



AGENDA
REGULAR ZONING BOARD MEETING
Public Meeting Room, Village Hall
Tuesday, May 10, 2016
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, January 12, 2016.
- 2.2 Approval of the Minutes of the Special Zoning Board Meeting held on Tuesday, January 26, 2016.

3.0 GENERAL BUSINESS

- 3.1 PUBLIC HEARING Regarding a Request to Rezone the Property from R1 Single-Family Residence to B2 General Business District, 21657 and 21661 Milwaukee Avenue (Trisha Bumpass & Standard Band & Trust Co.)
- 3.2 PUBLIC HEARING Regarding a Request for Special Use Permit to Establish and Operate an Assembly Use, 21657 and 21661 Milwaukee Avenue (Trisha Bumpass & Standard Band & Trust Co.)
- 3.3 PUBLIC HEARING Regarding a Request for Village Code Variations to Permit a Banquet Hall, 21657 and 21661 Milwaukee Avenue (Trisha Bumpass & Standard Band & Trust Co.)

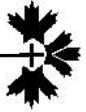
4.0 UNFINISHED BUSINESS

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, January 12, 2016, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Bichkoff and Kalina.

STAFF PRESENT: Steve McNellis, Community & Economic Development Director

ABSENT: Members Brady, Van de Kerckhove 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 **Community & Economic Development Director McNellis** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes related to the Rescheduled Zoning Board Meeting held on Wednesday, December 16, 2015.

Member Kalina moved and **Member Bichkoff** seconded the motion to approve the minutes of the Rescheduled 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 Special Use Permit to ratify operation of a public school with zoning exceptions, including a proposed 24,500 square foot building addition for Half Day school, 239 Olde Half Day Road (Lincolnshire-Prairie View School District 103)

3.2 **PUBLIC HEARING** regarding a request to rezone a public school parking lot from R1 Single-Family Residence Zoning District to B1 Retail Business Zoning District for Half Day school, 239 Olde Half Day Road (Lincolnshire-Prairie View School District 103)

Director McNellis explained there are not enough Zoning Board members present this evening to vote on the matters on the agenda, however, there are enough present to open and hold the Public Hearing and hear discussion on these matters. He further noted a second Zoning Board meeting will be scheduled for January 26th, and sufficient attendance has been confirmed for a vote on these matters.

Director McNellis provided initial Staff comments regarding the background of Half Day School and the actions the Zoning Board is requested to review related to a Special Use and Rezoning. The Rezoning is more of a clean-up item to insure the entire property is in the same appropriate zoning district. He further noted the seven zoning exceptions that need to be memorialized. Finally, he noted the Findings of Fact have been

submitted and the ARB will be reviewing the design aspects of the proposal at their January 19th meeting.

Mr. David Gassen of Wight & Company, Architects, was sworn in and introduced several members of the team present at the meeting, including: Mr. Gary Gordon, School District 103 Board President, Dr. Scott Warren, School District 103 Superintendent; Mr. Dan Stanley, Chief School District 103 Business Officer; Mr. Scott Gaunky, Operations Director for the District; Ms. Leanne Meyers-Smith of Wight & Company; Mr. Don Matthews of Gewalt Hamilton Engineering firm and Mr. Dan Brinkman, also of Gewalt Hamilton Engineering.

Mr. Gassen noted that additional detention will be necessary for the Half Day School expansion. This would be primarily on the west side of the property with a small detention area on the east side. **Chairman Manion** inquired if the detention basin is mostly dry, to which Mr. Gassen responded that a small triangular portion will be wet-bottom, with approximately 6" of water on a regular basis. **Chairman Manion** then asked if the pond would be fenced, to which Mr. Gassen noted that it is not proposed to be fenced, but the architects and school believe that the wetland plantings and longer grasses on the pond side slopes will end up ultimately restricting access.

Mr. Dan Brinkman of Gewalt Hamilton Engineering was sworn in and discussed the Traffic Study he prepared. He noted it was conducted in November during morning and evening school rush hours. The Study also looked at the parking situation. He went on to discuss the existing traffic patterns for drop-off and pick-up and recommendations to change the pattern to make it more efficient.

Mr. Gassen then went on to discuss details of the overall Landscape Plan. **Chairman Manion** inquired about the proximity of the ponds to the playground areas. **Mr. Gassen** stated the eastern edge of the detention basin will be adjacent to the play area, but that isn't the wet bottom portion of the pond. The remainder of the pond will be dry, except in rain events. **Mr. Gassen** went on to discuss the details of the building addition exterior design and photometric plans.

Chairman Manion asked the Zoning Board if they had any concern about the proximity of the wet bottom detention pond to schoolchildren. **Director McNellis** noted the wet bottom portion of the pond is not near the play area, and that the assumption is that Teachers are out with the kids during play time. He also noted the native plantings in the pond that are taller would deter kids from going into the pond. **Chairman Manion** noted he thought it was helpful that the detention area wouldn't be mowed.

Chairman Manion asked if there was any Public Comment. Hearing none, he asked Staff if there were any further comments on the proposal. **Director McNellis** stated there were several comments in the Staff memo that should be noted. The first Staff comment was in regard to whether or not the parking lot dimensional requirements had been met. He noted the plans have now been updated and are in compliance with Village Codes. Secondly, he stated that Village Staff agrees with the conclusion of the Traffic Study that stacking under the proposed conditions would not be a problem.

Director McNellis went on to mention the Staff recommendation that the entrance drive on the west side of the property have a drop-off/pick-up sign installed that would help visitors discern the appropriate entryway.

Director McNellis drew the Zoning Board's attention to Gewalt-Hamilton's study and the recommendation to widen the curb cut at the east end of the property and Olde Half Day Road. He mentioned that Staff believes it would be beneficial to make that improvement now. **Mr. Brinkman** stated there is not a current problem in that location. In the holistic review taken in the Traffic Study they identified this as an improvement that you'd like to see. However, all bus drivers can currently maneuver the curb cut. **Chairman Manion** stated he believes it would be a relatively inexpensive fix. **Mr. Brinkman** noted that unfortunately there is other infrastructure in the way, including a utility pole and fire hydrant, that makes it tougher than it normally would be to accomplish. **Member Kalina** noted that it still may be time to fix it. **Member Bichkoff** countered that it sounds like a lot of work for a small fix of something that apparently seems to function ok. **Director McNellis** stated that the Zoning Board does look at circulation, so if you believe it's a problem, it is under the Zoning Board purview. However, he noted that no one is necessarily saying it's an actual problem in this case. It was his opinion that with the infrastructure there, it moves further down the priority list.

Director McNellis stated the Village and School District 103 both have a desire to work on a crosswalk for Olde Half Day Road. The solution is not yet worked out. However, since all parties find it in their best interests, Staff believes adding a stipulation that they work together to get it done would be appropriate. If everyone makes a good faith effort, it should be able to be accomplished. **Director McNellis** went on to note the necessity for a stipulation that Lake County Stormwater Management Commission (SMC) approve the project, which is a typical stipulation. **Chairman Manion** inquired if SMC takes into account the use of this property as a school. **Mr. Don Matthews of Gewalt-Hamilton Engineering** was sworn in and stated that to SMC the use doesn't matter. The review of this project will simply be based on whether or not it conforms to the Lake County Watershed development Ordinance (WDO).

Director McNellis referred to the Zoning Exceptions being requested. He noted almost all of them are understandable and most of them are ones the Zoning Board should consider permitting. The only one Staff has a concern about is the chainlink fence on the south side of the property. Part of it is proposed to be removed for the detention pond construction and Village Code wouldn't allow it to be replaced with the same material as it's a prohibited fence material. So, Staff recommends any replacement be of a material that meets Village Code and that there be a plan by the School District to remove the rest of it in the future. **Chairman Manion** asked if the fence is currently grandfathered. **Director McNellis** stated if the building addition weren't occurring, the fence could remain in perpetuity. Staff wonders if the fence is even necessary. **Mr. Gassen** stated initially they thought it may need to be reinstalled, but it may not be necessary. **Chairman Manion** asked that Mr. Gassen research this further and get back to the Zoning Board at their next meeting in two weeks. He noted he thinks this is a safety issue.

Chairman Manion once again asked if anyone from the audience had anything to say regarding these requests. There was no public comment.

Mr. Gassen requested the Findings of Fact be entered into the record. **Director McNellis** stated that since no recommendation would be forthcoming tonight, Staff wanted to know if the Zoning Board had any additional stipulations that should be considered for the next meeting. **Chairman Manion** stated that from his point-of-view curb replacement at the eastern entrance is a non-issue, to which the other Zoning

Board members agreed. He noted he is still concerned about the fence on the south side of the property by the detention pond.

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

Chairman Manion asked for a consensus to continue the Public Hearing to the January 26th meeting. There was a consensus and Chairman Manion reopened the Zoning Board meeting.

3.3 **PUBLIC HEARING** regarding a request for Special Use Permit to ratify operation of a public school with zoning exceptions, including a proposed 14,000 square foot building addition for Laura B. Sprague elementary school, 2425 Riverwoods Road (Lincolnshire-Prairie View School District 103)

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing. **Director McNellis** provided Staff's remarks, including the history of the property and the necessity for a Special Use permit for the proposed addition, as well as the entire property. He also noted the zoning exceptions being requested. Further, he stated Staff received e-mails from two residents. The resident who had sent an e-mail today requested that it be presented to the Zoning Board, so Staff believes it would be appropriate for it to be read into the record, to which the Zoning Board agreed.

*"Dear Mr. McNellis,
My wife, Robin (who is copied on this e-mail), and I live at 8 Buckingham Place (in Lincolnshire) and we have owned our house there since June, 1989. Laura B. Sprague School is located directly behind our back yard, to the north. I have attached a photo of our home, as taken from the Sprague School parking lot (viewing to the south of the school), for your reference and review.*

Unfortunately, we will not be able to attend tonight's Public Hearing to consider a Special Use Permit to ratify operation of a public school with Zoning Exceptions, and including building additions to Sprague School. Accordingly, we would appreciate it if you would share this e-mail with those in attendance at tonight's Public Hearing.

We sincerely appreciate your making the Sprague School proposed building plans available for review, at the Village Hall, which we were able to do this morning.

We did not have any children when we originally bought our house, but we now have 4 kids who all had the pleasure of experiencing District 103's wonderful School system! Robin and I have been involved with all aspects of District 103, including serving as room parents, coaching lots of youth sports teams, volunteering at many school functions, and helping the 103 Learning Fund raise funds to help better the education experience in our great Community. With our youngest child now being a sophomore at Stevenson High School, we are extremely grateful and appreciative of School District 103 and we sincerely want the best for all three District 103 Schools!!

We have also enjoyed living very close to Sprague School for these past 27 years, even though it has sometimes involved cleaning up discarded trash from our back yard, children using the back of our yard as a lavatory, etc. All in all, Sprague School has been a great neighbor and we believe we have been great neighbors to Sprague School, as well.

Recently however, as the attached photos indicate, the fence on our back yard property line has been damaged in several places, due to the snow plow patterns being used for the Sprague School parking lot. In addition, we have had to look at two unsightly "SAM" storage units (located on the school's furthest southwest parking lot corner) for several years now.

In reviewing the proposed building addition plans for Sprague School this morning, arguably no home is going to be as visually impacted as our home is going to be, due to the physical location of the new addition being directly behind our back yard, to the north. Ironically, the last Sprague School Gymnasium addition (on the School's furthest west side) was done when we first moved into our home in 1989.

Due to our continuing fence damages, the "SAM" storage units, and now, the proposed 7,500 square foot, two-story addition to Sprague School (which again, is going to be located directly behind our home), we are respectfully requesting that the proposed building plans include the installation of dense/tall trees, shrubbery, landscaping, etc. along the School's southern property line, across the entire width of our backyard property line, which runs from east to west. We have not spoken to our neighbors to the east and west, but perhaps they would also like similar consideration for their respective homes.

Hopefully, this newly-installed landscaping will help protect our fence, once repaired this Spring, and it will also help buffer our sight lines from the unsightly SAM storage units and the new two-story addition to Sprague School.

Thank you sincerely for your kind consideration of our request, and naturally, we are available for further conversations regarding our request and this e-mail.

