



**AGENDA**  
**REGULAR ZONING BOARD MEETING**  
**Public Meeting Room, Village Hall**  
**Thursday, August 13, 2015**  
**7:00 p.m.**

*Reasonable accommodations or auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need any special services or accommodations.*

**CALL TO ORDER**

**1.0 ROLL CALL**

**2.0 APPROVAL OF MINUTES**

2.1 Approval of the Minutes of the regular Zoning Board Meeting held on Tuesday, July 14, 2015.

**3.0 GENERAL BUSINESS**

3.1 PUBLIC HEARING regarding a request for a new Special Use Permit to establish and operate a dance studio at 300 Village Green in the Village Green Shopping Center (Center for Ballroom and Dance of Lincolnshire, LLC).

3.2 PUBLIC HEARING regarding a request for amendment to Special Use Permit No.11-3218-40 to permit the expansion of an existing children's daycare center into an adjacent tenant space and construction of a new outdoor playground area at 100 Village Green in the Village Green Shopping Center (Bright Stars Kids University, Inc.).

**4.0 UNFINISHED BUSINESS**

**5.0 NEW BUSINESS**

**6.0 CITIZEN COMMENTS**

**7.0 ADJOURNMENT**

The Zoning Board will not proceed past 10:30 p.m. unless a motion is made and approved by a majority of the Zoning Board members to extend the meeting one-half hour to 11:00 p.m. Any agenda items or other business that are not addressed within this time frame will be continued to the next regularly scheduled Zoning Board Meeting.



- UNAPPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, July 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 Brady.
- STAFF PRESENT:** Stephen Robles, Village Planner.
- ABSENT:** Member Kalina and Trustee McDonough.

**CALL TO ORDER:** **Chairman Manion** called the meeting to order at 7:00 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 Thursday, June 9, 2015.

**Member Van de Kerckhove** 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 Continued PUBLIC HEARING regarding text amendments to Chapter 10, PD Planned Development District, and any associated code sections and cross-references, in Title 6-Zoning of the Lincolnshire Village Code to revise and update regulations of the Planned Development (PD) Zoning District (Village of Lincolnshire).

**Chairman Manion** recessed the Zoning Board meeting and opened the Public Hearing.

**Village Planner Robles** presented Staff's memorandum and noted that at last month's Zoning Board meeting, Staff introduced comprehensive text amendments to the PD Planned Development Zoning District to address out-dated requirements. The PD Zoning District was designed specifically for the office campus located along the Tollway and Route 22, formerly occupied by Hewitt Associates and was now owned by Medline Industries. The PD zoning was intended for "showplace" office campus and research laboratories adjacent to the Tollway. **Village Planner Robles** explained the Zoning Board directed Staff to provide a more in-depth analysis of the following items; 1) Half Day Road frontage of Medline property and unincorporated parcel to the west; 2) ownership of unincorporated west parcel; 3) urgency of the five-story building height request by Medline; 4) office building heights along the Tollway; and 5) various Code language revisions directed by the Zoning Board.

**Village Planner Robles** addressed Item 1 and identified that the Half Day Road frontage of the Medline campus measured 1,556 feet and 328 feet for the lot immediately west. If there were any future requests to subdivide the Medline campus, the maximum number of lots that could be created would be three, based on a 500-foot frontage requirement.

He continued with Item 2 and noted the western 4.1 acre parcel was owned by the Florsheim estate. In regards to Item 3, Staff discussed the necessity for 5-story buildings compared to 4-story building heights with Medline Industries. Medline stated that 5-story building heights were critical in order to move forward with building out their campus at the Lincolnshire location. Staff continued to recommend increasing the maximum building height from 2-stories or 40 feet to 5-stories or 75 feet. As previously presented, based on the height of the existing woodland forest at the campus, as well as the height of signature headquarter buildings elsewhere in the Village, building heights of up to 5-stories were appropriate.

**Village Planner Robles** moved to Item 4 where Staff conducted an analysis of major corporate offices along the Tollway where the CDW Office Tower in Mettawa was 6-stories in building height, the Abbvie Corporate Headquarters, also in Mettawa, was 5-stories, Takeda Pharmaceuticals Headquarters in Deerfield was 5-stories, Astellas Pharmaceuticals Headquarters also in Northbrook was 5-stories, CVS Caremark Office Tower in Northbrook was 6-stories, and the Allstate Insurance Headquarters in Northbrook was 10-stories. Lastly, based on the Zoning Board's direction, Staff revised the provided Draft ordinance, which changed Research & Development uses from Permitted to a Special Use, and revised the name of the District to OC – Office Campus.

**Member Leider** questioned the building heights along the Tollway and Route 22. **Village Planner Robles** identified the office buildings in the Tri-State Tollway Office Center were 4-stories in height. **Member Leider** also inquired as to the building height of a recently constructed office building in Bannockburn, east of the Tollway. **Village Planner Robles** explained that Staff was not aware of that building's height and could conduct additional research for the Zoning Board. **Member Leider** noted it was his recollection the Bannockburn building was 4-stories in height. **Member Leider** questioned the building heights at Overlook Point. **Village Planner Robles** noted the Zebra Headquarters building at 3 Overlook Point was 6 stories and the AonHewitt Headquarters building at 4 Overlook Point was also 6-stories in height. **Member Leider** expressed his comfort with the proposed text amendment to increase the building height to 5-stories based on similar office headquarters buildings along the Tollway and of the taller office buildings within the Village.

There being no further public comments, **Chairman Manion** closed the public hearing and reconvened the Zoning Board meeting and sought comments from the Zoning Board.

Additional discussion ensued regarding the proposed 5-story building height increase, where the Zoning Board expressed their support for the increased building height.

There being no further comments, **Chairman Manion** sought a motion from the Zoning Board.

**Community & Economic Director McNellis** noted that **Alternate Member Brady** was able to provide a vote due to the absence of **Member Kalina**.

**Member Bichkoff** 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 June 9, 2015, and July 14, 2015, of amendments to Chapter 2, Definitions, and Chapter 10, formerly PD Planned Development District, of the Lincolnshire Zoning Code, as presented in a Draft Code to revise and update specific code regulations.

The roll call vote was as follows:

Ayes: Chairman Manion, Members Leider, Van de Kerckhove, Bichkoff, and Brady.  
Nays: None.

**4.0 UNFINISHED BUSINESS (None)**  
**5.0 NEW BUSINESS**

**Member Bichkoff** welcomed new Zoning Board **Member Scott Brady** to the Zoning Board.

**6.0 CITIZENS COMMENTS**

**Member Leider** sought an update of the subdivision request for the property located at 1700 Riverwoods Road. **Village Planner Robles** updated the Zoning Board that the applicant was in the process of revising their rezoning request based on the Zoning Board's comments and anticipated presenting to the Committee of the Whole in August.

**Community & Economic Director McNellis** noted there will be two public hearings scheduled for the August Zoning Board meeting and expressed the need for a quorum. He also informed the Zoning Board of a site meeting with the Village Board scheduled for July 27, 2015 regarding an item that will be on August's meeting agenda.

**Member Leider** sought a status update on the events center that was approved in the Corporate Center. **Village Planner Robles** provided an update that Noah's Event Center opened in April and has been hosting events since their grand opening.

**Chairman Manion** identified that the Village's website had not been updated to include the budget plan for Village road reconstruction. **Community & Economic Director McNellis** was aware of the missing information on the Village's website and explained that due to a loss of the Staff member responsible for that update, the information has been delayed.

**7.0 ADJOURNMENT**

There being no further business, **Chairman Manion** sought a motion for adjournment. **Member Van de Kerckhove** moved, and **Member Leider** seconded the motion to adjourn. The meeting adjourned at 7:33 p.m.

Minutes Submitted by Stephen Robles, Village Planner

**REQUEST FOR BOARD ACTION**  
**Zoning Board**  
**August 13, 2015**

**Subject:** Center for Ballroom and Dance, 300 Village Green

---

**Action Requested:** **Public Hearing** regarding a request for a new Special Use Permit to Establish and Operate a Dance Studio

---

**Petitioner:** Michael Berman/Center for Ballroom and Dance of Lincolnshire

---

**Originated By/Contact:** Tonya Zozulya, Economic Development Coordinator  
Department of Community and Economic Development

---

**Referred To:** Zoning Board

---

**Background:**

- Subject property is located in the R5 Mixed-Use General Residence-zoned Village Green Planned Unit Development (PUD), which permits dance studios with a Special Use Permit.
- The proposal is for a 3,337-square foot dance studio at 300 Village Green, Suite 125-130 (immediately south of the Sapphire Sky retail store, facing into the Green). This space was most recently occupied by Deb-Betts Clothing & Accessories and has remained vacant for a number of years.
- The dance studio was most recently located in Deer Park and desires to open a new studio in Lincolnshire to bring their classes closer to their local customer base.

**Summary:**

- The studio will offer various types of dance styles in private and group class settings.
- The prospective student population would be primarily adults, age 18 to 30, attending as couples and foursomes. The Petitioner anticipates an initial enrollment of 61 students, projected to grow to 100 after the studio is established in the area, with 4 instructors.
- Proposed hours of operation are 12-9 p.m weekdays, 9 a.m.-3 p.m. Saturday, and closed on Sunday. Once a month the studio plans to hold free dance parties, extending their regular hours to 9:30 p.m.
- Private classes, held Monday through Saturday, will have up to 8 students at any given time. A maximum of 10 students is anticipated for Monday group classes and 30 students for monthly dance parties, as detailed in the attached request letter.
- The studio anticipates using a maximum of 10 parking spaces, at its peak operation on special event nights.

***The Petitioner provided attached responses to Special Use standards. The Zoning Board must find all standards are met in order to recommend approval.***

**Staff Analysis:**

Use:

- Dance studios are common (and have been well-received) in commercial areas. Staff believes the proposed dance use will have minimal impact on the Center.
- This use is of the same type as the Lincolnshire Dance Academy which previously operated under a Special Use Permit at 300 Village Green for over 10 years with no use

or parking issues. In addition, Arthur Murray Dance Academy, across the street at 175 Olde Half Day Road (Spectrum Office Centre), has operated in its current location since 2008 without any parking issues. The proposed studio is also similar to the recently-approved Fresh Green Light Driving School (operating) and Too Hot Yoga studio (closed) in the 300 Village Green building. No parking issues have been observed for those businesses.

**Parking:**

- The maximum-anticipated need of 10 parking spaces can be sufficiently accommodated on-site for the studio's students and instructors during peak times. Village Code requires dance studios to provide ¼ of a space based on maximum occupancy and 1 space per employee. Since the maximum occupancy is 30 students and 4 instructors, the requirement would be a minimum 12 parking spaces. With projected peak parking demand in the evenings, the highest parking generation use at 300 Village Green (Egg Harbor) is closed.
- The landlord will continue monitoring parking availability in that area of the Center as they fill additional vacancies.

