

**Minutes of the Public Hearing Re: Annexation Agreement-Seventh Day Adventists
September 22nd, 2003**

1. CALL TO ORDER

The Public Hearing of the Board of Trustees of the Village of Deer Park was held on Monday, September 22nd, 2003 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

President Karl called the meeting to order at 7:41 p.m. Upon roll call the following were present: Trustees Dowell, Gifford, Kizior, Plautz, and Werch. Trustee Ekstrom was absent. Other Village Officials present were Administrator Diesen-Dahl, Clerk Smith, and Attorney Hargadon.

Guests present were: Mary Lahr (201 Rue Touraine); Roger Hankin (20856 Swansway).

MOTION: by Werch second by Gifford to open the Public Hearing of the Board of Trustees regarding the Annexation Agreement with the Illinois Association of Seventh-Day Adventists. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

2. ANNEXATION AGREEMENT—SEVENTH DAY ADVENTISTS

Attorney Hargadon indicated the Public Hearing was noticed pursuant to State Statute in the Daily Herald, and notice will be made part of the record of tonight's hearing.

Board discussed potential exposure to the Village by the annexation of this property. Property in question is not currently being served by Palatine water. Attorney Hargadon indicated to Church that they will probably not be able to get water despite fact it is pumped across their front yard. Church is seeking sewer, if and when possible.

Property is slightly more than one acre. Only dealing with Seventh-Day Adventists.

Resident Mary Lahr—Asked who pursued this annexation—property owner or Village. Attorney Hargadon indicated the Village inquired if property owners were interested in having a strip center within 35 feet of their church building. Property owners indicated they were not. Mrs. Lahr asked if the Village is trying to circumvent not winning the zoning appeal before the Cook County Board. Attorney Hargadon noted there has not been a final decision yet; the Zoning Board has yet to rule due to procedural disagreements. Mrs. Lahr asked if the Shepherds (adjacent property owners) have any input in the decision by the Village. Not tonight; will before the Court. Court will set a Court hearing on which the merits of the Village, the Seventh Day Adventists, and the Froslan's will be decided. If Village enters into the annexation agreement, will guarantee property to stay residential. Will be zoned R-1 initially, during agreement (20 years) will be zoned some form of residential within the Village. Really have no guarantee on use other than residential. Townhomes and other single family residential on the site have been discussed.

Resident Roger Hankin—noted that tonight's meeting and agenda were not on the web site. Clerk Smith disputed statement, noting that she updated and tested the web site. Mr. Hankin asked if there has there been any contact with any developers regarding other Shepherd Parcels. Attorney Hargadon noted that the Shepherd parcel is adjacent to this property; property in question is not owned by the Shepherds. Mr. Hankin asked if other potential buyers have been in contact with the Village—President Karl indicated only intended use presented was when they came in asking the Village to accept a strip mall. Mr. Hankin asked if there were any conversations with anyone other than current owner. President Karl and Attorney Hargadon indicated no conversations with anyone other than the current owner. Mr. Hankin asked if the Village has any intended uses for the property. President Karl indicated Village does not have any intended uses. Mr. Hankin inquired as to the benefits to the Village in annexing the property. President Karl indicated benefit is to protect residents near the property specifically, and within the Village in general. Trustee Werch indicated strip center at the southeast corner of Quentin Road and Palatine Road (across from the reservoir)

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is almost the exact same configuration (for access) as that being proposed. Palatine police consider this to be a dangerous corner with a lot of accidents and near accidents due to placement of driveways. As safety-oriented Trustee, opposed on this point, as well as the effect on residential users. Negative economic impact on Deer Park if proposed commercial development would go through outweighs impact of annexation. Mr. Hankin indicated he was trying to understand costs to Village due to multiple counties, police implications, etc. that would occur as a result of the annexation. Board noted the Village is already in multiple counties. Trustee Werch indicated Kildeer police patrol everything in the Village regardless of County. Legal fees would be only cost. Mr. Hankin requested an estimate of out of pocket cost for this action. Attorney Hargadon felt dollar cost estimate would not be accurate, but indicated this action will foreclose much more expensive litigation if successful in annexing this property. Trustee Werch noted that the Village could do nothing. However, the Board believes there will be a substantial cost to Deer Park if proposed commercial development is allowed to go through in terms of residential, business uses, etc.