Thanks again and continued good luck and well wishes,

*Dwight and Robin Ekenberg
8 Buckingham Place
Lincolnshire, IL 60069"*

Mr. Gassen presented the overall site and building elevation design plans, as well as the sun study, noting the impacts are mainly to two homes for brief periods only in the winter. Landscape screening has been placed to minimize these impacts. Mr. Gassen also requested the Findings of Fact be entered into the record.

Mr. Derek Gilna, 19 Kings Cross, was sworn in. He noted his home is located opposite the main entry into the parking lot. He stated he and his wife had been there for many years and have been beneficiaries of the positive elements of the school, but there are some things he felt it important to bring to the Zoning Board's attention. He further noted the school predated his presence in the neighborhood, but that it was a much smaller institution then. He noted issues with trash and visual unsightliness that they have contacted the school to discuss in the past. His concern is the construction process. He noted problems with previous construction at the school and that it was very inconvenient. He stated there was no guarantee there wouldn't be construction problems again this time.

Mr. Gilna went on to suggest one recommendation, regarding a construction road. He stated that a temporary construction road from Riverwoods Road should be considered.

The other concern he had echoed was what the Ekenberg's had noted, the noise and dirt of construction. He noted that unlike Half Day School, this school is in the middle of a residential neighborhood. Finally, he noted he couldn't see any reason for this construction and the impact and burden this would place on the neighborhood.

Director McNellis stated school construction is different in that the Village is not permitted to get involved in the permitting and construction aspects. Those functions are carried out by a State Building Commission, not by the Village. However, if the streets get dirty, the Village can get them cleaned and as far as contractor hours, the Village requirements need to be followed. He further noted Staff and the Village will certainly work with the School to make sure those issues are addressed.

Mr. Tom Caldwell, 12 Buckingham, was sworn in. He stated he lives in the eastern most house affected in the Sun Study. He wondered if there have been any plans for shielding the properties. Also, he asked whether construction hours, contractor parking and hours for deliveries/garbage would be adhered to. He asked if parking in the area would be worse after construction is completed, and noted it was bad already. He stated he'd like to have some reassurances. **Director McNellis** noted that with regard to construction hours, he would suggest if contractors start before 7 A.M. weekdays residents should call the Police Department on their non-emergency line. Violation of those hours could involve fines. If residents don't call, it doesn't go on record and the Village can't do anything about it.

Mr. Gassen noted that parking would not change after the addition is completed, as no additional staff are contemplated. **Director McNellis** stated contractors cannot completely block a street. The Village can work with the School District to remind contractors this is a residential area and rules apply.

Chairman Manion inquired as to when construction will begin. **Mr. Gassen** stated it will probably begin before the school year ends and be completed by the beginning of the Fall school year. Over the Summer, there should be plenty of parking for contractors. He also added a reminder that the School District is not anticipating an increase in student population, but trying to create new space for existing space shortages at the school.

Member Kalina asked about landscape screening along the south property line to address the sunlight concerns. **Mr. Gassen** stated there is an increase in vegetation from the plan in your packet, as shown in tonight's presentation. **Member Kalina** asked if the additional screening would be on the south side of the parking lot, to which Mr. Gassen answered much of it would actually be adjacent to the south side of the building itself. He further noted there is limited space between the parking lot and the property line, which would preclude planting any trees there. So, they have attempted to locate trees as best they can. There are a cluster of evergreen trees along the south property line west of the parking lot to address the reflected light condition. On the east side, they've had to place trees closer to the building itself. He then went on to further explain the Sun Study.

Member Bichkoff asked about the concerns raised by the School District earlier in the evening regarding large trees close to the school building and the security concern of that condition. With the proposal here for large trees adjacent to the building, who's weighing-in on the conflict between safety and glare? **Director McNellis** stated that Staff primarily looked at it from the point-of-view of the glare issue, rather than a safety issue, but understand the school's concern. We need to find a middle ground.

Member Bichkoff asked if there was anything else that could be done from a materials standpoint. **Mr. Gassen** stated he was not aware of any other solutions. He further noted this problem is really limited to a very brief period at the end of the day in a short timeframe in the Winter. He acknowledged that addressing it is a challenge.

Member Bichkoff asked if there are any easements on the residential properties to the south that are preventing trees from being planted there, to which Director McNellis stated he was not aware of any. **Mr. Gassen** stated it isn't the intention of the School District to create an imposition on the property owners requiring them to modify their properties. **Director McNellis** noted that it is difficult because the property line is so close to the parking lot curb line and the grade change is difficult. He also noted an e-mail requested shrubs in that area could be added. He believes the School District is doing what they can to address this issue. He also noted this will be going to the ARB next week where it may also be addressed. Staff understands it's a concern.

Ms. Patricia Graham, 11 Cornell, was sworn in. She inquired if the school was planning on installing any new lighting. **Mr. Gassen** noted that no site lighting was being proposed at this time.

Director McNellis stated he would also read the e-mail quoted in the Staff memo. This is an e-mail from Trustee Dan Servi, who also lives on Cornell.

"I (have) concern about the potential for increased noise. Since my backyard is also adjacent to the playground on the north, I can attest that it can get noisy when the kids are out playing. The increased noise concern seems to revolve around the fact that the addition will jut out so that it is adjacent to the playground area on the south side of the playground. This could help buffer the neighbors to the south from the noise but may reflect noise to the north. My neighbor proposed a solid fence be erected along the properties adjacent to the north. Aside from the potential noise issue, I would support the fence to improve both aesthetics and security to the property. The current situation is there are multiple fence types in various states of repair and gaps between some of the fences."

Chairman Manion noted he thinks a fence on the north property line would be expensive, but may be an appropriate solution. It would have to be solid to be effective. **Director McNellis** noted that sometimes plant material is better as it has a sound-dampening effect. The other question is do all the neighbors along the north property line want a fence? **Mr. Gassen** stated existing fences are part of the residential properties, which the school didn't install. So, their condition is the responsibility of property owners. He further noted the playground is already there and won't change. Finally, he stated the School District would rather not see additional restrictions here.

Mr. Gilna stated he believes sound will be more of an issue on the south end of the site, not the north end. He stated he couldn't imagine the current noise to the north would be much different.

Ms. Ann Gilna, 19 Kings Cross, was sworn in. She stated she would like to reiterate this is like putting an office building in their community. You have to be considerate and understand residents needs. With the last school project, they were constantly calling the construction company on the hours they were working.

Mr. Gary Gordon, 29 Brunswick lane, and the District 103 School Board President, was sworn in. He began by noting the District understands the concerns. He also noted he and the Superintendent will make themselves available to address the neighbor concerns. He noted the idea of an addition came about as part of a visioning process, in which they held community meetings. The #1 comment they heard is that the use of buildings and educational requirements have changed over time and more space is needed. They considered expansion at Sprague, by possibly adding another grade, but because of the surrounding area being a residential neighborhood, they decided to put the additional grade at Half Day School. The District is using the money they have on these projects and is not going out for a referendum. So, while the District would love to do some other things here to add amenities to the building facades and landscaping, everyone should realize every dollar used on those things comes from the necessities of the building. There are no additional funding sources for this project.

Director McNellis stated the only other Staff comment is with regard to the Special use exceptions. There are two accessory structures that don't meet Village Codes; one is a storage shed, the other is a canopy. The canopy was donated by the American Cancer Society, and is permissible as a zoning exception. Staff has no issues with this. The storage shed doesn't meet Village Code in a number of ways. We were told the use of the shed is for playground equipment storage. We have also been told this needs to be located by the playground and this equipment can't be place in the new building addition.

Chairman Manion asked where the shed is located, to which Mr. Gassen responded it is in the northwest corner of the playground. **Chairman Manion** inquired if it could be moved closer to the building. **Mr. Gassen** stated it was located here to be used for the playground. He also noted the storage pods will be moved when the building addition is done.

Director McNellis inquired if the Zoning Board would like any other information provided prior to the next meeting on the 26th, to which the consensus was nothing more was needed. **Chairman Manion** noted he would like to see what the ARB has to say. **Chairman Manion** asked the Zoning Board if they would like to keep the Public Hearing open to the January 26th meeting, to which there was a consensus.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS

Member Bichkoff inquired as to a replacement for former Member (now Trustee) Leider, to which Director McNellis noted there was no one available at this time.

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 Bichkoff** seconded the motion to adjourn. The meeting adjourned at 8:54 P.M.

Minutes submitted by Steve McNellis, Community & Economic Development Director.



UNAPPROVED Minutes of the **SPECIAL MEETING OF THE ZONING BOARD** held on Tuesday, January 26, 2016, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Bichkoff, Kalina, Van de Kerckhove and Trustee Liaison McDonough (until 7:30 P.M.)

STAFF PRESENT: Steve McNellis, Community & Economic Development Director

ABSENT: Member Brady.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:01 P.M.

1.0 ROLL CALL

The roll was called by **Community & Economic Development Director McNellis** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes related to the Regular Zoning Board Meeting held on Tuesday, January 12, 2016.

Chairman Manion stated he understood the minutes were not available at this time. **Director McNellis** answered affirmatively and noted that given the short turnaround, it is rare Staff can get minutes from these types of meetings to you right away. They will be available in February.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Continued **PUBLIC HEARING** regarding a request for Special Use Permit to ratify operation of a public school with zoning exceptions, including a proposed 24,500 square foot building addition for Half Day school, 239 Olde Half Day Road (Lincolnshire-Prairie View School District 103)

3.2 Continued **PUBLIC HEARING** regarding a request to rezone a public school parking lot from R1 Single-Family Residence Zoning District to B1 Retail Business Zoning District for Half Day school, 239 Olde Half Day Road (Lincolnshire-Prairie View School District 103)

Chairman Manion recessed the Zoning Board meeting and reconvened the Public Hearings. **Director McNellis** reminded the audience that the Public Hearings on these issues began on January 12th and were continued to this evening. He then went on to recap the Staff report on the Half Day School project, including a summary of the four recommendations the Zoning Board had discussed at the January 12th meeting, knowing there would be further discussion this evening.

Mr. David Gassen of Wight & Company, Architects, was sworn in and noted the several members of the design team and School District representatives also present. He presented the aspects of the project related to the Special Use and Rezoning requests. He also noted he would like to comment on the chainlink fence, as that was brought up by Staff. Mr. Gassen noted there was discussion at the last meeting about fence removal around the detention pond and Staff asked that any replacement fencing be ornamental solid wood fence to comply with Village Code. He stated the fence is there primarily to protect balls from rolling into the ditch along Rt. 22. However, there's already a large berm on the southern part of the site. Since the detention pond will now make part of the south property line inaccessible to students, the District determined replacement of the fence isn't necessary. So, it is no longer proposed to be replaced.

Chairman Manion asked if anyone has questions for Dave, to which the Zoning Board responded No. He then asked if anyone from the Public would like to speak, to which there was no response. He then closed the Public Hearing and reconvened the Zoning Board. There were no further comments from the Zoning Board. **Chairman Manion** then asked Trustee Liaison McDonough if he had any comments, to which he responded he had nothing to add.

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

3.1- Member Bichkoff moved and Member Kalina seconded a motion that having made findings based on facts covered in a Public Hearing held on January 12, 2016 and continued to January 26, 2016, the Zoning Board recommends approval to the Village Board of a Special Use Permit to ratify operation of a public school with zoning exceptions and including a proposed 24,500 square foot building addition, for Half Day school located at 239 Olde Half Day Road, based on the facts in the Petitioner's Presentation Packet, dated January 8, 2016, including Staff recommendations detailed in a memorandum dated January 26, 2016, as follows:

- 1. New "Drop-off/Pick-Up Entrance" sign be added at the west driveway access to the site.*
- 2. School District 103 work with the Village Board and Village Staff to coordinate approvals for a crosswalk across Olde Half Day Road at a mutually-agreeable location.*
- 3. The proposed detention basin location, size and proposed planting plan be approved by Lake County Stormwater Management Commission (SMC).*
- 4. Approval of the seven requested Zoning Exceptions (detailed in the memorandum)*

The motion passed unanimously by voice vote.