**Staff Recommendation:**

Based on information provided by the Petitioner, and the responses to the Special Use standards, Staff recommends approval of the Petitioner's Special Use request to establish and operate a dance studio at the Village Green Center.

**Motion:**

*Having made findings, based on facts covered in a Public Hearing held on August 13, 2015, the Zoning Board recommends approval to the Village Board of a new Special Use Permit to establish and operate a dance studio at 300 Village Green in the Village Green Shopping Center, for the Center for Ballroom and Dance, based on facts in the Petitioner's presentation packet, dated July 29, 2015, and subject to Staff's recommendations, as presented in Staff's memorandum dated August 13, 2015, and further subject to.....*

*{Insert any additional conditions or modifications desired by the Zoning Board}*

**Reports and Documents Attached:**

- Presentation packet, prepared by Center for Ballroom and Dance, prepared by Michael Berman, dated July 29, 2015.
- Location Map.
- Excerpt from the Village Green PUD Ordinance #95-1401-31 regarding dance studios.
- Excerpt from the Village Code regarding parking requirements for dance studios.

<b>Meeting History</b>	
<b>Referral to Village Board (COW):</b>	July 27, 2015
<b>Zoning Board Public Hearing (current):</b>	August 13, 2015

July 29, 2015

To Chairman Manion & Zoning Board

Hello my name is Michael Berman along with my partners Sandra Berman, Sergey Chyslov and Dasha Chyslova we are the current owners and operators of Center for Ballroom and Dance, LLC. The studio has been located in Deer Park for the past five years, however due to strong growth we have currently outgrown our location of approximately 2800 sq ft. Our enrollment has increased from 11 students to over 61. The majority of our students are between 18 and 30, however we have some students as young as 4 and as old as 74. We teach a variety of dances that include waltz, Tango, Foxtrot, Viennese Waltz, Quick step, Argentine Tango, Cha Cha, Rumba, Swing, Jive, Paso Doble, Bolero, Samba, Salsa and group formations. Most of our lessons are taught as privates one on one and we would have an average on the dance floor of four people at a time. With a larger location and subsequent larger floor we will be adding two new instructors for a total of 4 teachers. With this addition we will have an average between 4 to 6 students and a maximum of 8 students at a time. The approximate space we need is around 3400 sq ft. to this end we are looking at the 300 building suites 125 and 130 in the Village Green Center. Our studio regular hours are 12:00 pm to 9:00 pm Monday thru Friday and Saturday from 9:00 am to 3:00 pm. Once per week on Monday nights we have a free group class that is attended by average of 4 to 6 students and a maximum of 10 students. This class runs from 8:00 pm to 8:45 pm. In addition once per month we have a free dance party from 8:00 pm to 9:30 pm which has an average between 10 to 15 people with a maximum of 30 people. Most customers come together as couples and sometimes foursomes so parking spaces needed would be somewhere in the 7 to 10 range on heavy traffic nights. The most people we have ever had was 35 on our Grand Holiday Party night which happens the week before Christmas. With the continued growth of our company we expect our enrollment to continue to climb from where we are now at 61 to 100 or more since the preponderance of our lessons are private parking space issues will not be a problem. With our vision of an elegant and resplendent ballroom we believe we are on our way to becoming the prominent studio in the Midwest.

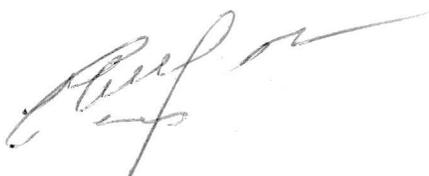
Thank You,



Michael Berman



Sandra Berman



Sergey Chyslov



Dasha Chyslova

Standards for a Special Use

Proposed School of Dance

The Village Green of Lincolnshire

300 Village Green

Lincolnshire, IL. 60069

Submitted by: Center for Ballroom & Dance

1. The special use will not be detrimental to, or endanger the public health safety, morals, comfort or general welfare.

Center for Ballroom & Dance has been operating in Deer Park for over 5 years, and is known to be an asset to the community. The dance studio will move to a larger and more central location.

2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity.

The proposed dance studio will be located within the existing building at 300 Village Green and will benefit other retail uses by bringing in repeat clientele. Typical hours of peak operation begin at 7:00pm on weekdays, well after all customers have departed from Egg Harbor Café, ensuring no additional burden on traffic or parking. On weekends, the offices above, require very little parking.

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed studio will be a nominal part of the approved retail development known as

The Village Green of Lincolnshire, which is an existing development in the Downtown Redevelopment District

4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

The Village Green of Lincolnshire has provided for all of the above.

5. Adequate measures have been or will be taken to provide ingress and egress

The Village Green of Lincolnshire has provided for the above.

6. The Proposed special use is not contrary to the objectives of the Official Comprehensive Policies Plan

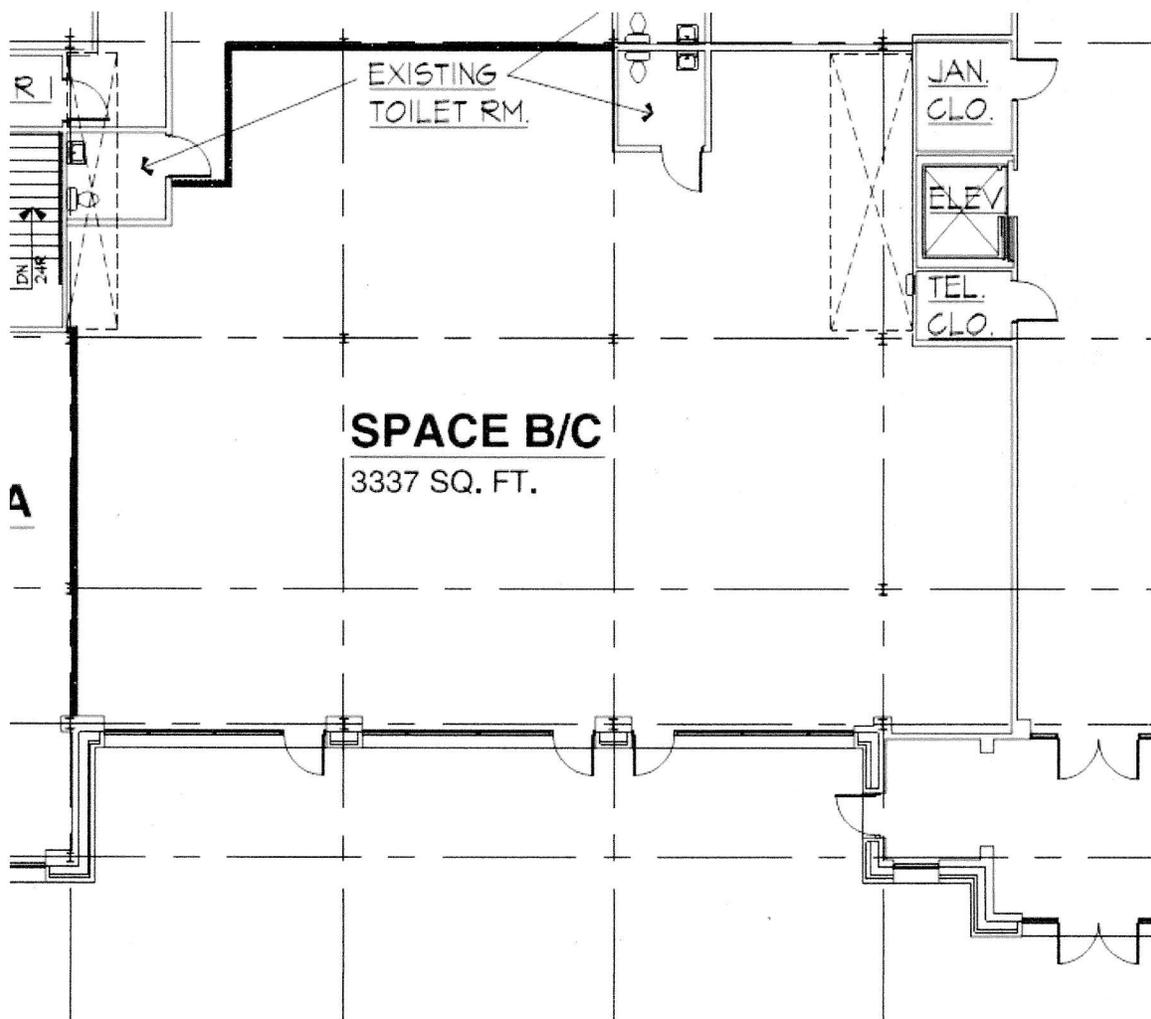
Dance studios are permitted in the Village Green Planned Unit Development Ordinance and Village Code.

7. The special use shall conform to the regulations of the district on which it is located

The proposed studio will conform to all regulations of the Village authority.

EXHIBIT A

DEPICTION OF PREMISES



**FIRST FLOOR PLAN**  
SCALE: 3/32" = 1'-0"

# Proposed Center for Ballroom and Dance - 300 Village Green



Restaurants table service for food and beverage service\*

Retail optical & eye wear sales and service stores (including examinations) (2013 amendment)

Shipping & packaging stores (2013 amendment)

Tanning salons (2013 amendment)

Permitted Uses identified with an asterisk (\*) are subject to further conditions and restrictions in Section 7 of this Ordinance.

**Special Uses:** The following Special Uses shall be considered provided a separate application is made and the Standards for a new Special Use are met, the Plan Commission conducts a public hearing and the Village Board approves said Special Use.

**Dance studios**

Day care centers

Health and fitness clubs over 3,500 sq.ft. (2013 amendment)

Hospital or medical treatment facilities

Hotels

Liquor sales

Residential uses (*second story only*)

Schools

Spas

Theaters

**SECTION 6:** The attached Site Plan labeled as Exhibit A has been reviewed and approved by the Site Plan Review Board, Architectural Review Board, Plan Commission and Village Board. The items described below and depicted on the approved Site Plan are not in full compliance with the Village Code Regulations, however, they may be permitted in accordance with approved site plans for the individual buildings.

