



- APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, April 14, 2015, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.
- PRESENT:** Chairman Manion, Members Leider, Van de Kerckhove, Bichkoff, and Kalina.
- ALSO PRESENT:** Stephen Robles, Village Planner and Tonya Zozulya, Economic Development Coordinator
- ABSENT:** Trustee Liaison Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:04 p.m.

1.0 ROLL CALL

The roll was called by **Village Planner Robles** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

- 2.1 Approval of the Minutes related to the Zoning Board Meeting held on Tuesday, March 10, 2015.

Member Kalina moved and **Member Leider** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

- 3.1 PUBLIC HEARING regarding a Special Use to permit an Assembly Use operation for religious uses in the O/lc District, within an existing office/industrial building located at 625 Barclay Boulevard (Willow Creek Community Church).

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing. **Lawrence Freedman**, attorney for the Willow Creek Community Church, noted the Church was recently in front of the Zoning Board to receive a temporary Special Use to perform interim church services at the Lincolnshire Regal Cinemas. He continued, the Church was back in front of the Zoning Board to seek a Special Use for an assembly use for a permanent location at 625 Barclay Boulevard. The Church anticipates moving into the new location within one year.

Matthew Wright, Lead Pastor of Willow Creek Community Church, provided a brief history of the Church and described the proposed Church operations for the site. He indicated the bulk of church activity would be on weekends and two evenings during the week. Attendance for the Sunday services were expected to start at a smaller capacity and eventually increase to the maximum proposed 796 seat capacity. **Mr. Wright** also noted there were no plans for weekday school activity. A total of ten employees were expected during the week.

Member Van de Kerckhove questioned if further building modifications were planned for the Church's occupancy. **Mr. Wright** explained the existing building did not require significant alteration, apart from the need for minor modifications to the current interior floor plan.

Chairman Manion asked if the Church was purchasing the building. **Mr. Wright**, explained the Church would be leasing the building.

Mr. Wright continued and presented the proposed traffic plan based on the Church's past experiences of traffic management at other locations, and the off-site parking agreement to use additional parking at 500 and 650 Barclay Boulevard. **Member Van de Kerckhove** sought clarification if the Church's use of traffic cones would be located in the street. **Mr. Wright** responded that no traffic cones would be placed in the roadway, rather at the sides of the road to identify the crossing area. **Mr. Freedman** explained the Village Code requirement for parking for a church use, which was 1 space per every 4 seats. However, he noted, the Church's identify a parking ration of 1 space per every 2.3 seats accurately reflected parking needs based on experiences and entered into a parking agreement with HydraForce, which owns property at 500 Barclay Boulevard and leases property at 650 Barclay Boulevard. **Mr. Freedman** noted Staff's concern regarding any potential termination of the parking agreement, which the Church committed to acquiring a new parking agreement. In the event the Church would not be able to secure additional off-site parking, the Church would reduce their capacity to the available parking at the ratio of 1/2.3 spaces.

Chairman Manion sought confirmation from the Petitioner of their request to include the Special Use findings of fact into the record. **Mr. Freedman** concurred.

Member Van de Kerckhove requested clarification on the proposed weekday use of the property. **Mr. Wright** explained that evening meetings, called "classes", would occur two nights per week, Tuesday, Wednesday, or Thursdays. The actual number of classes and weeknight would be determined based on the specific congregation. **Mr. Wright** further noted that a maximum of 200 people total would be expected at the weekday classes.

Chairman Manion sought any comments from the public. There being none, **Chairman Manion** requested Staff comments.

Village Planner Robles presented that the subject property at 625 Barclay Boulevard is located within the O/lc – Office/Industrial District, where Assembly uses are a permitted Special Use. As a result, Willow Creek Community Church was seeking a Special Use for an Assembly Use to permit religious uses at the site. He continued, based on the Church's activities detail provided in the packet, in order to ensure Church operations did not impact surrounding commercial/industrial uses, Staff recommended the Special Use prohibit weekday school and daycare services. Based on the proposed 796 church seating capacity, **Village Planner Robles** identified that 199 spaces were required by Code based on a ratio of 1 space per every 4 seats, with exactly 199 spaces were provided on site. As the Petitioner had indicated, a parking ratio of 1:2.3 seats more accurately reflected expected attendance, which resulted in 346 spaces. The proposed parking agreement would allow for shared parking between both groups at specified times to eliminate potential conflicts between either operations. **Village Planner Robles** explained that since minimum code required parking was provided on the site, the Village Code did not require additional parking. However, he explained, the Special Use