3.2 – Member Bichkoff moved and Member Van de Kerckhove seconded a motion that having made findings based on facts covered in a Public Hearing held on January 12, 2016 and continued to January 26, 2016, the Zoning Board recommends approval to the Village Board of a Rezoning from R1 Single-Family Residence Zoning District to B1 Retail Business Zoning District for a school parking lot at the northwest corner of Half Day School located at 239 Olde Half Day Road, based on the facts in the Petitioner's Presentation Packet, dated January 8, 2016, as presented in Staff memoranda dated January 12 and January 26, of 2016.

The motion passed unanimously by voice vote.

- 3.3 Continued **PUBLIC HEARING** regarding a request for Special Use Permit to ratify operation of a public school with zoning exceptions, including a proposed 14,000 square foot building addition for Laura B. Sprague elementary school, 2425 Riverwoods Road (Lincolnshire-Prairie View School District 103)

Chairman Manion recessed the Zoning Board meeting and reconvened the Public Hearing. **Director McNellis** recapped the Staff report regarding the Special Use for both the addition and entire property for Sprague Elementary School. At the January 12th meeting, two recommendations were made, which are detailed in an attachment provided to the Zoning Board. The first recommendation relates to approval of the six zoning exceptions, which are primarily existing conditions. The second recommendation relates to the ARB review and consideration of additional evergreen trees along the south property line to protect adjacent residential properties from sun glare.. the ARB did review this and recommended a change in evergreen plantings along the south façade of the building, immediately adjacent to the building. The ARB did not recommend additional plantings along the south property line. Since that time, Staff has received two e-mails that are in the Zoning Board packet.

Mr. Gassen presented the site and design plans for the property and shared a revised Landscape Plan, with new evergreen material per the ARB recommendation. He also presented the Sun Study again, noting that the reflected light would be visible to the residences only in winter and only for an hour or less at the end of the day. He also reiterated the glass being used is not highly reflective, and a very low fraction of the site would be reflective.

Chairman Manion inquired if anyone had any questions, to which the Zoning Board and Trustee Liaison McDonough answered No. Chairman Manion then opened the floor up to the public for comment.

Dan Servi, 7 Cornell Drive, was sworn in. He noted he is here as a resident adjacent to the property and as a Village Trustee. He stated some of his neighbors had questions and concerns but didn't want to be in the spotlight. He further noted he did send an e-mail requesting a way to reduce the noise from the site. He noted he believes regardless of noise, a fence would be something the School District would want for security, especially given some recent Police action in the area. He stated his other concern is traffic. While he understands there are no current plans to increase the number of students at this school, they are adding eight classrooms and the District could decide in the future to move a grade back. So, he believes the Zoning Board should consider a stipulation where if the number of enrollees is planned to increase over some small percentage, a Traffic Impact Study should be required.

Mr. Derek Gilna, 19 Kings Cross, was sworn in. He noted he has lived across from Sprague Elementary School since the early 1980's, and Sprague has grown from a small school, almost doubling in size. Over the last several years, he's noticed a disturbing trend where the functions of the school have become burdensome to those in the area. He believes this is an unnecessary intrusion to the residential character of the neighborhood. He stated the School Board rep. had kindly contacted him that day, and he noted his other concern is he doesn't feel Sprague has been a good neighbor. He further noted there was a comment in the Staff memo about a drainage study, and he

wonders who knows about it. He asked about the impact of noise and if any study had been done on environmental impacts. He further noted he would ask the Zoning Board to look at it from the residents point-of-view, as they're saying don't change the footprint so drastically and alter the character of the neighborhood. Finally, he stated the Zoning Board should keep in mind that respectfully, we oppose this project.

Member Kalina asked Mr. Gilna about his assertion that Sprague has not been a good neighbor and whether or not he could cite any examples. **Mr. Gilna** responded that every time there's construction, they impact the roadways. He wondered if anyone had looked at the impact of construction on the neighborhood. He cited lighting being a problem, as well as the early morning dumping of a trash enclosure, parking issues and trash in his yard from the school. Finally, he stated this addition will take away whatever remains of the western views he has, and he doesn't believe the site supports a building of this size. **Member Van de Kerckhove** wondered how the addition could affect Mr. Gilna, given his location in relation to the addition. Mr. Gilna reiterated he would lose a large percentage of his western view.

Mr. Bill Axelson, 13 Cornell, was sworn in. He referred to the Staff memo comment that the proposed zoning exceptions had been in place for nearly 50 years without complaint and stated he disagrees. He noted he was before the Village Board ten years ago about drainage issues and it was the Village that ultimately installed a new storm sewer main in his backyard to help him. He further noted the lights there along the perimeter are unacceptable for a neighborhood and on at all times. He also mentioned an open dumpster on the property for two years and fears that an expansion will only make all these problems worse. He wondered if the lights and drainage could be addressed.

Member Kalina asked if more lights had been added in the last couple of years, to which Mr. Axelson responded affirmatively. **Director McNellis** noted that schools are a unique entity in how they are reviewed for building permits and projects. The Village is not involved in many of the issues discussed, because the State reviews some of those matters. He also noted the Zoning Exceptions Mr. Axelson referenced are not the same as the ones detailed in the Staff memo. The Zoning Board is only looking at exceptions to the Zoning Code. The Village's involvement in building this project will be somewhat limited to the site grading. However, we do have an ability to enforce other Village Codes. Staff's expectations are that we will work with the School District and their contractor to discuss Village regulations and the consequences if they're not followed. As far as the trash enclosure, we can look into it, but its unclear as to our authority versus the State.

Mr. Axelson asked why a construction entrance off Riverwoods Road isn't being considered. **Director McNellis** noted no one had said it isn't being considered. It's not in the purview of the Zoning Board to determine construction roads and for most projects that is not decided until later when construction documents are under review for a permit. Staff's expectation is we would work with the School District on this. **Chairman Manion** noted issues mentioned at this meeting are pertinent but many are best discussed with the school.

Ms. Kathy Bedward, 21 Kings Cross, was sworn in. She noted she and her husband are opposed to the addition, mostly because they believe its not necessary and construction would be a nightmare, with cars parked up and down the street for 7-8 months. She noted she also believes there will be drainage issues as the field is already always saturated. She noted Sprague has not been a good neighbor in the twenty years

they've lived here and their lights are bright like a "field of dreams". **Chairman Manion** noted the Zoning Board is here to look at Zoning issues and he recommends Ms. Bedward talk to the School Superintendent about these issues. Ms. Bedward inquired as to why its ok for impervious surfaces to go beyond what the Village limits? **Director McNellis** answered that impervious surface is a zoning exception up for consideration. The percentage is already over 40%, and is going up to approximately 47%. With proper drainage, that increase shouldn't be a problem. Lake County Stormwater Management Commission determines whether or not a detention pond is necessary, and in their review they have stated it isn't. As far as grading, that will be reviewed by the Village preliminarily.

Ms, Bedward asked if the Drainage Study was available, to which Director McNellis noted there is no Drainage Study, there is confirmation from lake County SMC in their review that no pond is necessary. That is all there would typically be at this point. **Director McNellis** further stated he had not heard of the drainage issues brought up tonight and wondered if that information had ever been presented to the Village. He further noted the Village Staff could certainly discuss this with the School District. **Ms> Bedward** asked if that meant the Village is going to decide on permitting more impervious surface without a Drainage Study. **Mr. Gassen** noted they had studied the drainage for the new building addition only. They're complying with everything they can and ultimately a review will be done by lake County SMC.

Mr. Gary Gordon, 29 Brunswick lane and School Board President, was sworn in. he stated that in terms of good neighbors, he hadn't heard any of tonight's complaints before. He further stated the Superintendent is in the audience tonight and that he and the Superintendent would be glad to provide any resident their contact information and respond to any questions. He noted they take the resident's issues seriously. As to parking during construction during the school year, he noted the District had reached out to the Swim Club, who are receptive to permitting construction traffic to stage at their location.

Dr. Scott Warren, Superintendent of School District 103, was sworn in. He noted he would like to reiterate they're trying to be good neighbors and that they'll sit down with anyone and go through the plans. He also noted the District would be glad to talk about how they can minimize construction impacts.

Mr. Tom Caldwell, 12 Buckingham, was sworn in. He asked about construction hours and delivery hours and how they can be enforced, performance guarantees, and will there be continued access to the Riverwoods Road bike path during construction. He also inquired if the playground would be accessible in the Summer. He noted he is concerned that landscaping proposed won't be enough to stop disruptive glare at his home and requested there be landscape screening at the property line, as the ARB requested. **Director McNellis** noted there may be some confusion about the ARB's recommendation, which was only to change plant material immediately adjacent to the building.

Mr. Caldwell also noted he is concerned about overflow parking at the 3:30 pick-up. Can cars turnaround with the new site plan, as they currently do? **Director McNellis** stated there would be a turnaround space available at the small loading area on the south side of the new building addition. He further stated that as for performance guarantees, that's between the State, the School Board and the residents. **Chairman**

Manion noted the Zoning Board wants to leave latitude, as they recognize people have real concerns.

Ms. Bedward noted that with a prior construction project at Sprague, construction started early, she called the Police and was told there was nothing the Village could do. **Director McNellis** stated that in speaking with the Village Attorney, he stated Village Ordinances can be applied and the Village can enforce this.

Chairman Manion closed the Public Hearing, hearing no further comments, and reconvened the Zoning Board meeting.

Member Van de Kerckhove noted there are a number of issues, many of which aren't zoning-based, but are governed by Village Ordinances. He stated there was not much the Zoning Board could do on those issues. **Director McNellis** stated he would not necessarily agree with that statement, as there are certain areas the Zoning Board has purview. **Member Bichkoff** noted many or most of the Zoning Exceptions are existing conditions, and he hoped the residents can connect with the School District on their concerns.

Mr. Servi noted that as far as protocol, he wanted to note the Zoning Board is a recommending body, so there's always another opportunity to express these concerns in front of the Village Board, to which Director McNellis agreed and stated the final determination is with the Village Board. He also provided the contractor construction hours, as detailed in the Village Code.

Member Kalina noted he feels bad for residents with genuine concerns, but also noted the schools are an important part of the community. He further stated there is nothing here that suggests this shouldn't move forward. **Chairman Manion** noted this construction will take several months, but it looks like the building addition is approximately 22% of the overall square footage of the current building. He felt it seemed reasonable from a strict Zoning standpoint.

Member Kalina inquired if the Zoning Board should talk about the fence and stormwater study issues. **Chairman Manion** asked if the Zoning Board could add a condition that the School District should work with the residents? **Director McNellis** answered affirmatively and noted the Zoning Board can encourage that. He further noted that statement and the minutes stating the several residents who spoke reinforces the message that this is important, to which Chairman Manion and the Zoning Board agreed they'd like to have that message sent. The Zoning Board reiterated its important these two parties work together.

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

3.3 - Member Kalina moved and Member Bichkoff seconded a motion that having made findings based on facts covered in a Public Hearing held on January 12, 2016 and continued to January 26, 2016, the Zoning Board recommends approval to the Village Board of a Special Use Permit to ratify operation of a public school with zoning exceptions and including a proposed 14,000 square foot building addition, for Laura B. Sprague Elementary School located at 2425 Riverwoods Road, based on the facts in the Petitioner's Presentation Packet, dated January 8, 2016, including Staff recommendations detailed in a memorandum dated January 26, 2016, as follows: 1)

Approval of the six requested Zoning Exceptions (detailed in the memorandum), and further subject to the Village Board taking into consideration all of the potential issues and the School District working with the neighbors in the surrounding area to address those other issues.

Chairman Manion requested a roll call vote:
Ayes – Manion, Bichkoff, Kalina, Van de Kerckhove
Nays – None

The Motion passed unanimously. **Chairman Manion** thanked the audience and Zoning Board for their comments. **Director McNellis** noted for the audience that this matter is currently proposed to be on the February 8th Committee of the Whole agenda, but any interested party should check the Village website on February 5th to confirm that date.

- 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 Bichkoff** seconded the motion to adjourn. The meeting adjourned at 8:35 P.M.

Minutes submitted by Steve McNellis, Community & Economic Development Director.