**Title 6: Zoning**

Section

- |              |  |
|--------------|--|
| 6-11-3A-10a. | Required 9' x 15' Landscape Island every ten spaces may in certain instances be replaced by 5' x 5' rotated squares to provide more parking spaces while increasing the number of deciduous shade trees.   |
| 6-11-3A-10d. | Parking on circulation drives which feed two or more aisles shall be permitted to fulfill the objectives of the Village Green concept.   |
| 6-11-3A-10c. | The required 8' landscape area adjacent to the building facades may be modified to accommodate building entrances, overhangs and outdoor areas.  |
| 6-11-3A-2f   | Parking spaces are indicated in the interior wide yard setbacks on the north and east property lines adjacent to the lands that are likely to remain as permanent open space: Alzheimer's Care Facility buffer yard and exterior garden area, Vernon Township Cemetery, and property owned by the Illinois Department of Transportation. |
| 6-11-3B      | The minimum number of parking spaces on the site shall be 537. The Plan Commission has authorized a reduction in the required number of parking  |

<b>Use</b>	<b>Minimum Number of Required Spaces</b>
<b>Residential</b>	
Single-Family Detached Dwelling	2/dwelling
Single-Family Attached Dwelling, Townhome	2.5/dwelling
Single-Family Attached Dwelling, Duplex	2.5/dwelling
Continuing Care Retirement Campus (CCRC)	1/independent living unit + 1/employee + 4% of the total required parking for visitor parking
Multi-Family Dwelling/Condominium	1.5/efficiency studio and 1 bedroom units 2.5/2 or more bedroom units
<b>Recreational</b>	
Bowling Alley	4/lane + 12/1,000 sq. ft. of lounge or dining area
Golf Course	80/9 holes
Park and playground	None for first acre. 5/1 to 5 acres + 5 for each acre in excess of 5 acres + 1/5 persons of design capacity of any structure or facility
Forest preserve/nature preserve	By Village Board
<b>Personal fitness/instruction studio</b>	<b>1/4 persons based on maximum occupancy +1/employee</b>
Private or Public Recreation Facility and Community Buildings	1/3 persons based on maximum occupancy +1/employee + 1/100 sq. ft. of water surface area for any swimming pool facilities
<b>Assembly Uses</b>	
Art Galleries, Libraries and Museums	1/500 SF
Exhibition and Convention Facilities	1/100 SF
Meeting and Events Center	1/4 persons at max occupancy
Private clubs, Fraternal lodges	1/3 persons at maximum occupancy
Religious Institutions	1/4 seats
Theater	1/3 seats

OFF-STREET PARKING TABLE CONTINUED ON NEXT PAGE

**REQUEST FOR BOARD ACTION**  
**Zoning Board**  
**August 13, 2015**

<b>Subject:</b>	Bright Stars Kids University Special Use Amendment – 100 Village Green Drive
<b>Action Requested:</b>	<b>Public Hearing</b> regarding a request for an Amendment to Special Use Ordinance No. 11-3218-40, to permit business expansion and construction of a new playground area for an existing children's daycare center
<b>Petitioner:</b>	Bright Stars Kids University, Inc.
<b>Originated By/Contact:</b>	Tonya Zozulya, Economic Development Coordinator Department of Community & Economic Development
<b>Advisory Board Review:</b>	Zoning Board

**Background:**

- Subject property is located in the R5-zoned Village Green Planned Unit Development (PUD), which permits daycare centers with a Special Use Permit.
- In 2009, Bright Stars Kids University (Bright Stars) received a Special Use permit (Ord. #09-3080-03) to operate a licensed children's daycare center at 100 Village Green, with a maximum enrollment of up to 50 students and DCFS-required 1,700-square-foot outdoor playground in an area northwest of 100 Village Green, along the Vernon Area Cemetery.
- A 2011 Special Use Amendment (Ord. #11-3218-40) permitted expansion into an adjacent retail space and increased enrollment to 65 students, maintaining the existing playground.
- The 2011 approval (ordinance attached) required any increase in daycare enrollment beyond 65 children as well as any changes to playground area location be approved only by Special Use amendment, with a Zoning Board Public Hearing.
- Village Board reviewed this request at the May 26, 2015 meeting and referred it for Zoning Board Public Hearing with specific direction to review alternate playground locations in areas other than the Center's main east-west commercial drive. This was to address aesthetics of a non-commercial use on this driveway and close proximity of such dissimilar uses (children's play area adjacent to the Half day Brewing tavern use).
- Bright Stars seeks an amendment to their existing Special Use permit for the following:
  - Expand daycare into the adjacent existing Subway restaurant space, increasing from the current 4,355-square feet to 5,940 square feet and adding 2 additional classrooms and additional teaching staff;
  - Increase student enrollment from 65 to 95 students; and
  - Construct a new 2,334-square foot outdoor playground area west of the building while maintaining existing 1,700-square-foot playground northwest of the building.

**Summary:**Expanded Daycare Use:

- The proposed daycare expansion would increase the number of students to 95, with an increase in Staff up to 13, depending on exact enrollment.
- 12-14 parking spaces would be required for staff, students' parents and occasional visitors, and up to 25 spaces during special events. The current drop-off and pick-up policy, which prohibits double-parking and parking outside designated parking stalls, will be maintained.
- Hours of operation will remain unchanged, 7 a.m. to 6:30 p.m., Monday through Friday.
- ***The Petitioner provided attached responses to Special Use standards. The Zoning Board must find all standards are met in order to recommend approval.***

Expanded Outdoor Playground:

- Illinois Department of Children and Family Services (DCFS) regulates daycare centers, including provision of outdoor play area (see attached DCFS Administrative Code requirements). The proposed enrollment of 95 students requires 1,781 square feet of outdoor play area, 81 square feet more than the existing playground.
- Bright Stars proposes a new 2,334-square-foot outdoor playground area adjacent to west side of 100 Village Green (Option D in attached presentation packet). This, in addition to their existing 1,700 square foot playground, would provide a combined playground area of 4,034 square feet. DCFS does not require a play area be adjacent to the building.
- The petitioner states the proposed playground location and increase in area above DCFS requirements is driven by:
  - Customer expectations for an attached playground.
  - Allowing more students outside at the same time, and providing a separate play area for toddlers (DCFS requires separation of toddlers).
  - Assist in easier access to bathroom facilities for younger children.
  - Improve safety by eliminating the need to walk children across a drive aisle (a requirement for the existing detached playground area).
- The proposed playground area would require removal of an existing drive aisle, 7 parking spaces west of the building and 1 tree. Bright Stars' proposed plan offsets these losses by adding 7 new spaces in front of the building and planting 5 new trees.
- The new playground area would be improved with a 5' tall fence, to match the existing playground fence, and would be screened with new trees, evergreen vegetation (species to be determined), and new landscape wall to match the existing playground wall (see attached color rendering).
- Bright Stars submitted attached letters of support for the proposed expansion/playground construction from a number of neighboring Village Green tenants.

**Staff Analysis:**Expanded Daycare Use:

- While the previously-approved daycare use would become more intensive (up to 46% increase in enrollment), Staff believes existing parking can accommodate this impact. Daycare Centers require 1 parking space per 500 square feet, which results in a need for additional 4 parking spaces. However, the proposed daycare center would replace the existing Subway space, with a 40% greater parking requirement than a daycare use. The net effect in this immediate area would actually increase parking availability. There have been no reported parking/circulation problems with the current facility.

Expanded Outdoor Playground:

- Based on Village Board concerns and direction, Bright Stars worked with staff to explore alternative locations for a new playground area. Four additional Staff-proposed locations were considered (see attached location map and Evaluation spreadsheet, depicting Options A, B, C & E).
- Bright Stars noted Staff-proposed Options A, B and E do not meet the school's own desire for an adjacent playground (especially Option E in the northeast corner of the site). Their position is that an adjacent, more accessible and functional playground (depicted in Options C & D) is important for them to remain competitive in the local daycare market and to provide a DCFS-required separate outdoor play area for toddlers.
- Three other daycare centers in the Village (Children's Land at 400 Marriott Drive; Lincolnshire Montessori School at the Community Christian Church at 1970 Riverwoods Road; and Lincolnshire Community Nursery School at the Lutheran Church of the Holy Spirit at 30 Riverwoods Road have outdoor playground areas). Children's Land's

playground is attached and Montessori School's and Community Nursery School's playgrounds are detached. Bright Stars is the only playground in Lincolnshire located in a commercial center.

- Bright Stars states options A, B and E are not acceptable as they do not fully meet accessibility, safety, functionality and customer expectations requirements. Options C and D are Bright Stars top choices, with Option D being their preferred design.
- Staff believes alternatives set back further from the main east-west drive aisle than Options C or D are the best options for a commercial center. However, we recognize the Petitioner's need to provide a playground satisfying their customer needs and increasing their competitiveness in the local daycare market. Staff also recognizes the limitations in the proposed alternatives.
- Staff believes the proposed decorative landscape wall around the new playground would be detrimental to the adjacent (western) parking stalls because it would take up room required for vehicle overhang. This wall does not serve an engineering purpose, unlike the existing playground retaining wall. Staff also believes the wall would aesthetically take away from the proposed fence landscape screening.

**Staff Recommendations:**

Based on information provided by the Petitioner, and their responses to the Special Use standards, Staff recommends approval of the Petitioner's Special Use request to expand Bright Stars enrollment to 95 children, with a new playground area as depicted in Option D, with the following stipulations:

1. *Bright Stars Kids University, Inc. must obtain all applicable approvals for daycare facility and playground area from Illinois DCFS and other appropriate licensing authorities prior to occupancy of the additional building space.*
2. *Any increase in daycare enrollment beyond 95 children and any changes to the playground area location or other site plan changes shall be approved only by Special Use amendment.*
3. *All conditions stipulated in Special Use Ordinance No. 09-3080-03 and Ordinance No. 11-3218-40 shall remain in effect.*
4. *Should Bright Stars vacate the Center and no replacement daycare center be secured within 90 days of their move, the landlord must remove the new playground and reestablish the drive aisle and parking stalls per Village parking lot standards.*
5. *The proposed northern curb of the new playground area shall be extended further north to align with the existing northern curb of the existing landscape median.*
6. *The proposed decorative landscape wall adjacent to the proposed playground shall be removed from the plans.*
7. *The proposed closure of the drive aisle immediately west of the 100 Village Green building must be approved by the Lincolnshire-Riverwoods Fire Protection District.*
8. *Evergreen screening material for the new playground area shall be dense and approved by the Department of Community & Economic Development prior to issuance of a building permit.*
9. *Bright Stars shall permanently maintain year-round screening of the playground area.*

**Motion:**

*Having made findings, based on facts covered in a Public Hearing held on August 13, 2015, the Zoning Board recommends approval to the Village Board of an Amendment to Special use Permit No. 11-3218-40, to permit expansion into adjacent first-floor space in the 100 Village Green building and construction of a new 2,334-square foot outdoor playground area adjacent to the west side of the 100 Village Green, as presented in Option D, for Bright Stars Kids University, located at 100 Village Green Drive in the Lincolnshire Retail Center, based on facts in the Petitioner's presentation packet, dated July 14, 2015, and subject to Staff's recommendations, as presented in Staff's memorandum dated August 13, 2015, and further subject to.....*

*{Insert any additional conditions or modifications desired by the Zoning Board}*

**Reports and Documents Attached:**

- Presentation Packet, prepared by Bright Stars University Owner Dennis Lanski, dated July 14, 2015.
- Location map depicting playground options, prepared by staff.
- Ordinance #11-3218-40 granting a Special Use Permit amendment for Bright Stars University.
- Illinois Department of Children and Family Services Administrative Code regarding outdoor playground areas.