process allowed the Village to require considerations to negate the impact of the proposed use on neighboring land, such as the parking agreement. Condition 2 of the Staff memo requested the parking agreement to be recorded with the Lake County Recorder's Office to account for any future sale the property to allow continual application of the parking agreement. However, the Petitioner expressed to Staff such condition would prevent the agreeable party to participate in the agreement. Therefore, Staff worked with the applicant to revise the condition as follows:

"In the event secondary parking rights pursuant to Section 5(c)(b) of the Parking Agreement are terminated, within 60 days of such termination, Willow Creek shall be required to provide alternative secondary parking in the form of a revised Parking Agreement to be approved by the Village, and upon failure of Willow Creek to do so, that until such time an acceptable parking agreement is provided and approved, the maximum seating capacity shall be reduced to that amount which can be accommodated on the subject premises by the available 199 parking spaces and the available 78 parking spaces at 650 Barclay Boulevard based upon the ratio of 1:2.3 seats."

Village Planner Robles continued that an inspection of the site showed declining conditions of the parking lot and unnoticeable pavement markings. In addition, a variety of parking lot islands were also absent of Code required landscaping. Since the existing conditions should be attended to by new occupancy of the site, Staff requested that within 6 months of obtaining a Certificate of Occupancy, the parking lot should be resurfaced and all parking lot markings be restored to not result in any reduction of parking spaces from the current total, and landscaping of parking lot islands be provided in conformance with Off-Street Parking regulations of the Zoning Code.

In regards to the Petitioner's proposed traffic management plan, **Village Planner Robles** expressed Staff recommended any use of traffic cones and signage be temporary and only used during Sunday and Holiday services, and removed at the conclusion of the last Sunday or Holiday service. In addition, the traffic control devices and/or signage should not be placed within the travel lanes of Barclay Boulevard.

Member Leider inquired if there was any plan to paint a crosswalk between 625 and 650 Barclay Boulevard, rather than using cones. **Mr. Wright** identify there were no plans to do so. **Village Planner Robles** explained Staff encouraged the use of traffic cones rather than a painted crossing since area was not designated as an official pedestrian crossing for such Village street. He further noted, that a permanent crossing would be excessive since the use would be limited to one day, Sunday services.

The Zoning Board discussed the four Staff proposed conditions and sought confirmation the Petitioner was in agreement with such. **Mr. Freedman** confirmed the Petitioner was in agreement to the Staff conditions.

Chairman Manion sought any comments from the audience. There being none, **Chairman Manion** closed the public hearing and reconvened the Zoning Board meeting.

There being no further comments, **Chairman Manion** sought a motion.

Member Kalina moved and **Member Van de Kerckhove** seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on April 14, 2015, of a Special Use to permit an Assembly Use operation for

religious uses in the O/lc District, within an existing office/industrial building located at 625 Barclay Boulevard, subject to the Staff recommendations.

The roll call vote was as follows:

Ayes: Chairman Manion, Members Leider, Van de Kerckhove, Bichkoff, and Kalina.

Nays: None.

- 3.2 PUBLIC HEARING regarding a Special Use to establish and operate a drinking establishment, with live entertainment, in the B2 General Business District, at 275 Parkway Drive within the CityPark Retail Center (DDMB3 LLC/dba Emporium Lake County).

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing. **Doug and Danny Marks**, owners and operators of Emporium Arcade and Bar, were sworn in by **Chairman Manion**.