REQUEST FOR BOARD ACTION
Zoning Board
May 10, 2016

Subject:	Loft 21 Banquet Hall, 21657 and 21661 Milwaukee Avenue
Action Requested:	Public Hearing regarding a Request to Rezone the Property Located at 21657 and 21661 Milwaukee Avenue from R1 Single-Family Residence to B2 General Business District and Request for a Special Use for an Assembly Use, and Variations to Permit a Banquet Hall (Trisha Bumpass & Standard Bank & Trust Co.)
Originated By/Contact:	Tonya Zozulya, Economic Development Coordinator Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- Trisha Bumpass, contract purchaser for the property located at 21657 and 21661 Milwaukee Avenue, and Standard Bank & Trust Co, property owner, seek to rezone the property from R1 Single-Family Residence to B2 General Business District. The petitioner also seeks a Special Use permit to allow an assembly use (banquet hall) and related Village Code variations for the former Cubby Bear property. The site is depicted on the attached Location Map (note the property is being assigned a 4-digit Lincolnshire address).
- Loft 21 proposes to operate a banquet facility within the existing 31,000-square-foot, two-story commercial building on the former Cubby Bear sports bar site. The banquet use plans to host corporate, social and charity events and house a non-cooking kitchen, offices and storage on the lower level. Refer to the attached cover letter for additional information regarding proposed business operations and attached list of proposed interior and exterior improvements provided by the petitioner.
- The subject property was annexed into Lincolnshire earlier this year. The property was originally developed as Julie's Country Western Saloon in 1995 and operated for 2.5 years. For a short period after Julie's closed, the property was operated as Gold Dust, a country western bar. In 1999, the property was sold and operated as Cubby Bear North, a restaurant and sports bar until January 1, 2014. The facility has remained vacant since that time.
- The Village Board reviewed and referred this request to the Zoning Board for a Public Hearing at its April 25, 2016 meeting.

Summary – Item 3.1, Rezoning:

- The property is currently zoned R1 Single-Family Residence, which is the default zoning classification for newly annexed properties in the Village.
- Banquet halls are commercial uses not permitted in residential zones. Given the property location along the Milwaukee Avenue arterial with established business uses, the petitioner requests a rezoning to B2 Business Zoning District. The adjacent CityPark and Lincolnshire Commons retail centers to the northeast are zoned B2. In addition, surrounding properties to the north and south will likely develop for commercial use in the future.
- All B2 commercial zoning requirements will be met on this property, including the lot size, setbacks and building height.
- The petitioner submitted the attached responses to the Rezoning Standards for the Zoning Board's review. The Zoning Board must find every standard has been satisfactorily addressed to recommend approval of the request.

Summary – Item 3.2, Special Use:

- Loft 21 also requests a Special Use for their proposed banquet hall.
- Banquet halls are permitted in the B2 District with a Special Use permit only. The Special Use process provides an opportunity for the Village to evaluate additional characteristics regarding parking, sound levels, and general operations to ensure the use does not adversely impact surrounding properties. Noah's Event Venue was previously permitted with a Special Use permit in the Office/Industrial Zoning District.
- The petitioner states in the attached cover letter the office hours will be 10 a.m. to 7 p.m. Monday through Saturday. They expect special events to end at midnight on weekdays and at 1 a.m. on Fridays, Saturdays and Sundays. The petitioner anticipates 2 to 3 weekday events and 3 to 4 weekend events per month.
- They anticipate a total of 15 employees in the building.
- The Code-required parking ratio is 1 space per 4 persons at maximum occupancy (see attached) established for meeting and event venues.
- The site plan shows 255 parking spaces will be provided, including 7 ADA spaces, which is sufficient for over 1,000 building occupants based on a code-required parking ratio. The Petitioner stated this will meet their desired peak occupancy levels.
- Site access via an existing curb cut off Milwaukee Avenue will not change. The Site Plan shows existing parking spaces in front of the building and along the south property line to be eliminated. Internal site circulation will be enhanced with the addition of a pick-up/drop-off zone in the front and parking layout revisions. The attached KLOA parking study indicates no access or parking challenges expected as a result of the proposed banquet hall use.
- **Staff requests the Zoning Board consider whether time limitations on the use of live or recorded music on the outside deck should be incorporated into the Special Use approvals to prevent nighttime sound impacts on adjacent developments.** Please note the Special Use Ordinance granted to Noah's banquet center establishes a 9 p.m. outdoor patio music limitation on weekdays and 11 p.m. on weekends given the proximity of a hotel.
- The Petitioner submitted the attached lighting plans indicating compliance with the code-permitted maximum light levels of 0.5 foot candles at the property line.
- Loft 21 does not intend to change the existing wet-bottom storm water detention area in the rear of the building at this time. Based on their discussions with the Lake County Storm Water Management Commission (SMC), no changes to the existing detention facility are required. The Petitioner is required, by the SMC, to remove existing fences adjacent to the pond due to floodway conditions (no fences are permitted in floodway zones). Loft 21 will comply with this requirement. **Staff recommends a stipulation be made to require the petitioner remove any debris from the detention pond and surrounding areas and enhance the pond aesthetics by adding plantings in appropriate locations. The petitioner is also encouraged to consider relocating the detention area to the far back of the property and convert it for a dry-bottom pond to enhance aesthetics in the future to improve the functionality and appearance of the site.**
- The petitioner submitted the attached responses to the Special Use Standards for the Zoning Board's review. The Zoning Board must find every standard has been satisfactorily addressed to recommend approval of the request.

Summary – Item 3.3, Variations:

- The following variations are sought due to existing hardships on the property (see attached cover letter):
 1. Section 6-11-2 (C) to allow a reduction in the minimum required length of a parking stall from 19' to 18'.

2. Section 6-11-2 (C) to allow a reduction in the minimum required parking lot drive aisle width from 25' to 24'.
 3. Section 6-11-2(E)(2) to allow no landscaping on islands at the end of each parking row.
 4. Section 6-11-2(E)(3) to allow no parking islands at each end of parking aisles.
 5. Section 6-11-2(E)(5) to allow no landscape islands for every 15 parking spaces.
 6. Section 13-2-4(C)(5)(b) to allow no continuous 8' landscape planting area between the building and parking areas.
- The petitioner indicates compliance with the above-stated code regulations (without variations) would require redesigning the parking lot in such a manner as to vastly diminish the amount of available parking to service the existing building, resulting in the loss of approximately 109 parking spaces.
 - In consultation with the Village Attorney, the following non-compliant items are to be addressed as legal non-conformities (rather than variations), subject to the Village Code's Non-Conforming regulations to ensure they are brought into compliance when significant future improvements are made:
 1. Pavement within 5' of the property line.
 2. Light poles taller than 25'.
 - The petitioner submitted the attached responses to the Variation Standards for the Zoning Board's review. The Zoning Board must find every standard has been satisfactorily addressed to recommend approval of the request.

Staff Recommendations:**Rezoning**

Recommend approval to the Village Board of a Rezoning from R1 Single-Family Residence to B2 Business.

Special Use Permit

Recommend approval to the Village Board of a Special Use permit for a banquet hall with the following conditions:

1. The existing detention pond shall be improved to comply with Section 13-2-8 of the Village Code, Landscape Requirements for Stormwater Facilities.
2. The parking lot shall be sealcoated and refinished.
3. Parking lot markings, including applicable handicapped markings, shall be reapplied to clearly demarcate the location of each parking space and all no parking zones.
4. The owner shall install bollards in the southeast corner of the property to prevent any invitee or guest from parking or driving on an adjacent property to the south.

Variations

Recommend approval to the Village Board of requested variations.

Motion – Item 3.1 (Rezoning):

Having made findings based on facts covered in a Public Hearing held on May 10, 2016, the Zoning Board recommends approval to the Village Board of a rezoning from R1 Single-Family Residence to B2 Business, for Loft 21 Banquet Hall, located at 21657 and 21661 Milwaukee Avenue, as presented as presented in a presentation packet prepared by Loft 21, Inc, dated May 2, 2016, and as presented in Staff's memorandum dated May 10, 2016, and further subject to.

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

Motion – Item 3.2 (Special Use):

Having made findings based on facts covered in a Public Hearing held on May 10, 2016, the Zoning Board recommends approval to the Village Board of a Special Use to permit a banquet hall at 21657 and 21661 Milwaukee Avenue, as presented as presented in a presentation packet prepared by Loft 21, Inc., dated May 2, 2016, and as presented in Staff's memorandum dated May 10, 2016, and further subject to.

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

Motion – Item 3.3 (Variations):

Having made findings based on facts covered in a Public Hearing held on May 10, 2016, the Zoning Board recommends approval to the Village Board of variations to Section 6-11-2 (C) to allow a reduction in the minimum required length of a parking stall from 19' to 18'; Section 6-11-2 (C) to allow a reduction in the minimum required parking lot drive aisle width from 25' to 24'; Section 6-11-2(E)(2) to allow no landscaping on islands at the end of each parking row; Section 6-11-2(E)(3) to allow no parking islands at each end of parking aisles; Section 6-11-2(E)(5) to allow no landscape islands for every 15 parking spaces, and Section 13-2-4(C)(5)(b) to allow no continuous 8' landscape planting area between the building and parking areas, for Loft 21 Banquet Hall, located at 21657 and 21661 Milwaukee Avenue, as presented as presented in a presentation packet prepared by Loft 21, Inc, dated May 2, 2016, and as presented in Staff's memorandum dated May 10, 2016, and further subject to.

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

Reports and Documents Attached:

- Location Map, prepared by MGP GIS Consortium.
- Presentation Packet, prepared by Loft 21, dated May 2, 2016.
- Draft Ordinance, prepared by the Village Attorney.
- B2 Business Code section regarding assembly uses.
- Off-Street parking code requirements for meeting centers and event venues.
- Code landscaping requirements for stormwater facilities.
- Photographs of the existing site, prepared by staff.

Meeting History	
Village Board Preliminary Evaluation (COW):	April 25, 2016
Zoning Board Meeting (current)	May 10, 2016



LAW OFFICES

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BARRY ASH
GEORGE J. ANOS, 1951-2005
JOSEPH ASH, 1951-2012

May 2, 2016

Chairman Brian Manion
Members of the Zoning Board
The Village of Lincolnshire
One Olde Half Day Road
Lincolnshire, Illinois 60069

Re: 21657 and 21661 N. Milwaukee Avenue
Lincolnshire, Illinois
Cubby Bear Property

Dear Chairman Manion and Members of the Zoning Board:

Please be advised that I represent, Trisha Bumpass, the contract purchaser of the property commonly known as the Cubby Bear property who is proposing to renovate the existing facility to host high-end corporate, social, and charity events. Petitioner has been engaged in the event planning business for over 23 years and currently operates a highly successful event planning business. It is her intention to upgrade the existing facility and to utilize the main floor and upper loft area for events such as weddings, bar mitzvahs, corporate events, conferences, school events, and charity galas, providing audio, visual, and lighting features and making available catering services from a preferred list of caterers. The lower level of the existing building would be used for office space, storage, and kitchen use.

The subject property was zoned R-1 when involuntarily annexed to the Village and Petitioner is requesting that it be rezoned to the B-2 zoning classification and that a special use be granted for assembly. The existing facility is legally non-conforming as it was constructed under Lake County standards prior to annexation into the Village. In conjunction therewith, although Petitioner intends on making significant changes to the front of the existing building as well as removing all current parking spaces between the building and Milwaukee Avenue, she proposes to substantially maintain the current legally conforming parking plan in the rear, and as such is requesting a number of variations related to the parking lot, as set forth on a list of requested variations which is attached.

LAW OFFICES

ASH, ANOS, FREEDMAN & LOGAN, L.L.C.

Chairman Brian Manion
Members of the Zoning Board
The Village of Lincolnshire
May 2, 2016
Page 2

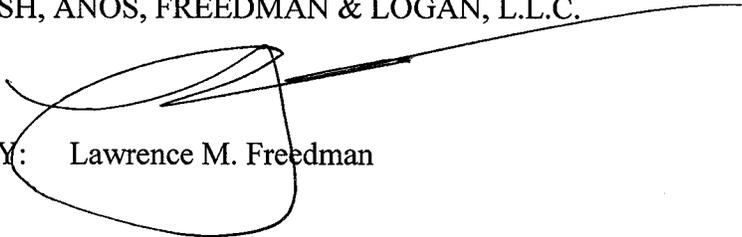
It is anticipated that during the week no events would likely continue past midnight, or 1 a.m. on Fridays, Saturdays, and Sundays. Office hours are anticipated to be 10 a.m. to 7 p.m. Monday through Saturday. It is also anticipated that there would be approximately two to three weekday events per month and three to four weekend events per month.