<b>Meeting History</b>	
Village Board Preliminary Evaluation (COW):	May 26, 2015
Zoning Board Public Hearing (current):	August 13, 2015

Bright Stars Kids University  
100 Village Grn #100  
Lincolnshire IL 60069  
847-955-0000

---

Chairman Brian Manion and  
The Village of Lincolnshire Zoning Board  
One Olde Half Day Road  
Lincolnshire, IL 60069

**Re: Request for Approval of Amendment to Special Use for Bright Stars Kids University, Inc.**

Dear Chairman Brian Manion and Zoning Board Members:

We are the owners of Bright Stars Kids University, Inc., an Illinois corporation, who is in the child care business currently located at Suite 100, at 100 Village Green Drive, Lincolnshire, Illinois. We are seeking an amendment to the existing special use to expand the space (currently at 4,355 square feet) to include the immediately adjacent space (adding an additional 1,585 square feet), and increase the number of students allowed to ninety-five (95). Also, the plan includes an additional playground area of approximately 2400 square feet immediately adjacent to the additional space on the west side of the building. There will be two (2) playground areas if this is approved. The current student enrollment is approximately sixty five (65) children.

The Landlord has approved and fully supports the expansion, which will include relocating the Subway restaurant within the Center, currently located in the space proposed to be used, and the Lease will be amended to include the new space.

The Tenants have expressed their support for the expansion including Half Day Brewing, Eddie Merlot, Rollin J. Soskin & Associates, Ltd, Advocate Condell Rehabilitation Services, and Aronson and Associates LTD. The electronic communication of support is attached.

The school uses very few parking spaces, and this expansion will result in the Subway Restaurant remaining in the Center, with greater visibility. The school will need no more than 25 parking spaces, and that number is only for the times when there is some event at the school. The usual number of parking spaces used will be 12-14. The proposal will add two (2) new classrooms. The new, additional playground has many reasons for its necessity and usefulness, including:

1. Meeting the customer's expectations by providing an attached playground;
2. BSKU is considering accepting toddlers (20-24 months); DCFS guidelines require separate playground area for toddlers as well as a

denser fencing;

3. Helping children in potty training to access restroom facilities;
4. Improving safety by having fewer trips to the detached playground.

The evaluation of the proposed playground is attached.

Bright Star Kids University (BSKU) is a full-featured learning center for young children ages 2 to 5, which was established in 2009 with a Special Use granted by the Village of Lincolnshire, and BSKU sought and received in 2011/2012 a special use amendment for a previous expansion. The center provides full-time and part-time programs. BSKU offers special learning programs that include Social Development study, Math, Russian language and Literature, English language, Music, Art, Dance, Physical development, and Preparation for school. Every teacher in the learning center has a university or college degree in teaching. The center promotes child's growth and well-being, communication skills, social competence, and develops child's identity.

Every teaching staff member receives additional 15 clock-hours of teacher training per year. Every teacher is certified in first aid, cardiopulmonary resuscitation (CPR) and the Heimlich maneuver. The proposed center is currently seeking licensing from DCFS.

BSKU has a program of activities geared to the age levels and developmental needs of the children served. The center includes opportunities for a child to have free choice of activities to play alone, if desired, or with one or several peers chosen by the child. BSKU provides a balance of active and quiet activity. The center has daily indoor and outdoor activities in which children make use of both large and small muscles. Activity areas, equipment, and materials are arranged so that staff can be easily aware of the child's presence and activity at all times. BSKU has been a good business in the Center, and has lived up to all the promises and conditions of the Village, and will continue to do so in the future.

The center is open year-round, Monday through Friday, with the exception of certain holidays. The center opens at 7:00 a.m. and close at 6:30 p.m. The projected enrollment would be increased to between sixty-five (65) and ninety-five (95) children, from the ages of two (2) through five (5). The staff will depend on the number of children enrolled, and will be no less than three (3) or no more than thirteen (13) per the Department of Children and Family Services (DCFS). Also, attached hereto are the following documents:

- A. Site Plans;
- B. Playground Rendering; and

Chairman Brian Manion and  
The Village of Lincolnshire Zoning Board  
July 14, 2015  
Page 3

- C. Floor Plan Rendering;
- D. Standards for a Special Use.

The new playground area, as the existing one, is and will be always carefully monitored by the staff at all times. The children will always be walked to and from the playground area with BSKU staff and their assistants. The new playground area will have a very similar appearance to the existing one. There are procedures for the use of the playground that all staff is very familiar with, and copies of which will be provided upon request.

**The procedures, on all issues, that are being very successfully employed currently, will remain exactly the same. The expansion will not change any of the current manner of conducting business, and will adhere to all guidelines in the original special use granted, including drop-off and pick up policies, parking use, playground policies, and will be done only pursuant to full approval by DCFS.**

We strongly believe that this additional use is ideal for the Village Green Center, and will be a useful addition to the Village of Lincolnshire.

We are requesting approval for the amendment to the existing special use, and look forward to working with the Village on this project.

Sincerely,

Dennis Lanski and Tatiana Brinkman

## STANDARDS FOR A SPECIAL USE

1. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare.

**RESPONSE:** The amendment to the existing special use, for the expansion of a child day care and learning center, and the addition of an additional outdoor playground will be a strong addition to the community, and fills a valuable community need, and will in no manner be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.

**RESPONSE:** The amendment to the existing special use will be in compliance with the center in which it is located, and the use of the additional playground enhances the center quite well. This expanded use will, in no manner, adversely affect property values, and is fully supported by the center's owners, and will allow the center to keep the Subway Restaurant, and move it to a more visible place in the Center.

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

**RESPONSE:** The amendment to the existing special use will have no impact on any kind of development, as the Center in which the day care and learning center is located, is already fully improved, and the Petitioner is a current tenant therein.

4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

**RESPONSE:** The amendment to the existing special use will have no impact on any kind of development, as the center in which the day care and learning center will be located is already fully improved, and the Petitioner will only be a tenant therein, and all roads, utilities and other necessary facilities are already constructed.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize the traffic congestion in the public streets.

**RESPONSE:** The property is fully constructed, as are all internal access roads within the center, and will not impact traffic congestion on public streets. Petitioner has a detailed plan for the drop-off and pick-up of students within the center, and it has functioned well.

6. The proposed special use is not contrary to the objectives of the Official Comprehensive Policies Plan of the Village, as amended.

**RESPONSE:** The amendment to the existing special use as a day care and learning center is within the purview of the Official Comprehensive Policies Plan of the Village, the future land use plan designates this center for the general type of use under the Planned Urban Mixed Use.

7. The special use shall, in all other respects, conform to the regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Zoning Board.

**RESPONSE:** This proposed amendment to the existing Special Use shall in all other respects conform to the Ordinance that governs the Village Green Center (Ordinance 95-1401-31), the ordinance that granted Bright Stars Kids University a Special Use Permit (Ordinance 09-3080-03), as well as the regulations of the zoning district in which the daycare center is located. Petitioner is willing to accept modifications pursuant to the recommendations of the Zoning Board.

Bright Stars Kids University  
100 Village Grn #100  
Lincolnshire IL 60069  
847-955-0000

## **BSKU Expansion: Evaluation of Playground Placement**

### **Background**

Bright Stars Kids University (BSKU) intends to expand its operation into an adjacent space on the west side of the 100 Village Grn building in Lincolnshire.

The expansion is to add up to 30 additional students for the total overall capacity of up to 95 students in the total expanded space of approximately 6000 sqft.

In order to make the expanded capacity feasible by and build the business drivers increasing enrolment, the playground space needs to be expanded and improved.

### **Playground Requirements**

The playground requirements are driven by the requirements of the Department of Children and Family Services (DCFS) and Customer Expectations. These requirements include accessibility and safety, size, and functionality.

### **Accessibility/Safety/Functionality**

Parents expect the playground to be a safe and functional environment for children.

Children in potty training benefit from immediate access to restroom facilities with an attached playground.

An attached playground offers a safe passage of children to the play area. In case the playground is detached, a plan of safe passage, if one is feasible, from the facility to the playground needs to be implemented with the collaboration with the DCFS.

A square playground allows for better supervision and increased interaction and enjoyment for the students.

Separate playground area is required for children under 24 months per DCFS (Sec. 407.390(d))

A fence with an opening of less than 3.5in is required for children under 24 months per DCFS (Sec. 407.390(f)). Fence with 1.6in openings is to be utilized to conform. The fence style is attached (Model: EFF-20)

Bright Stars Kids University  
100 Village Grn #100  
Lincolnshire IL 60069  
847-955-0000

### **Size**

The minimum required playground space is governed by DCFS - 75 square feet per child based on the quarter capacity of the childcare facility.

The practical required space is driven by the parent's expectations of BSKU and requirements of the DCFS.

The playground time is allocated on a strict schedule of children activities. Since 75 square feet per child are required when the children are at the playground, only one-third of maximum BSKU capacity may be at the playground at a time. The groups of children need to be rotated to accommodate playground time for all children.

In order to accommodate a 95 student capacity and retain the rotation, the expansion playground needs 2400 square feet for one-third of student capacity. Since the existing playground may also be used to relieve the capacity, the expansion playground's size may be reduced to 1600 square feet (two-thirds of one-third of the rotation capacity).

### **Customer Expectations**

The competitive environment in the Lincolnshire and surrounding areas is challenging. There are numerous choices for parents to select from in the immediate and surrounding areas.

Prospective parents are frequently turned-off by the detached playground and do not sign up with BSKU specifically because of the detached nature of the playground.

An attached, safely functional, adjacent to the school playground is a minimum requirement to continue to meet parent's expectations.

### **Feedback from the Village Board of Lincolnshire**

On May 26<sup>th</sup> 2015 the Village Board of Lincolnshire provided feedback on the placement of the proposed playground area. The feedback concentrated on the loss of parking and the need for additional screening.

The additional requirement of this evaluation is to address the concern of the loss of parking and improvement of screening methods.

Bright Stars Kids University  
100 Village Grn #100  
Lincolnshire IL 60069  
847-955-0000

## **Playground Locations**

### **A: Expanding existing location westward/eastward**

The Village of Lincolnshire has proposed to expand the existing playground westward or eastward to increase the size (see attached photo).

This proposal addresses the Size requirement. It does not fully address the Accessibility/Safety/Functionality requirement, and does not address Customer Expectations due to the detached nature of the proposed location. The parking is not affected on the west side of 100 Village Grn building; however parking will be reduced on the west side and east side of the existing playground. The screening is addressed by updating the fence/bushes to conform along the parameter of playground. See Appendix A for matrix comparison.

### **B: Expanding existing location southward**

The Village of Lincolnshire has proposed to expand the existing playground southward. This location is attached as 06\_11\_15DOC.PDF and marked as Option B

This proposal addresses the Size requirement. It does not fully address the Accessibility/Safety/Functionality requirement. The placement of the playground in the direct westward and eastward traffic reduces the playground safety. The proposal does not address the Customer Expectations due to the detached nature of the proposed location. The parking is not affected and the screening is addressed by updating the fence/bushes to conform along the parameter of playground. See Appendix A for matrix comparison.

