



APPROVED Minutes of the **RESCHEDULED MEETING OF THE ZONING BOARD** held on Tuesday, August 13, 2015, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Leider, Kalina and Van de Kerckhove

STAFF PRESENT: Tonya Zozulya, Economic Development Coordinator

ABSENT: Members Brady, Bichkoff 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 **Economic Development Coordinator Zozulya** 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, July 14, 2015, 2015.

Member Leider moved and **Member Van de Kerckhove** 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 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).

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

Michael Berman, representing the Center of Ballroom and Dance, signed in and was sworn in by **Chairman Manion**. He stated they propose to occupy the space facing the Village Green fountain. They will offer ballroom and dance lessons in an elegant environment modeled after a studio in England. Most of their students will arrive as couples and foursomes. **Mr. Berman** requested their responses to the Special Use standards (findings of fact) be entered into the record.

Economic Development Coordinator Zozulya stated the hours of operation will be 12-9 p.m. Monday through Friday and 9 a.m. - 3 p.m. on Saturday. They will be closed on Sunday. In addition to private lessons, they will also offer free monthly group classes and a special holiday class once a year. **Economic Development Coordinator Zozulya** stated similar uses have been previously approved and operated without issues. She further stated staff did not identify any issues with the proposed use and does not believe parking will be a problem.

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.

The Zoning Board did not have any further questions or concerns.

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

Member Kalina moved and **Member Leider** seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on August 13, 2015, 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.

The motion passed unanimously by voice vote.

- 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.).

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

Dennis Lanski, representing Bright Stars Kids University, signed in and was sworn in by **Chairman Manion**. He stated the school has operated in the 100 Village Green building since 2009. In 2011, they received Village approval for a Special Use amendment to expand their enrollment to 65 children in a 4,300-square foot space. Their hours of operation are 7 a.m. to 6 p.m. The current expansion request is to add 30 more children (for a total of up to 95) and add two additional classrooms. The school intends to keep all original parking and drop-off procedures in place after the current Special Use amendment. They have received preliminary approvals from the Illinois Department of Children's and Family Services for the proposed expansion and playground area. Their expansion will allow Subway to relocate to a more visible space at 185 Milwaukee Avenue. It will also result in Bright Stars signing a long-term lease at the Village Green. The school will replace the 7 parking spaces that are slated to be removed for the new playground with 7 new spaces along the south side of the building. **Mr. Lanski** demonstrated the proposed attached playground and parking spaces on a rendering board. He stated the new attached playground will allow the school to be more competitive and meet customer expectations. It will also assist young students with safety and potty training and allow them to have a separate playground area for twenty and twenty-two-month-old children as required by DCFS. **Mr. Lanski** noted they received support from the Center ownership and adjacent tenants, including Half Day Brewing, Eddie Merlot's, Aronson & Associates, Soskin & Associates and Advocate Condell (the last three tenants are located on the second floor of the 100 Village Green building). **Mr. Lanski** requested their responses to the Special Use standards (findings of fact) be entered into the record.

Economic Development Coordinator Zozulya stated staff is appreciative of the Petitioner's efforts to find a more suitable location for a new playground area per the Village Board's direction after their preliminary evaluation meeting. She said daycare centers located in commercial areas typically locate their playground behind the building

which was not an option in this case due to a usable drive aisle. Staff is supportive of the proposed Option D with 9 stipulations noted in the Staff memorandum. She noted staff distributed an additional memorandum to the Zoning Board prior to the meeting outlining the landlord's concern regarding Stipulation #4 (removal of the attached playground area).

Member Van de Kerckhove inquired whether the new attached playground is in addition to the existing detached playground to which **Mr. Lanski** responded affirmatively.

Chairman Manion inquired what the 95-student capacity request is based on. **Mr. Lanski** stated they may not reach a 95 student count but would like to have the maximum number desired in case they do.

Mr. Lanski noted they proposed the decorative wall to match the existing playground area. The school is willing to work with staff on whether the proposed decorative wall should be installed around the playground. They agree to meet all Village code regarding vehicle overhangs and would be willing to adjust the size of the playground area to make room for the overhang and decorative wall.

Chairman Manion noted the wall may be a good addition to serve as a barrier to protect the vehicles from running into the fence.

Michael Lotte, Director of Leasing at Baceline Investments who owns the Village Green Center, signed in and was sworn in **by Chairman Manion**. He stated Baceline fully supports the proposed Special Use amendment and does have a concern about Stipulation # 4 as explained by staff. Baceline believes any replacement tenant will be a daycare center which will need an adjacent playground. In the event it is not, Baceline would evaluate other options, including converting the playground into public space or removing the playground equipment. They believe completely removing the playground area would be costly and disruptive.

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.

Chairman Manion inquired as to whether the surface will be woodchips and dirt which **Mr. Lotte** confirmed.

Member Kalina inquired whether Bright Stars will be open to removing the fence to which **Mr. Lotte** responded affirmatively.

The Zoning Board discussed staff--proposed Stipulation #4 and 6 and modified them. **Member Leider** proposed a 6-month timeframe as 90 days is too short to find a new tenant. He suggested the landlord come back to the Village at that time to discuss a suitable plan for the playground area.

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

Member Leider *moved and Member Kalina seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on August 13,*

2015, 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, subject to 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 6 months of their move, the landlord must return to the Village and discuss with the Department of Community and Economic Development their plans for the attached playground area and playground equipment to determine whether that playground should be completely removed or modified.
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 Petitioner shall further discuss with staff whether the proposed decorative landscape wall adjacent to the proposed playground needs to be installed, provided all parking stall code requirements are met.
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 Village's 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.

The motion passed unanimously by voice vote.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS

6.0 CITIZENS COMMENTS

Chairman Manion and Member Leider expressed appreciation to the Village's Public Works Department for repairing a recent water main break on Briarwood Lane and Brampton Lane.

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 7:50 p.m.

Minutes Submitted by Tonya Zozulya, Economic Development Coordinator.