Copies of proposed responses to the standards for the requested relief are enclosed.
Thank you for your consideration.

Very truly yours,

ASH, ANOS, FREEDMAN & LOGAN, L.L.C.

BY: Lawrence M. Freedman



LMF:cas
Enclosures



architecture · interior design · management

1147 west ohio street suite 103 chicago, il 60642

March 18, 2016

Loft 21 Planned Improvements Summary (former Cubby Bear North)

21661 N Milwaukee Ave, Lincolnshire, IL 60069

The following is a summary of the planned improvements to the existing building at 21661 N Milwaukee Avenue in Lincolnshire. In addition to the below summary, please refer to the attached plans and renderings for graphical representation of our proposal.

Interior Work:

We are planning to remove the existing built-in seating, finishes, and non-loadbearing partitions in order to open the space up. The mechanical, electrical, and plumbing systems will be upgraded or replaced. The existing bars will be made smaller and the stage will be removed. New fixtures, finishes, lighting, and A/V systems will be installed. No changes will be made to the existing structure of the building. The existing sprinkler system will remain.

Exterior Work:

We are planning to improve the existing façade per the conceptual rendering. The existing wood deck footprint and structure will remain as-is, with new/replaced guard rails and trellis elements. Other improvements will include new paint and lighting. New landscaping is planned for the building perimeter and additional planting areas per the landscape plan. We are eliminating the parking in front of the building, and restriping the rear parking lot with small modifications.

We hope that you find our proposal favorable, as we think it will bring a significant improvement to the existing building and surrounding site.

Thank you for your consideration,

Andy Bonesz
d+k Architects

Exhibit B-1

FINDINGS OF FACT REZONING LOFT 21 (former Cubby Bear North Property)

1. Existing zoning classification of the property.

The existing zoning for the Subject Property is R-1 single family.

2. Existing uses of property and existing physical, social or economic factors within the general area of the property in question.

The Subject Property is currently unoccupied, but is improved with a building which formerly housed the Cubby Bear North restaurant/bar and prior similar uses. The general area in which the property is located is improved with corridor commercial uses such as City Park at Lincolnshire and Lincolnshire Commons.

3. The zoning classification of property within the general area of the property in question.

A number of properties in the area are zoned R-1 single family, as a result of having been involuntarily annexed to the Village, at which time the R-1 zoning classification became applicable as a matter of law. Properties located immediately across Milwaukee Avenue are developed for corridor commercial uses similar to that proposed use, and are zoned B-2 General Business District.

4. The suitability of the property in question to the uses permitted under the existing or proposed zoning classification.

The Subject Property, as zoned R-1 single family, is not suitable for the proposed commercial use, although the proposed use would be suitable under the B-2 General Business District being requested.

5. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification.

The trend of development along the Milwaukee Avenue corridor, exemplified by City Park at Lincolnshire and Lincolnshire Commons Development on the west side of Milwaukee Avenue, is corridor commercial.

6. *The length of time the property has been vacant as zoned.*

Upon the recent involuntarily annexation of the property to the Village, the property was zoned R-1 single family as a matter of law. The property continued to remain unoccupied since the time of such recent rezoning. Preceding the annexation, the property had been vacant since January 2014.

7. *The extent to which the property's value is diminished by the existing zoning classification.*

Given the location of the property along the commercial corridor of Milwaukee Avenue and the commercial use of the property prior to the involuntary annexation by the Village, the current zoning of R-1 single family is not the highest and best use for the Subject Property given its frontage on Milwaukee Avenue and the history of uses on the Subject Property.

8. *The impact upon the objectives of the official Comprehensive Plan of the Village, as amended.*

The Official Comprehensive Plan recommends that the Subject Property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the Subject Property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the Subject Property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the Subject Property. Accordingly, the proposed use meets the objectives of the Official Comprehensive Plan.

Exhibit B-2

FINDINGS OF FACT FOR SPECIAL USE LOFT 21 (former Cubby Bear North Property)

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

Applicant is seeking a special use permit for an assembly use for a banquet facility and intends to utilize the existing building which housed the former Cubby Bear North restaurant and bar. The existing building, although in need of cosmetic renovations, has been adequately designed to accommodate Applicant's intended use, including necessary parking. Similar uses in the past have proven to be compatible with neighboring uses evidencing the fact that the proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject premises. Comparable previous uses in the building have not substantially diminished nor impaired property values within the neighborhood.

2. *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.*

It is anticipated that any further development in the immediate vicinity of the Subject Property will be commercial in nature in keeping with the Village's Comprehensive Plan, which recommends corridor commercial use which would be compatible with existing uses in proximity to the proposed use, such as City Park at Lincolnshire and Lincolnshire Commons. Accordingly, the establishment of the requested special use will not impede the normal and orderly development and improvement of the surrounding properties.

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

Adequate utilities are already in place, having serviced previous businesses located on the subject site. The Subject Property fronts directly on Milwaukee Avenue, thereby providing more than adequate access. Presently existing storm water drainage facilities provide all necessary facilities to service the proposed use.

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

Ingress and egress is directly provided to and from Milwaukee Avenue and as indicated in the traffic study done on behalf of Applicant, the subject site and

proposed operation have been designed to minimize traffic congestion to the public streets.

5. *The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village as amended.*

The Official Comprehensive Plan recommends that the Subject Property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the Subject Property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the Subject Property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the Subject Property. Accordingly, the proposed use is in complete conformity with the Official Comprehensive Plan.

6. *The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be varied pursuant to Section 6-14-9 of this Chapter.*

Upon rezoning the Subject Property to the requested B-2 General Business District, it will conform to the applicable regulations of the district, with the exception of the specific requested variations being considered contemporaneously, which relate primarily to the parking lot area, and with the further exception of some existing legally non-conforming conditions which are compatible with the proposed use and will be amortized in compliance with the Village Code.

**STANDARDS FOR ZONING VARIATION
LOFT 21 (former Cubby Bear North Property)**

Applicant is requesting the following variations:

- a) To permit parking spaces of 18 feet in length rather than 19 feet in length.
- b) To permit drive aisles of 24 feet rather than 25 feet.
- c) Not to require the addition of landscape islands at the end of each parking row.
- d) Not to require the addition of landscape islands for every 15 parking spaces.
- e) Not to require continuous 8 foot landscaping planting area between the building and parking areas.

All of said variations essentially seek to allow the existing legally nonconforming parking lot, having been built under the then applicable zoning ordinances of Lake County, to remain in its current configuration, in order to avoid redesigning the parking lot in such a manner as to diminish the amount of available parking to service the existing building, which redesign would result in the loss of approximately 109 parking spaces and reduce allowable occupancy by approximately 400 people. The requested variations meet the standards for zoning variations as indicated as follows:

- 1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;***

In order to provide sufficient parking to service the available capacity in the existing building, the requested variations are required, in that to fully comply with current Village parking standards would result in the number of parking spaces being dramatically reduced to a level which would provide inadequate parking for the proposed activities.

- 2. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located;***

Were the parking lot to be designed to fully comply with current Village standards, the number of parking spaces available to service the existing building would be so significantly reduced as to limit the available capacity in the building to a level which would not be economically feasible to operate the proposed facility.

- 3. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification;***

The conditions which form the basis for the requested variations are the result of Applicant's desire to utilize the existing building and parking lot at their current design capacity, which is the result of the fact that the property was developed under Lake County zoning regulations, and is not being newly developed but is being renovated with the basic existing building and parking lot design being maintained.

- 4. The purpose of the variation is not based primarily upon a desire to increase financial gain;***

The purpose of the variations is to continue to utilize the existing parking lot to maintain the current capacity of the existing building, which could not be accomplished were current parking lot standards required to be met. The difficulty results from the building and parking lot being constructed pursuant to Lake County ordinances and the property subsequently being involuntarily annexed to the Village, which has more stringent parking lot design requirements than Lake County. The existing conditions have existed for a number of years and have posed no detrimental impact upon the public welfare nor injury to other property or improvements in the neighborhood.

- 5. The alleged difficulty is caused by this Title and has not been created by any persons presently having an interest in the property;***

The difficulty in question results from a pre-existing condition dating back to when the building and parking lot were first constructed, which pre-dates the Applicant.

- 6. The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;***

The granting of the requested variations would allow the existing parking lot design to continue, which condition has never proved to be detrimental to the public welfare nor injurious to other properties or improvements in the neighborhood of the Subject Property.

- 7. The granting of the variation will not alter the essential character of the neighborhood or locality;***

The essential character of the neighborhood is that of corridor commercial and the granting of the requested variations will not alter this essential character.

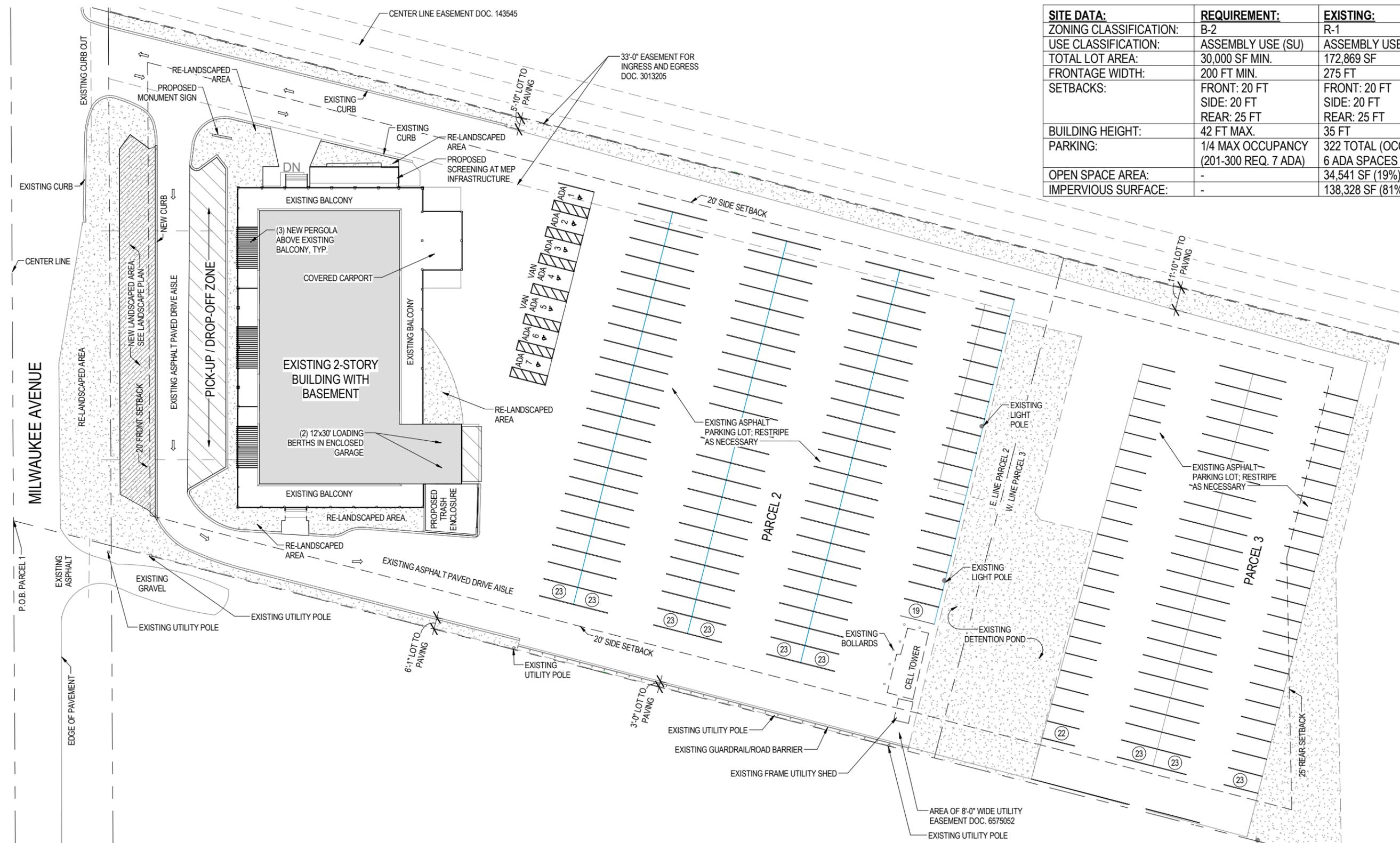
8. ***The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;***

The proposed variations are related to parking lot improvements and as such will have no impact on an adequate supply of light or air to adjacent properties. The parking lot as designed has functioned with prior similar businesses and has not resulted in any increase in congestion of public streets nor increased danger of fire, impairment of natural drainage, or created drainage problems on adjacent properties. The previous operations on the subject site have not, nor will the proposed use, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

9. ***The proposed variation is consistent with the Official Comprehensive Policies Plan of the Village and other development codes of the Village.***

The Official Comprehensive Plan recommends that the Subject Property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the Subject Property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the Subject Property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the Subject Property. Accordingly, the proposed use is consistent with the Official Comprehensive Plan.

