMMISSIONER CALDWELL: So move.

16 COMMISSIONER DOLAN: And second.

17 CHAIRMAN VASELOPOULOS: All in those favor?

18 (Chorus of ayes.)

19 MS. KANE: There will be no agenda next month.

20 (Whereupon the above meeting concluded at 7:44 p.m.)

21

22 **Approved 1/4/10**

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STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, STUART KAROUBAS, depose and say that I am a direct record court reporter doing business in the State of Illinois; that I reported verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

STUART KAROUBAS

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2009.

NOTARY PUBLIC