### **C: Building an adjacent location westward from building (10-1-14)**

BSKU has proposed an attached playground space on the west side of 100 Village Grn building. This location is attached as 100 Village Green\_Bright Stars-Play Area\_10-1-14.pdf and marked as Option C

The proposal addresses Size, Accessibility/Safety/Functionality, and Customer Expectation Requirements. Seven parking spaces on the west side of 100 Village Grn building are impacted. The screening on the south side of proposed playground is improved to approximately 10 feet includes a walkway, bushes, and a fence; remaining screening to be developed to conform to existing. See Appendix A for matrix comparison.

Bright Stars Kids University  
100 Village Grn #100  
Lincolnshire IL 60069  
847-955-0000

### **D: Building an adjacent location westward from building (revised 6-5-15)**

BSKU has revised the proposed attached playground on the west side of 100 Village Grn building. This location is attached as 100 Village Green\_Bright Stars-Play Area\_6-5-15.pdf and marked as Option D

The revision addresses the loss of parking on the Village Green plaza and a larger setback to accommodate screening concerns.

The proposal addresses Size, Accessibility/Safety/Functionality, and Customer Expectations. The parking is improved and made convenient for the 100 Village Grn building tenants as well as the future tenants of the restaurant building. The screening on the south side of proposed playground is increased to approximately 20 feet includes a walkway, additional trees, bushes, and fence; remaining screening to be developed to conform to existing. See Appendix A for matrix comparison.

### **E: Building a location on the north-east corner of the Village Grn plaza**

The Village of Lincolnshire has proposed to build a new playground on the north-east corner of the Village Grn plaza. This location is attached as Scan\_20150610130824.pdf and marked as Option E

This proposal addresses the Size requirement. It does not fully address the Accessibility/Safety/Functionality, and does not address the Customer Expectations due to the detached nature of the proposed location. The parking on the west side of 100 Village Grn building is not affected. The north-east corner parking of the Village Grn plaza is affected by loss of 12 parking spaces. The screening to be developed to conform to existing. See Appendix A for matrix comparison.

### **Final Evaluation**

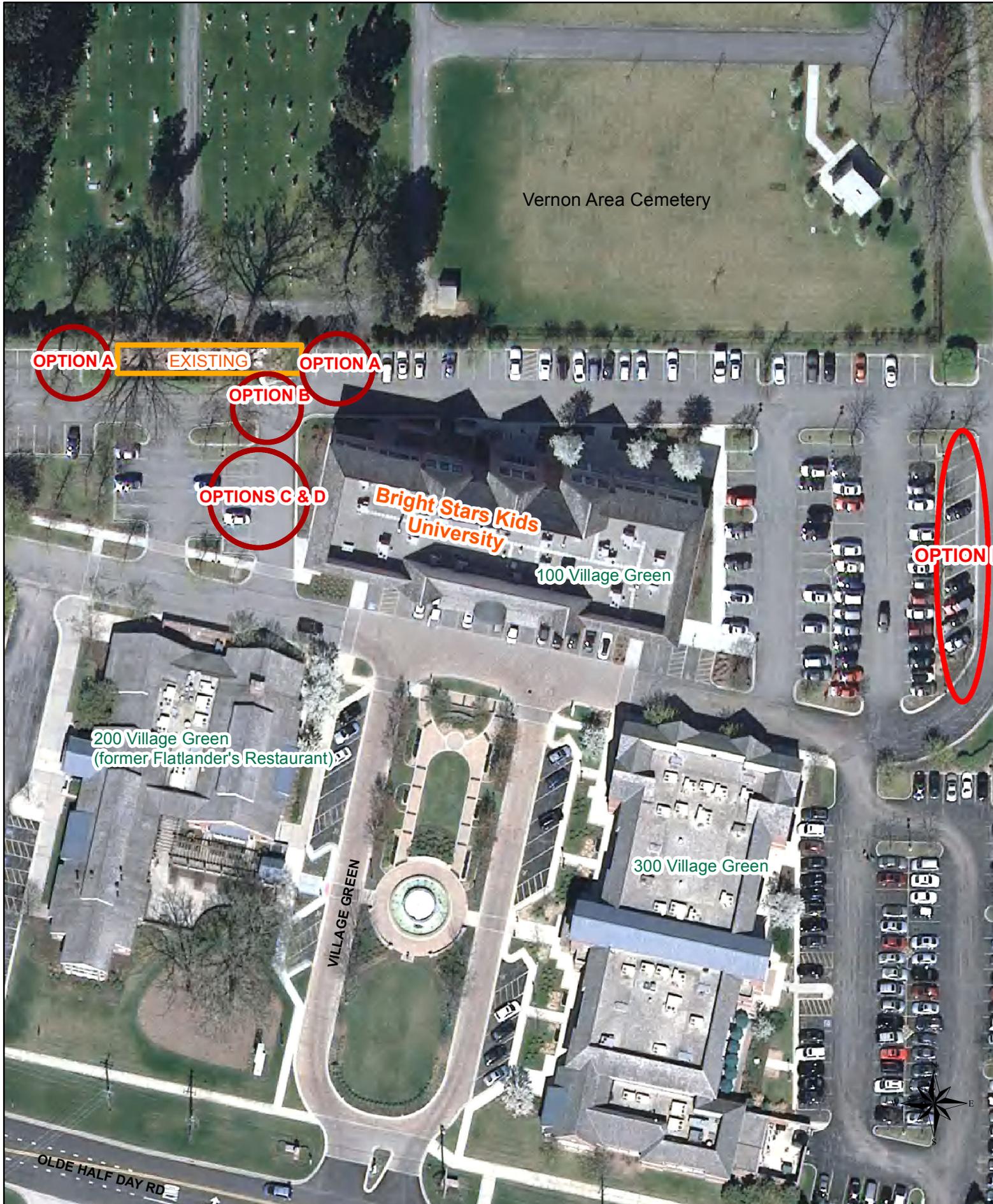
After fully examining the proposed playground locations, Option D most fully addresses the requirements of the evaluation.

**Appendix: A**

**Playground Locations Comparison Matrix**

	<b>Size Requirements</b>	<b>Access/Safety/Function Requirements</b>	<b>Customer Expectation Requirements</b>	<b>Parking Impact</b>	<b>Screening Requirements</b>
Option: A	Yes	No	No	Loss (3 or more) on west/east side of existing playground. Not affected on west side of 100 Village Grn building	Updated to conform to existing
Option: B	Yes	No	No	Not affected	Updated to conform to existing
Option: C	Yes	Yes	Yes	Loss (7)	New screening developed to conform to existing
Option: D (Meets Evaluation Requirements)	Yes	Yes	Yes	Improved 7	Additional ≈20ft on south-side and new screening developed to conform to existing
Option: E	Yes	No	No	Loss (12) on north-east corner of Village Grn plaza. Not affected on west side of 100 Village Grn building	Not affected