SITE DATA:	REQUIREMENT:	EXISTING:	PROPOSED:
ZONING CLASSIFICATION:	B-2	R-1	B-2
USE CLASSIFICATION:	ASSEMBLY USE (SU)	ASSEMBLY USE (SU)	NO CHANGE
TOTAL LOT AREA:	30,000 SF MIN.	172,869 SF	NO CHANGE
FRONTAGE WIDTH:	200 FT MIN.	275 FT	NO CHANGE
SETBACKS:	FRONT: 20 FT SIDE: 20 FT REAR: 25 FT	FRONT: 20 FT SIDE: 20 FT REAR: 25 FT	FRONT: NO CHANGE SIDE: NO CHANGE REAR: NO CHANGE
BUILDING HEIGHT:	42 FT MAX.	35 FT	NO CHANGE
PARKING:	1/4 MAX OCCUPANCY (201-300 REQ. 7 ADA)	322 TOTAL (OCC=1288) 6 ADA SPACES	255 TOTAL (OCC=1020) 7 ADA SPACES (2 VAN)
OPEN SPACE AREA:	-	34,541 SF (19%)	37,902 SF (22%)
IMPERVIOUS SURFACE:	-	138,328 SF (81%)	134,967 SF (78%)



1 CONCEPTUAL SITE PLAN
1" = 50'-0"

SHEET:	SK-2
SCALE:	AS NOTED
DATE:	2016-05-02
PROJECT #:	1605

CONCEPTUAL SITE PLAN

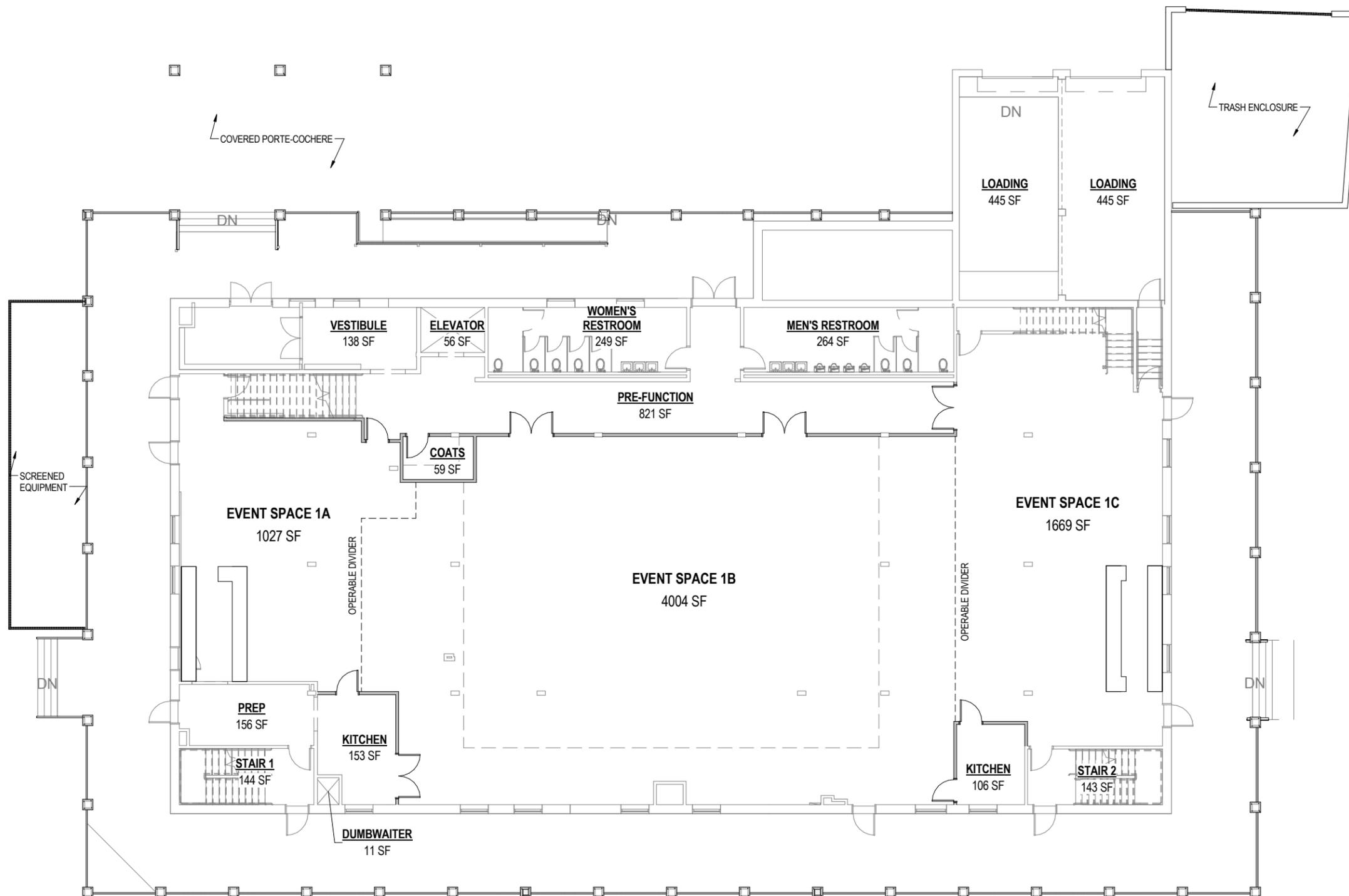
LOFT 21 (FORMERLY CUBBY BEAR NORTH)

21661 N MILWAUKEE AVE
LINCOLNSHIRE, IL 60069

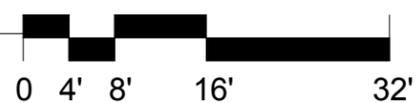
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1 FIRST FLOOR SPACE PLAN
1/16" = 1'-0"



SHEET: **SK-12**

SCALE: AS NOTED

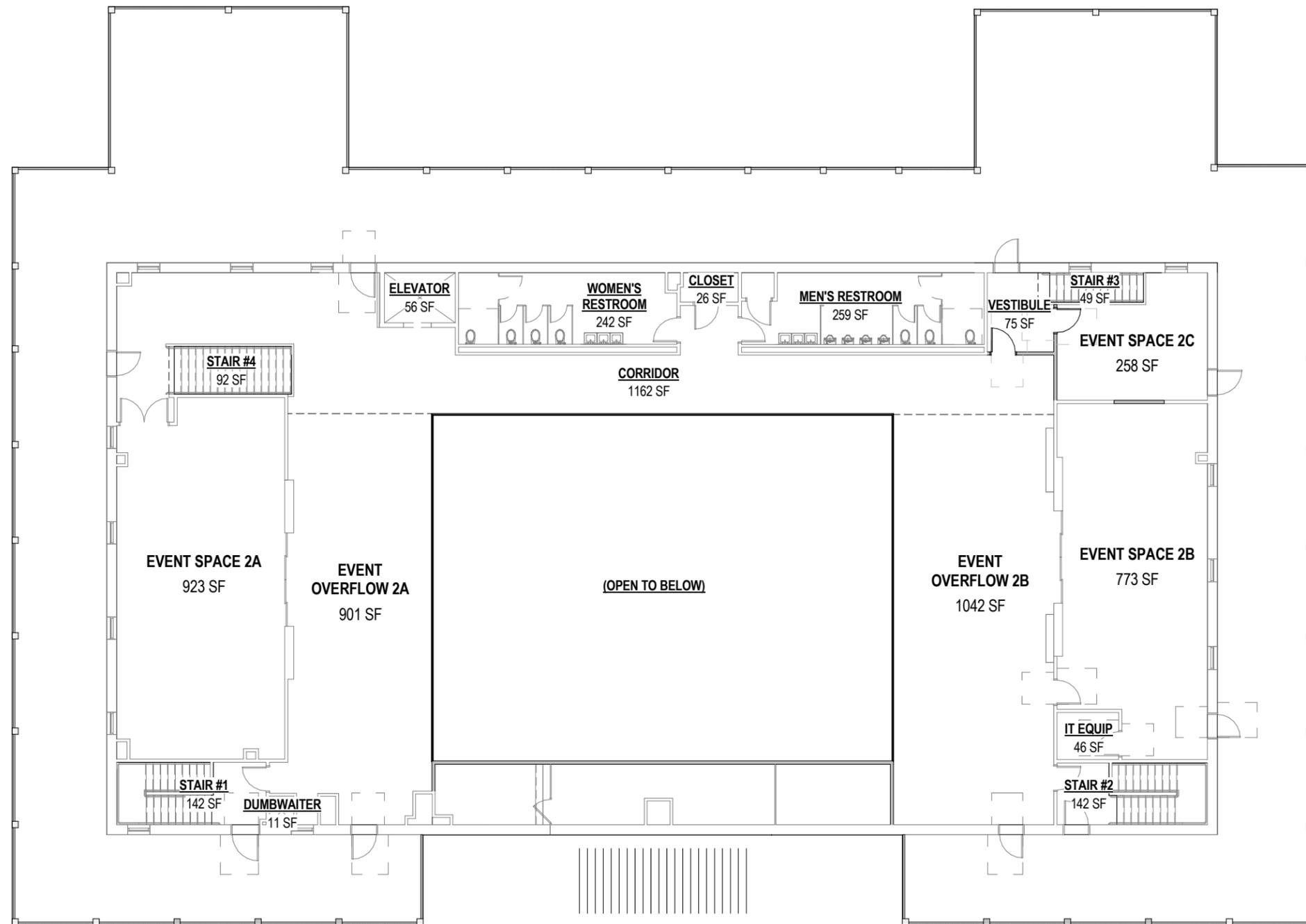
DATE: 2016-05-05

PROJECT #: 1605

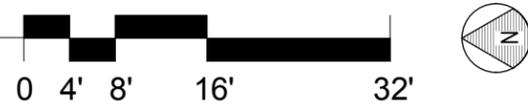
FIRST FLOOR PLAN

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
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1 SECOND FLOOR SPACE PLAN
1/16" = 1'-0"