Mr. Danny Marks stated the name of the proposed business at 275 Parkway Drive is Emporium Lake County. They own two Emporium bars in Chicago. One is in Wicker Park (opened in 2012) and one is in Logan Square (opened in 2014). Both locations offer 1980's and 1990's games, pinball machines and other amusement, in addition to a full bar. Most of their customers are in the 25-45 age group. They cater to corporate groups and private parties like bachelor and birthday parties. CDW has bused their employees to their business for corporate events. Their existing locations have murals by local artists which they hope to have in Lincolnshire as well. They rarely have incidents. The Logan Square location has table games, air hockey and foosball. They also have food trucks parked inside the building in the Logan Square Emporium to provide food to their customers. Emporium does not have beer advertising or neon signs.

The Lincolnshire location is 9,800 SF. It was previously occupied by Champps Restaurant and Bar. Champps left all the equipment and furniture when they unexpectedly left the space after their parent company filed for bankruptcy. The space is very attractive to them as it is move-in ready. The Lincolnshire location would be a hybrid of their two existing locations offering video arcade machines, pinball machines, table games, live entertainment and a full bar. The business will admit patrons who are 21 or older. They also intend to have an upscale taco menu and potentially rent out the kitchen to catering businesses. They are also open with local food trucks. The proposed hours of operation are 5 p.m. to 2 a.m. Monday through Friday and 12 p.m. to 2 a.m. on Saturday and Sunday. They may adjust the hours to better meet their customer needs upon opening. Staff informed them some corporate employees in the area get off from work at 3 or 3:30 p.m.

Mr. Danny Marks stated staff contacted them last summer encouraging them to consider a Lincolnshire location after Emporium's zoning process in Vernon Hills did not result in approvals.

Economic Development Coordinator Zozulya stated the underlying zoning of the property is B2 General Business District. The zoning district permits "drinking establishments, including live entertainment" by Special Use, per a 2014 code amendment. She added a notice of the Zoning Board Public Hearing was published in the March 26, 2015, edition of the Pioneer Press, as required by Code. The Petitioner

also provided a code-required notification to adjacent property owners of record within a 250' radius of subject property. She said the Petitioner provided responses to the 7 Standards for Special Use for consideration by the Zoning Board. All standards must be satisfied in order for the Zoning Board to support the granting of a Special Use. **Economic Development Coordinator Zozulya** said staff is in support of this request.

Member Van de Kerckhove inquired about Viper Alley's hours. **Economic Development Coordinator Zozulya** stated when Viper Alley applied for their Special Use permit, they were allowed to operate until 2 a.m.

Chairman Manion stated he has concerns about parking. He believes Emporium would have more people driving in separate cars as opposed to Champps that attracted families driving together in one car.

Member Bichkoff stated parking should not be an issue as Viper Alley does only private events.

Chairman Manion asked the Petitioners whether they considered the Cubby Bear facility which is larger than the proposed space.

Economic Development Coordinator Zozulya stated the Cubby Bears building is not in Lincolnshire.

Member Kalina inquired what Emporium found appealing about a suburban location.

Mr. Danny Marks responded while locating in the suburbs is a departure from their business model, they would like to explore it. They feel Lincolnshire is ideally located providing them access to a wide group of corporate customers.

Chairman Manion sought confirmation from the Petitioner of their request to include the Special Use findings of fact into the record. **Mr. Marks** concurred.

Chairman Manion sought any comments from the audience. There being none, **Chairman Manion** closed the public hearing and reconvened the Zoning Board meeting.

There being no further comments, **Chairman Manion** sought a motion.

***Member Van de Kerckhove** moved and **Member Bichkoff** seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on April 14, 2015, of a Special Use to establish and operate a drinking establishment, with live entertainment, in the B2 General Business District, at 275 Parkway Drive within the CityPark Retail Center.*

The roll call vote was as follows:

Ayes: Chairman Manion, Members Leider, Van de Kerckhove, Bichkoff, and Kalina.

Nays: None.

- 4.0 UNFINISHED BUSINESS (None)**
- 5.0 NEW BUSINESS (None)**
- 6.0 CITIZENS COMMENTS (None)**
- 7.0 ADJOURNMENT**

There being no further business, **Chairman Manion** sought a motion for adjournment. **Member Kalina** moved, and **Member Van de Kerckhove** seconded the motion to adjourn. The meeting adjourned at 8:17 p.m.

Minutes Submitted by Stephen Robles, Village Planner and Tonya Zozulya, Economic Development Coordinator.