# Bright Stars Kids University Daycare Proposed Outdoor Playground Options



Vernon Area Cemetery

OPTION A

EXISTING

OPTION A

OPTION B

OPTIONS C & D

Bright Stars Kids University

100 Village Green

OPTION E

200 Village Green  
(former Flatlander's Restaurant)

VILLAGE GREEN

300 Village Green

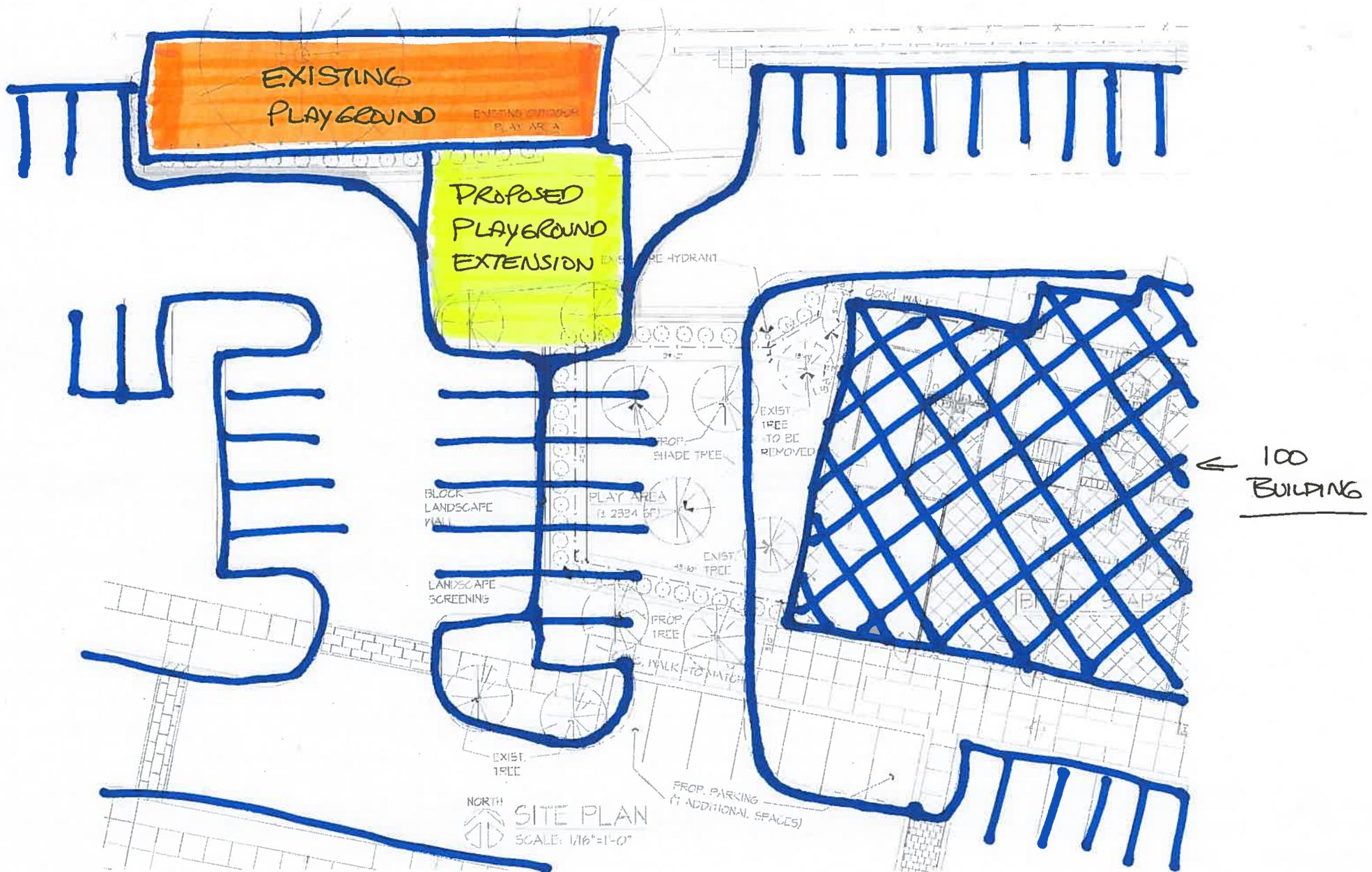
OLDE HALF DAY RD

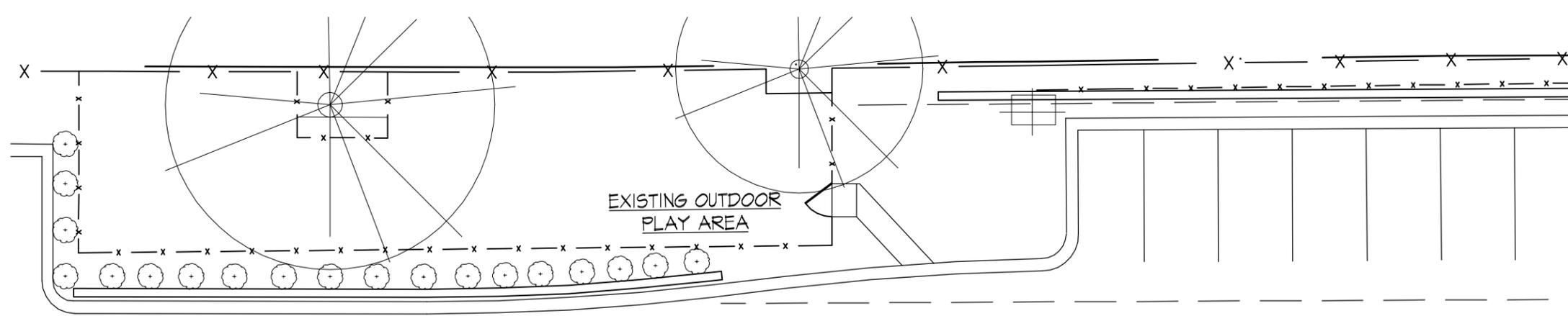


Option A  
Expanding Existing Playground

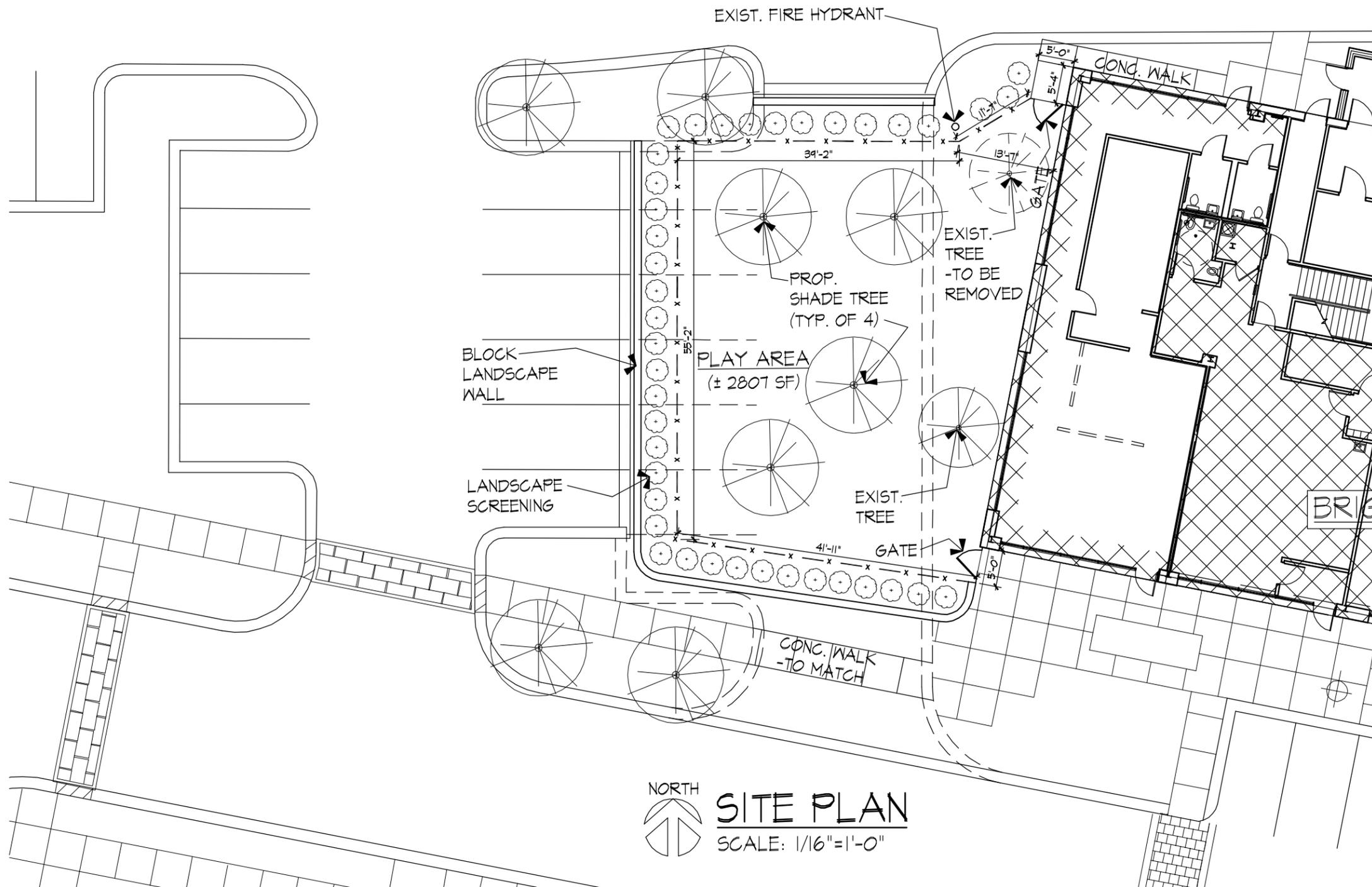


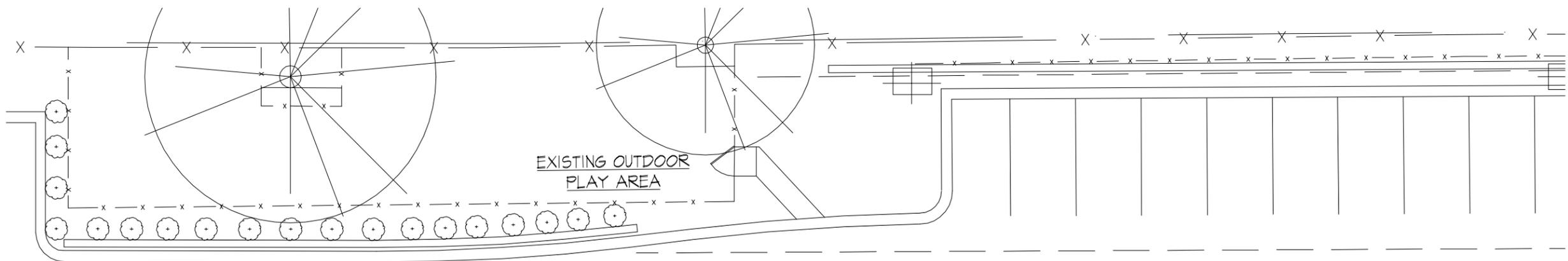
# Option B: Expanding existing location southward



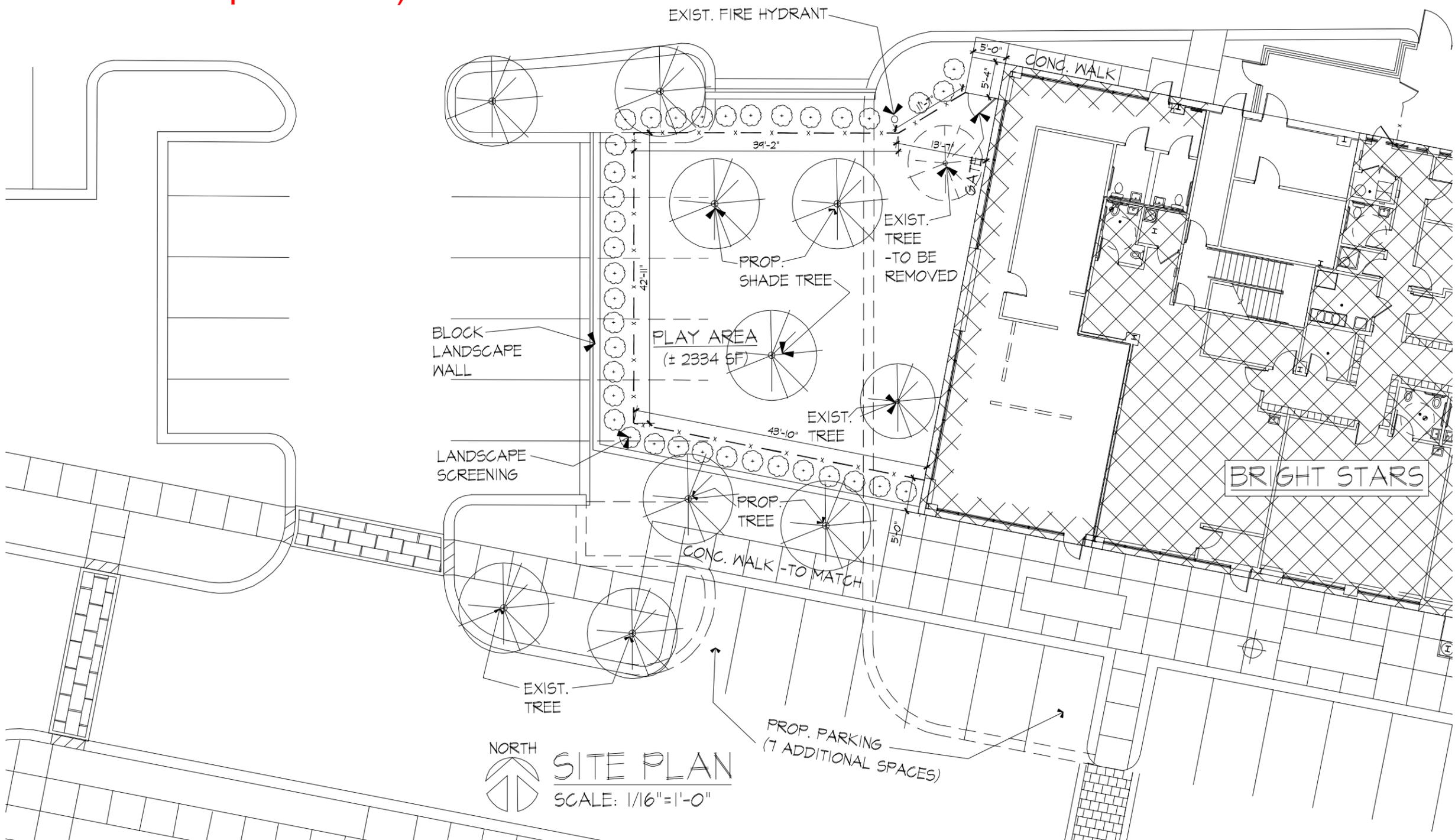


Option C: Building an adjacent location westward from building (10-1-14)