SHEET: **SK-13**

SCALE: AS NOTED

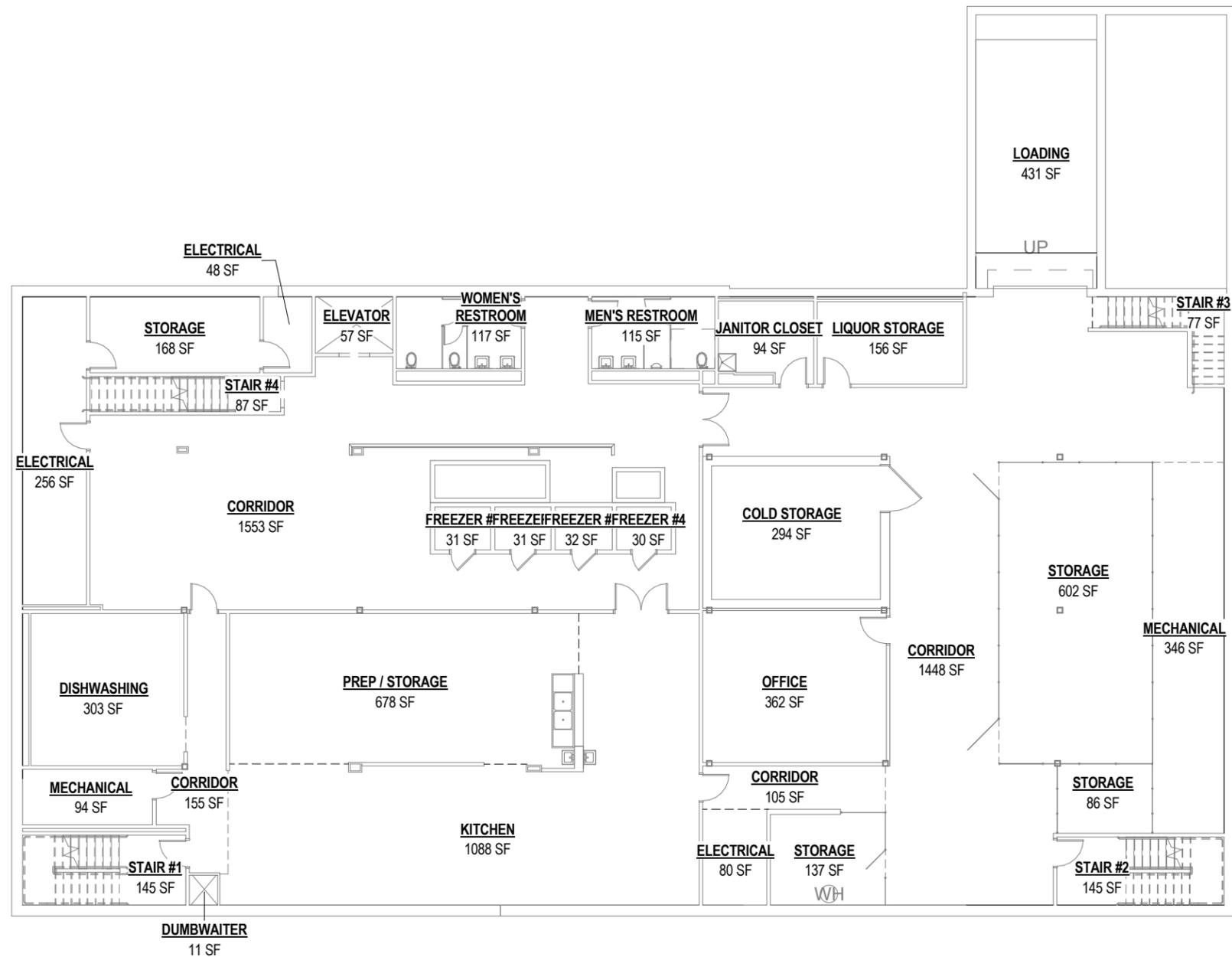
DATE: 2016-05-05

PROJECT #: 1605

SECOND FLOOR PLAN

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
21661 N MILWAUKEE AVE
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1 BASEMENT SPACE PLAN
 1/16" = 1'-0"

SHEET: **SK-11**

SCALE: AS NOTED

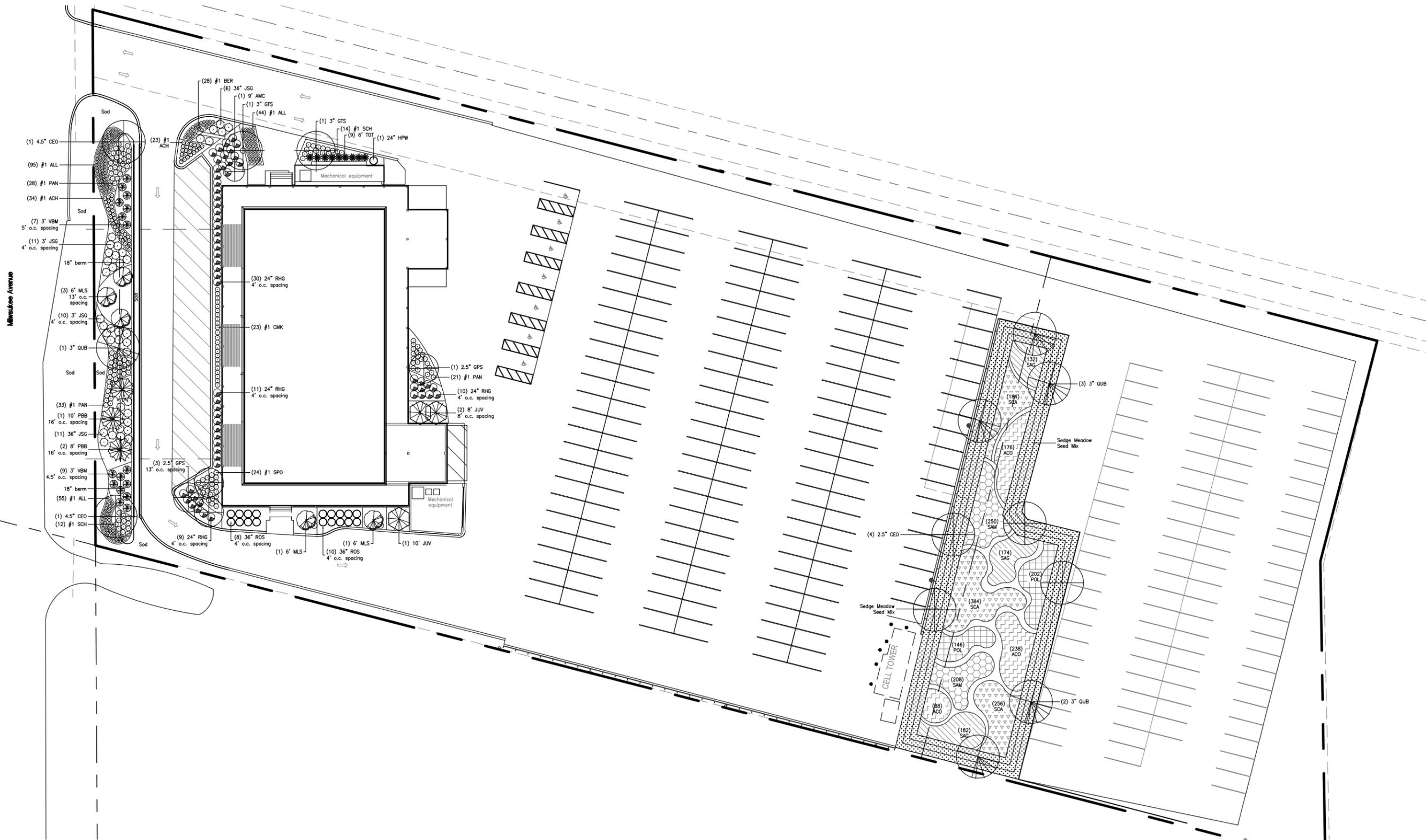
DATE: 2016-05-05

PROJECT #: 1605

BASEMENT FLOOR PLAN

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
 21661 N MILWAUKEE AVE
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SHEET: **L-100**



SCALE: 1" = 50'

DATE: 2016-05-02

PROJECT #: 1605

LANDSCAPE PLAN

LOFT 21 (FORMERLY CUBBY BEAR NORTH)

21661 N MILWAUKEE AVE
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Landscape Calculations

Total Impervious Area	172,869 square feet	Total Pervious Area	37,902 square feet
Building Footprint (excluding deck)	10,994 square feet	Detention Basin	11,797 square feet
Deck Footprint	5,784 square feet	Landscape Areas	26,105 square feet
Walks	720 square feet		
Parking Lot	117,469 square feet		

Sedge Meadow Seed Mix

Grasses, Sedges, and Rushes Botanical Name	Common Name	Oz./Acre	Total lbs./Acre
Carex comosa	Bristly Sedge	16	
Carex vulpinoidea	Brown Fox Sedge	16	
Elymus virginicus	Virginia Wild Rye	48	
Panicum virgatum	Switch Grass	128	
Total Grasses, Sedges, and Rushes:		208	13

Forbs Botanical Name	Common Name	Oz./Acre	Total lbs./Acre
Asclepias incarnata	Swamp Milkweed	8	
Helenium autumnale	Sneezeweed	5	
Labelia cardinalis	Cardinal Flower	2	
Labelia siphilitica	Great Blue Labelia	1	
Penstemon digitalis	Foxglove Beard Tongue	5	
Physostegia virginiana	Obedient Plant	5	
Solidago riddellii	Riddell's Goldenrod	6	
Total Forbs:		32	2

Total Grasses, Sedges, Rushes and Forbs: 240 15

Temporary Cover Crop Botanical Name	Common Name	Oz./Acre	Total lbs./Acre
Avena sativa	Common Oats	320	20

Applied at the rate of 15 lbs. per acre. | Cover with NAG S75BN Erosion Control Blanket (biodegradable).

Plant List

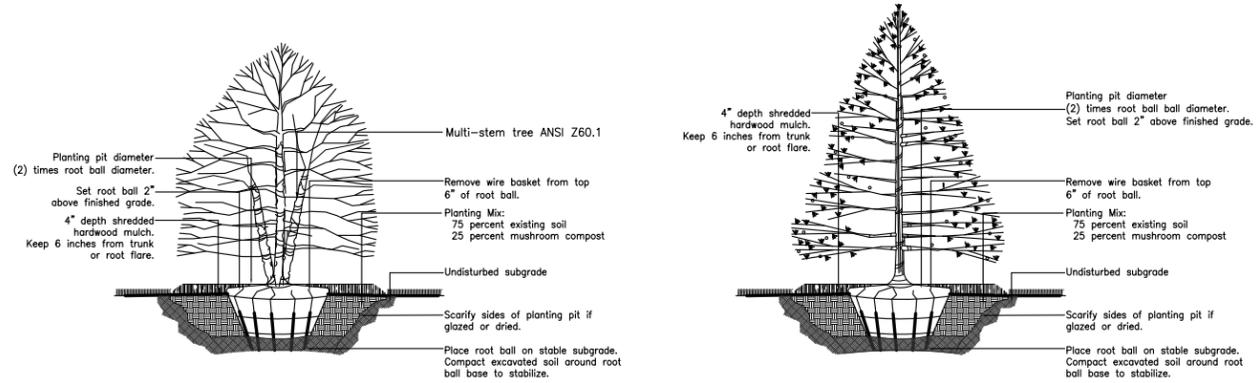
Shade Trees						
Key	Qty.	Size	Botanical Name	Common Name	Remarks	Flowering Period
CEO	4	2.5"	Celtis occidentalis 'Prairie Pride'	Prairie Pride Common Hackberry	BB	N/A
CEO	2	4.5"	Celtis occidentalis 'Prairie Pride'	Prairie Pride Common Hackberry	BB	N/A
GPS	4	2.5"	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	BB	N/A
GTS	2	3"	Gleditsia triacanthos var. inermis 'Skyline'	Skyline Thornless Honeylocust	BB	N/A
QUB	6	3"	Quercus bicolor	Swamp White Oak	BB	N/A

Ornamental Trees						
Key	Qty.	Size	Botanical Name	Common Name	Remarks	Flowering Period
AMC	1	9"	Amelanchier canadensis	Shadblow Serviceberry	BB/Clump	April - May
MLS	5	6"	Malus sargentii	Sargent Crabapple	BB/Clump	April - May

Evergreen Trees						
Key	Qty.	Size	Botanical Name	Common Name	Remarks	Flowering Period
JUV	2	8"	Juniperus virginiana	Eastern Redcedar	BB	N/A
JUV	1	10'	Juniperus virginiana	Eastern Redcedar	BB	N/A
PBB	2	8"	Picea pungens 'Baby Blueeyes'	Baby Blueeyes Spruce	BB	N/A
PBB	1	10'	Picea pungens 'Baby Blueeyes'	Baby Blueeyes Spruce	BB	N/A