Resident Mary Lahr-Asked if anyone on the Board talked to the residents to get their feeling on this. Trustee Gifford indicated yes, not just Rue Vallee, but in general area. Mrs. Lahr stated that the Jacksons, along with others in the area, share a general consensus that what is there now impacts them more than this will. Trustee Gifford noted that Trustee Ekstrom has a different opinion. President Karl believes residents would prefer not to have this commercial development. Board has heard complaints about the Town Center thousands of feet away; news that residents would want this proposed commercial development in such close proximity shocks and disturbs President Karl. President Karl asked if this was Mrs. Lahr's personal feeling. Mrs. Lahr indicated she was speaking for approximately 15 families. Board asked why they were not here. Mrs. Lahr stated residents did not know about the Public Hearing. Trustee Dowell noted the Board does not make decisions by straw poll; do try to look at greater good. Board does not believe strip center there is appropriate, and will impact more homes.

Mrs. Lahr noted the PUD would allow a strip mall with row homes above in the Triangle. If ok there, why not here? When homeowners said they did not want townhomes, they were told Mr. Barrett was entitled to the best use of his property. Mrs. Lahr asked why Mr. Shepherd was not present, and noted she does not feel this will protect the homeowners. Trustee Gifford stated he understands, but disagrees. Board has worked to protect residents. Board has worked to ensure that any plan done in the Village has incorporated buffering residents allowing ramp-up the further away from Quentin. Trustee Werch noted Board could have allowed retail along Quentin Road.

Trustee Plautz stated good points and questions have been brought up. However, being unincorporated, the fear on the part of the Board is they could put up anything there in the strip mall. In our Comprehensive Plan, would be a quality development. If annexed to Deer Park, can control development.

Trustee Werch asked if Mrs. Lahr really wanted the record to show she preferred a strip mall to what is at corner of Lake Cook and Quentin now—that is what was said, but do not believe that is what was meant. Mrs. Lahr indicated she said we (residents) would not be protected. Also, if property is zoned residential, can't think of anybody that would want to live there. President Karl noted Mr. Jackson currently lives at that intersection. Mrs. Lahr noted he has lived there 20 years; this happened to him unawares—he thought he was surrounded by forest preserve.

Resident Roger Hankin-stated that, sooner or later, something will go somewhere. Appreciate concerns, but if the Board is going to ram approximately 150 townhomes (between United Land Development and other proposed development) in the Triangle, concerns do not seem valid. Board noted developer for most recent proposal was told density is at least 30% too high. Trustee Werch noted concerns voiced regarding townhomes are appropriate, but not for this meeting. Attorney Hargadon noted the Shepherd property is one acre; the most the Comprehensive Plan will currently allow would be 5 homes.

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Mr. Hankin indicated there will be needs for certain things (bread, milk) from somewhere, and property may be better suited to such a proposal. Board agrees, but believes better locations than this corner. Palatine controls corner of Rand and Lake Cook, believe the southwest corner of Rand and Lake Cook is not something to be copied at the southeast corner of Lake Cook and Quentin. Palatine's development standards are much different than Deer Park. Trustee Kizior noted properties could be accumulated and zoned commercial through the domino effect to convert to retail. Attorney Hargadon noted Board wants to try to force retail and associated issues towards Rand Road (main corridor in the Village) where it belongs. Trustee Werch noted that the Village has been asked to rezone the northeast corner of Ela and Lake Cook to commercial for a gas station. Never felt, even though it could be justified to have a gas station in that part of the Village, that it reflected the way in which other people see the Village. This agreement is consistent.

3. ADJOURN PUBLIC HEARING

MOTION: by Gifford second by Dowell to adjourn the Public Hearing regarding the Annexation Agreement between the Village of Deer Park and the Seventh Day Adventists.

Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Public Hearing of the Village of Deer Park was adjourned at 8:05 p.m.

Richard C. Karl, President

Sandra R. Smith, Village Clerk