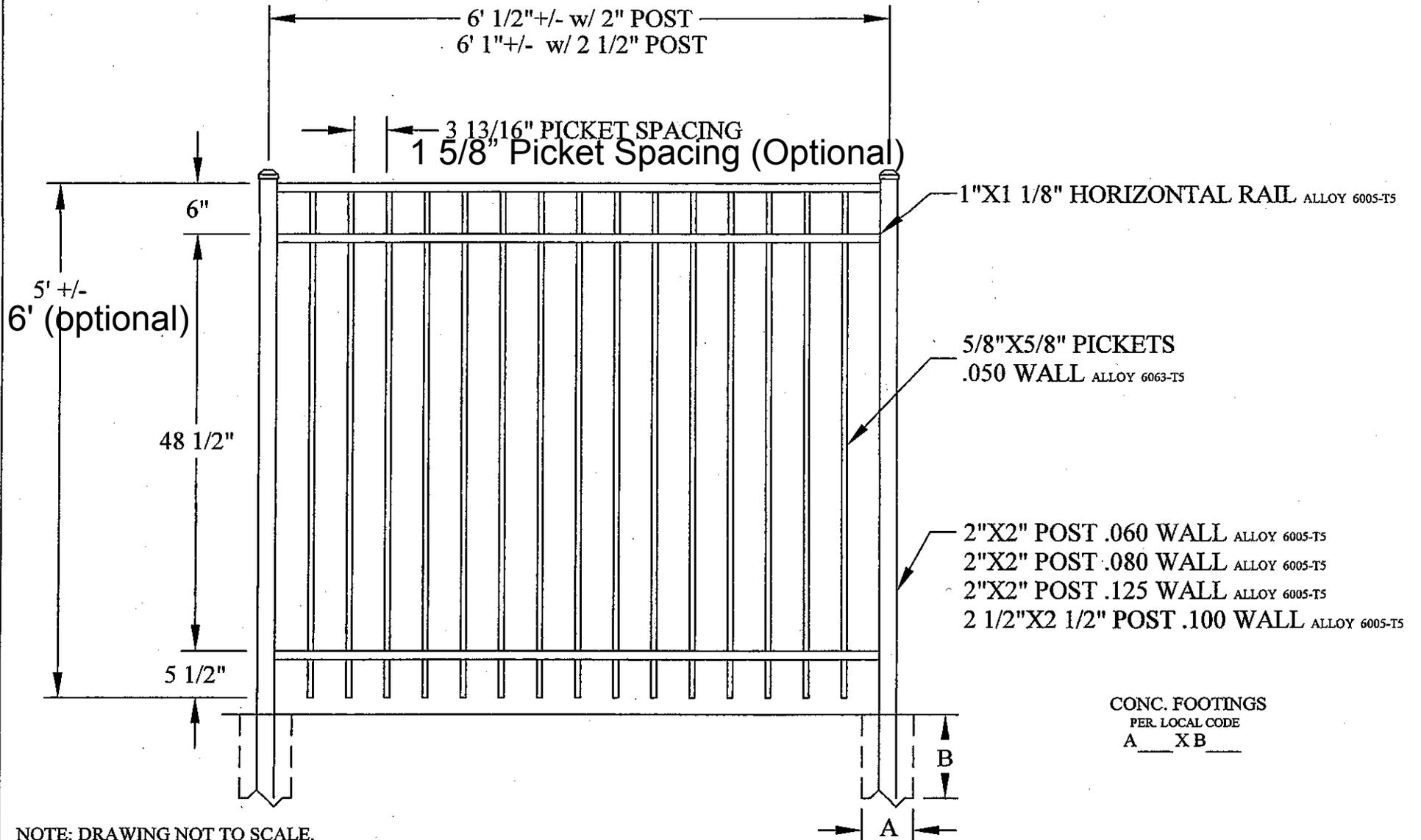


**Option D: Building an adjacent location westward from building (revised 6-5-15)  
(Meets Evaluation Requirements)**



# Option E: Building a location on the north-east corner of the Village Grn plaza





<p><b>EFF-20</b> RESIDENTIAL</p>	<p>COLOR</p>	<p>PROJECT</p>	<p>OWNER/CONTRACTOR</p>	<p>DATE</p>
--------------------------------------	--------------	----------------	-------------------------	-------------

Proposed Playground  
Rendering (Option D)



# Village Green Tenant Letters of Support

**Eddie Merlot**  
**185 N Milwaukee Ave**

**From:** DaveInInd@aol.com [mailto:DaveInInd@aol.com]  
**Sent:** Tuesday, July 07, 2015 7:07 AM  
**To:** Mike Lotte  
**Subject:** from Dave Cook

Mike,

We are ok with the proposed expansion of the Bright Stars Kids University playground per the attachment.

Dave Cook  
Director of Real Estate  
Humphries Developments\Eddie Merlot's  
5646 Coventry Lane  
Fort Wayne, Indiana 46804

[Daveinind@aol.com](mailto:Daveinind@aol.com)

Phone 260-434-0055 ext 203  
Fax 260-434-0077

The information contained in this communication or any attachment to it is confidential, is intended only for the use of the recipient named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please resend this communication to the sender and delete the original message or any copy of it from your computer system

## Half Day Brewing Restaurant 200 Village Grn

**From:** Mark Zych [mailto:markzych@aol.com]

**Sent:** Monday, July 06, 2015 10:38 AM

**To:** Mike Lotte; scottwardrdg@aol.com

**Subject:** Re: Bright Stars expansion

Mike,

We are in favor of the expansion. You have our blessing!

Should have the drawing to your group the week of the 13th.

Mark Zych

Partner

Tap House Grill

Tap House Management Group

## **Aronson and Associates, LTD** **100 Village Grn Ste #230**

**From:** Brian Aronson [mailto:[briana@aronsonassociates.com](mailto:briana@aronsonassociates.com)]  
**Sent:** Tuesday, July 07, 2015 4:25 PM  
**To:** Mike Lotte  
**Subject:** RE: BSKU expansion

Mike:

After reviewing the plans, I have no issue with the day care facility's expansion plans.

I think the proposed improvement will be a benefit to the day care operation.

Brian F. Aronson, MAI, AI-GRS

ARONSON AND ASSOCIATES, LTD.  
100 VILLAGE GREEN, SUITE 230  
LINCOLNSHIRE, IL. 60069  
(P) 847.478.0111  
(F) 847.478.0373  
E-mail - [briana@aronsonassociates.com](mailto:briana@aronsonassociates.com)  
Web site - [www.aronsonassociates.com](http://www.aronsonassociates.com)

The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



Please consider the environment before printing this email

**From:** Mike Lotte [mailto:[MLotte@bacelineinvestments.com](mailto:MLotte@bacelineinvestments.com)]  
**Sent:** Tuesday, July 7, 2015 5:21 PM  
**To:** 'Brian Aronson'  
**Subject:** BSKU expansion

Brian,

Appreciate you taking the time to chat, attached is the plan for BSKU expansion, let me know your thoughts.

**Rollin J. Soskin & Associates, LTD (Verbal Support)**  
**100 Village Green Ste 220**

Re: Verbal Confirmation of Support by Rollin J. Soskin

To Whom It May Concern:

I, Dennis Lanski, a representative of Bright Stars Kids University, had a meeting with Rollin J. Soskin on Wednesday July 15, 2015 at 11:30 am regarding the plan of expansion into adjacent Subway Restaurant space and the proposed playground location. The site plan for expansion as attached and marked as Option D (file name 100 Village Green Bright Stars-Play Area 6-15-15.pdf) was reviewed at the meeting. Rollin J. Soskin voiced his support based on the review of the expansion site plan.

## Advocate Condell Rehabilitation Services 100 Village Grn Ste #120

**From:** Riniker, David [mailto:David.Riniker@advocatehealth.com]  
**Sent:** Friday, July 10, 2015 2:39 PM  
**To:** Mike Lotte  
**Cc:** Jennifer Henry  
**Subject:** RE: Bright Stars expansion

Okay, thanks!

David Riniker MS, OTR/L, CHT  
Manager  
Advocate Condell Rehabilitation Services  
[david.riniker@advocatehealth.com](mailto:david.riniker@advocatehealth.com)  
Phone: (847) 634-2317  
Fax: (874) 634-2367

**From:** Mike Lotte [mailto:MLotte@bacelineinvestments.com]  
**Sent:** Friday, July 10, 2015 3:38 PM  
**To:** Riniker, David  
**Cc:** Jennifer Henry  
**Subject:** RE: Bright Stars expansion

No the parking spaces displaced will be replaced along the front of the bldg. and to the west a bit, I would think making patient parking more accessible.

Jennifer is also going to work on ideas for adding more visitor spaces.

Thanks,

**Mike Lotte** | Director of Leasing  
**Baceline Investments, LLC**  
303.503.4344 | cell  
303.615.5801 | fax  
[mlotte@bacelineinvestments.com](mailto:mlotte@bacelineinvestments.com)

This email message is for the sole use of the intended recipients and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited.

**From:** Riniker, David [<mailto:David.Riniker@advocatehealth.com>]  
**Sent:** Friday, July 10, 2015 2:36 PM  
**To:** Mike Lotte  
**Cc:** Jennifer Henry  
**Subject:** RE: Bright Stars expansion

Mike,

Expansion looks great. It should beautify the area. Will we lose any parking with the expansion?

Thanks,

David Riniker MS, OTR/L, CHT  
Manager  
Advocate Condell Rehabilitation Services  
[david.riniker@advocatehealth.com](mailto:david.riniker@advocatehealth.com)  
Phone: (847) 634-2317  
Fax: (874) 634-2367

**Joint Committee on Administrative Rules**  
**ADMINISTRATIVE CODE**

**TITLE 89: SOCIAL SERVICES**  
**CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
**SUBCHAPTER e: REQUIREMENTS FOR LICENSURE**  
**PART 407 LICENSING STANDARDS FOR DAY CARE CENTERS**  
**SECTION 407.390 OUTDOOR PLAY AREA**

**Section 407.390 Outdoor Play Area**

Partially exempt programs are exempt from these standards.

- a) An outdoor play area shall be provided unless the program operates less than three hours per day in accordance with Section 407.200(d)(3) or a waiver has been granted by the Department in accordance with subsection (q) of this Section.
- b) The requirements for outdoor play areas shall be met immediately, except for equipment and protective surfaces installed by the center before January 1, 1998. Fences around play areas that are newly installed or replaced after January 1, 1998 must comply with the requirements of this Section.
- c) The outdoor play area shall accommodate 25 percent of the licensed capacity at any one time.
- d) There shall be a minimum of 75 square feet of safe outdoor area per child for the total number of children using the area at any one time. Children under the age of 24 months shall not use a common outdoor play area at the same time as children ages three or older.
- e) Play space shall be in a well-drained area.
- f) All play space shall be fenced or otherwise enclosed or protected from traffic and other hazards. Fences shall be at least 48 inches in height (for fences installed or replaced after January 1, 1998). Fences shall be constructed in such a way that children cannot exit without adult supervision. Corral-type fences and fences made of chicken wire shall not be used. Play areas for children under two years of age shall be enclosed so that the bottom edge is no more than 3½ inches above the ground and openings in the fence are no greater than 3½ inches.
- g) The outdoor play area shall be adequately protected from traffic, water hazards, electrical transformers, toxic gases and fumes, railway tracks and animal hazards.
- h) The outdoor play area shall be arranged so that all areas are visible to staff at all times.

- i) Protective surfaces (wood mulch, bark mulch, wood chips, sand, gravel, rubber mats, etc.) shall be provided in areas where climbing, sliding, swinging or other equipment from which a child might fall is located.
  - 1) The protective surface shall extend at least six feet beyond the perimeter of the equipment, except for swings.
    - A) For single-axis (traditional) swings, the protective surface shall extend both forward and backward a distance of at least two times the height measured from the supporting bar.
    - B) For tire swings which rotate, the protective surface shall extend six feet beyond the farthest reach of the tire in all directions.
  - 2) The protective surface shall have a Critical Height value of at least the height of the highest accessible part of the equipment, unless rubber mats are used which have been manufactured specifically for this purpose and which comply with the requirements established by the Consumer Products Safety Commission or the American Society for Testing Materials. See Appendix H for Critical Height values.
  - 3) The surface material shall be properly drained to prevent the growth of molds and bacteria.
  - 4) When resilient materials become packed, they shall be raked and/or turned to restore resilience.
- j) A surface shall be provided that is suitable for children's wheeled vehicles and pull toys.
- k) There shall be a shaded area in the summer to protect children from excessive sun exposure. Equipment with smooth metal surfaces, such as slides, shall be in an area that is shaded during the summer or shall be placed in a north/south alignment. Equipment permanently affixed on January 1, 1998 shall be accepted if otherwise determined safe. Procedures shall be in place to prevent children from being burned if the metal surface is too hot.
- l) Play areas and play equipment shall be maintained in good repair and in a safe, clean and sanitary manner.
  - 1) The equipment in the outdoor play area shall be of safe design and in good repair.
  - 2) The equipment shall be free of sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, broken glass, lead-based paint or other poisonous materials.
  - 3) All bolts, hooks, eyes, shackles, rungs and other connecting and linking devices used on playground equipment shall be designed and secured to prevent loosening or unfastening.

- 4) Outdoor equipment shall be situated to avoid collisions and accidents while still permitting freedom of action by the children.
- 5) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.
- 6) Access to play equipment shall be limited to age groups for which the equipment is developmentally appropriate according to the manufacturer's instructions.
- 7) Swings, if used, shall have seats of rubber or impact-absorbing material and design. Wood or metal seats shall not be used.
- 8) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.
- 9) All pieces of playground equipment used by children five years of age and younger shall be designed to guard against entrapment or situations that may cause strangulation.
  - A) Openings in exercise rings shall be smaller than 4½ inches or larger than 9 inches in diameter.
  - B) There shall be no openings in a play structure with a dimension between 3½ inches and 9 inches (except for exercise rings). Side railings, stairs and other locations that a child might slip or climb through shall be checked for appropriate dimensions.
  - C) Distances between vertical slats or poles, where used, must be 3½ inches or less (to prevent head entrapment).
  - D) No opening shall form an angle of less than 55° unless one leg of the angle is horizontal or slopes downward.
  - E) No opening shall be between ¾ inch and one inch in size (to prevent finger entrapment).
- 10) Sandboxes, if smaller than 100 square feet, shall be covered when not in use. Larger sand play areas shall be covered, or there shall be a written plan for the daily raking and cleaning of animal fecal matter, if present.
- 11) Areas for sand play shall be distinct from the landing areas surrounding slides and other equipment.
- m) The center director or designee shall inspect the playground daily before children go out to play to ensure there are no hazards present.
- n) Prior approval of the Department is required when play space not connected with the center is used to meet the requirements of subsections (a) through (1) of this Section in lieu of the center's own play space. Proposed use of a nearby park, school yard or other alternative shall be considered on a case-by-case basis in

consultation with local health and safety officials, with consideration given to the following criteria:

- 1) Location;
  - 2) Accessibility to children and staff by foot or the availability of push carts or other means of transporting infants and toddlers;
  - 3) Age(s) of the children in the group(s);
  - 4) Availability of appropriate equipment;
  - 5) Traffic patterns of vehicles and people in the area;
  - 6) Condition of the park in areas related to safety;
  - 7) Usage of the park by other groups when the children would be most likely to use it;
  - 8) Compliance with the requirements of subsections (a) through (m) of this Section.
- o) If an area not connected with the center is used for play or recreation, the children shall be closely supervised both during play and while traveling to and from the area.
- p) Roof-top playgrounds are permissible only if the playground is completely surrounded by a non-climbable fence at least eight feet in height which has no openings of any kind, a structural clearance for the use of the roof as a play area has been obtained, and the Office of the State Fire Marshal or the Chicago Fire Department's Fire Prevention Bureau has approved in writing the use of the roof as a playground.
- q) The Department may grant a waiver of the outdoor play area requirement under the following conditions:
- 1) The facility is located in an urban area where suitable, safe outdoor space is not available;
  - 2) The facility has an indoor activity room that provides 75 square feet per child for at least 25% of the licensed capacity of the facility and is used for gross motor play in lieu of outdoor space; and
  - 3) Parents are given notification of this waiver in writing upon enrollment of their children.

(Source: Amended at 28 Ill. Reg. 3011, effective February 15, 2004)

**ORDINANCE NO. 11-3218-40**

**AN ORDINANCE AMENDING A SPECIAL USE**

**FOR A DAY CARE CENTER**

**IN THE LINCOLNSHIRE RETAIL CENTER**

**(VILLAGE GREEN)**

**(ORDINANCE NO. 09-3080-03)**

**WHEREAS**, Ordinance No. 95-1401-31, granting a special use for a planned unit development, governs the development and use of the Lincolnshire Retail Center planned unit development (the “PUD Ordinance”), commonly known as Village Green; and

**WHEREAS**, Section 5 of the PUD Ordinance describes a “daycare center” as a special use within the planned unit development, for which a separate application and permit is required, provided the standards and procedures for granting a new special use are met;

**WHEREAS**, the Village granted a special use for a “daycare center” to Bright Stars Kids University, Inc., an Illinois corporation (“Developer”), as tenant of the property legally described on Exhibit “A” attached hereto and made a part hereof by reference (the “Subject Property”), by Ordinance No. 09-3080-03;

**WHEREAS**, the Zoning Board held a public hearing on November 8, 2011, on a application from Developer for an amendment to the special use permit to: (i) increase the maximum attendance of the daycare center to 65 children; and (2) expand the gross floor area comprising the daycare center from 3,240 square feet to 4,355 square feet (collectively, the “Special Use Amendment”);

**WHEREAS**, the aforesaid public hearing was held pursuant to legal notice as required by law and all persons desiring an opportunity to be heard were given such opportunity at said public hearing; and

**WHEREAS**, the Corporate Authorities have concluded that the Special Use Amendment, subject to and in conformance with the terms and conditions of this Ordinance, will be beneficial to the Village, will further the development of the Subject Property, and will otherwise enhance and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Lincolnshire, in exercise of its home rule authority, as follows:

**Section 1. Recitals.** The Parties hereby confirm the truth and validity of the representations and recitations set forth in the foregoing recitals and do further acknowledge that they are material to this Ordinance. Such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. The Parties further agree that this Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.

**Section 2. Special Use.**

A. **Affirmation.** Except to the extent expressly amended herein, Ordinance No. 09-3080-03, and all conditions described and/or incorporated therein, shall remain in full force and effect to the maximum extent permitted by law and all future references to the special use granted for the operation of a daycare center shall refer to Ordinance No. 09-3080-03 as amended by this ordinance.

A. **Special Use Amendment.** Ordinance No. 09-3080-03 is hereby amended to permit for the operation of a daycare center on the Subject Property, subject to the following conditions and restrictions:

1. Bright Stars Kids University, Inc. must obtain all applicable approvals for the daycare facility and playground area from the State and other appropriate licensing authorities prior to their occupancy of the additional building space.
2. Any increase in the daycare enrollment beyond 65 children as well as any changes to the playground area location shall be approved only with a Special Use amendment.
3. All other conditions stipulated in Special Use Ordinance No. 09-3080-03 shall remain in effect.

A. **Daycare License.** This Special Use Ordinance shall be of no force and effect unless and until the Developer files with the Village Clerk evidence of its compliance with the daycare center licensing and permitting requirements of the State of Illinois, Department of Child and Family Services as frequently as such license must be renewed.

**Section 3. Plan Approval.** The following plan documents comprising Exhibit B, attached hereto and made a part hereof by reference, are hereby approved and all standards, requirements, designs or specifications in such exhibits shall be binding on the Subject Property and considered conditions of approval for this Special Use.

1. Petitioner's Presentation Packet, prepared by Attorney Barry Rosenbloom, on behalf of Bright Stars Kids University, Inc., dated November 8, 2011, date stamped received November 8, 2011.

**Section 5. Superseding Effect.** The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the Village to the extent of any conflicts. Except for the foregoing limitation, the development of the Subject Property remains subject to all terms and conditions of applicable Codes and Ordinances of the Village of Lincolnshire including, without limitation, zoning ordinances, building codes, subdivision regulations and regulations concerning the construction and design of public improvements.

**Section 6. Penalties.** Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Lincolnshire, its officials, agents or employees.

**Section 7. Enforcement.** The Subject Property shall be made available for inspection by any department of the Village at all reasonable times for compliance with this Ordinance and any other applicable laws or regulations.

**Section 8. Effective Date; Assent.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance shall not take effect until a true and correct copy of this Ordinance is executed by the Owner and Manager, or such other parties in interest as the Village may reasonably identify, consenting to and agreeing to be bound by the terms and conditions of this Ordinance. Delivery to the Village of a copy of this Ordinance, as so executed, shall take place not later than sixty (60) days after the passage and approval of this Ordinance by the Corporate Authorities or within such extension of time as may be granted by the Corporate Authorities by motion.

**PASSED** this 28th day of November, 2011, by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

**AYES:** Brandt, Feldman, Grujanac, McDonough, Saltiel, Servi

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

APPROVED this 28th day of November, 2011.

Brett Blomberg  
Brett Blomberg, Mayor

ATTEST: Barbara Mastandrea  
Barbara Mastandrea, Village Clerk