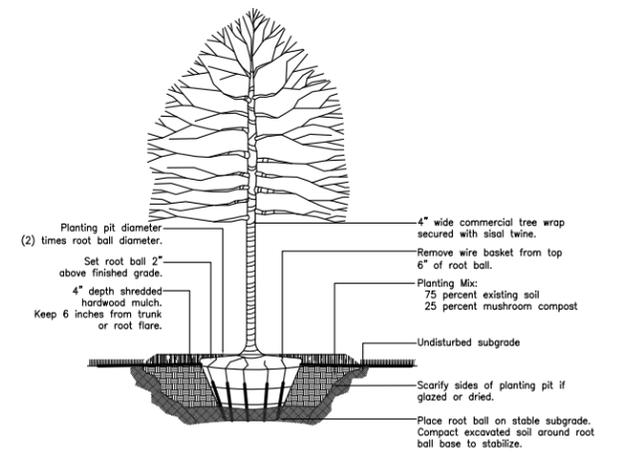
Shrubs						
Key	Qty.	Size	Botanical Name	Common Name	Remarks	Flowering Period
HPW	1	24"	Hydrangea paniculata 'Pinky Winky'	Pinky Winky Hydrangea	BB	July - Sept.
JSC	38	3"	Juniperus chinensis 'Sea Green'	Sea Green Juniper	BB	N/A
RHG	60	24"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	BB	March - April
ROS	18	#3	Rosa 'Foverment'	Pink Foverment Rose	Container	May - Sept.
TOT	9	6"	Thuja occidentalis 'Technyji'	Mission Arborvitae	BB	N/A
VBM	16	3"	Viburnum dentatum 'Christom'	Blue Muffin Arrowwood Viburnum	BB	May

Perennials and Ornamental Grasses						
Key	Qty.	Size	Botanical Name	Common Name	Remarks	Flowering Period
ACH	57	#1	Achillea 'Moonshine'	Moonshine Yarrow	Container	July - Sept.
ACO	502	2"	Acorus calamus	Sweet Flag	Plugs	May - June
ALL	194	#1	Allium 'Summer Beauty'	Summer Beauty Allium	Container	July - Aug.
BER	28	#1	Bergenia cordifolia 'Winter Glow'	Winter Glow Bergenia	Container	April
CMK	23	#1	Calamagrostis acutiflora 'Karl Foerster'	Feather Reed Grass	Container	June - July
PAN	82	#1	Panicum virgatum	Switch Grass	Container	July
POL	348	2"	Polygonum amphibium	Water Smartweed	Plugs	July - Sept.
SAG	488	2"	Sagittaria latifolia	Broadleaf Arrowhead	Plugs	July - Sept.
SAM	458	2"	Scirpus americanus	Charismatic's Rush	Plugs	May - Sept.
SCA	824	2"	Scirpus acutus	Hard Bulrush	Plugs	June - Sept.
SCH	26	#1	Schizachyrium scoparium	Little Bluestem	Container	Sept. - Oct.
SPO	24	#1	Sporobolus heterolepis	Prairie Dropseed	Container	Aug. - Sept.

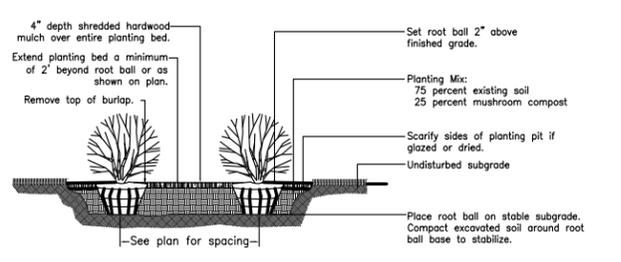


Detail Deciduous Ornamental Tree Planting

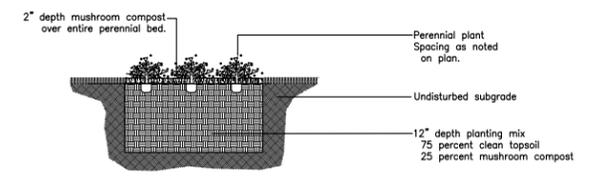
Detail Evergreen Tree Planting



Detail Deciduous Tree Planting



Detail Shrub Planting



Detail Perennial Planting

SHEET: **L-101**

SCALE: Not to Scale

DATE: 2016-05-02

PROJECT #: 1605

LANDSCAPE DETAILS

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
21661 N MILWAUKEE AVE
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Prairie Pride Common Hackberry



Princeton Sentry Ginkgo



Skyline Thornless Honeylocust



Swamp White Oak



Shadblow Serviceberry



Sargent Crabapple



Eastern Redcedar



Baby Blueeyes Spruce



Pinky Winky Hydrangea



Sea Green Juniper



Gro-Low Fragrant Sumac



Pink Pavement Rose



Blue Muffin Arrowwood Viburnum



Moonshine Yarrow



Sweet Flag



Summer Beauty Allium



Winter Glow Bergenia



Feather Reed Grass



Switch Grass



Water Smartweed



Broadleaf Arrowhead



Chairmaker's Rush



Hard Bulrush



Little Bluestem



Prairie Dropseed

SHEET: **L-102**

SCALE: Not to Scale

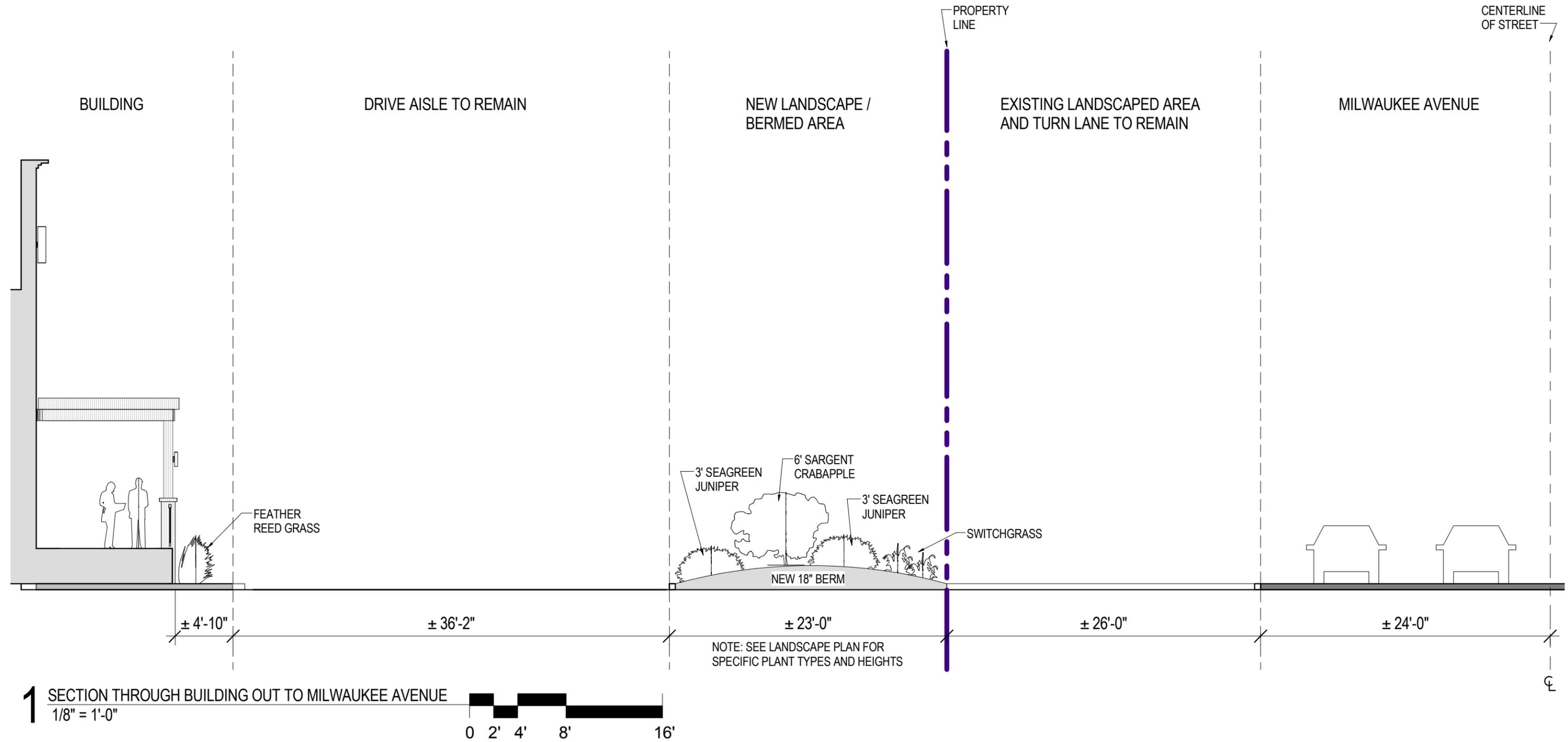
DATE: 2016-05-02

PROJECT #: 1605

PLANT PALETTE

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
21661 N MILWAUKEE AVE
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SHEET: **SK-5**

SCALE: AS NOTED

DATE: 2016-05-02

PROJECT #: 1605

STREET AND LANDSCAPE SECTION

LOFT 21 (FORMERLY CUBBY BEAR NORTH)
21661 N MILWAUKEE AVE
LINCOLNSHIRE, IL 60069

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MEMORANDUM TO: Ted Peck
D+K

FROM: William R. Woodward
Senior Consultant

Luay R. Aboona, PE
Principal

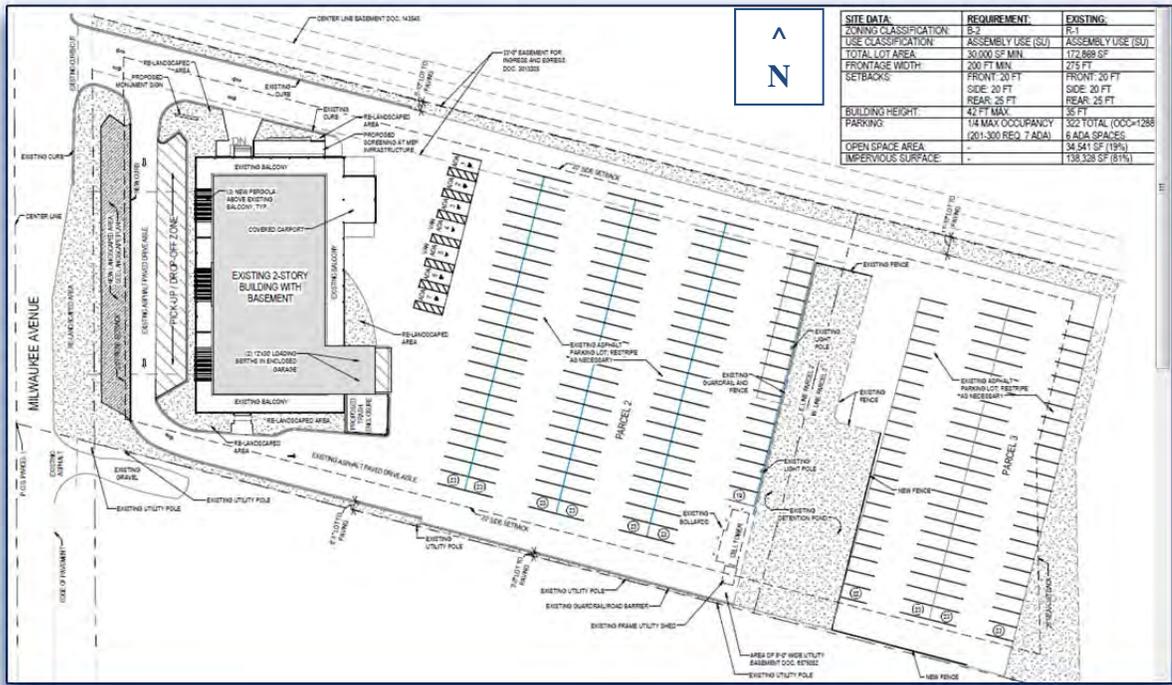
DATE: May 4, 2016

SUBJECT: Preliminary Site Circulation and Parking Evaluation
Loft 21 Development
Lincolnshire, Illinois

This memorandum summarizes the results of a preliminary summary site circulation and parking evaluation conducted by Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Loft 21 development to be located at 21661 North Milwaukee Avenue in Lincolnshire, Illinois. The site is the location of the former Cubby Bear North establishment.

The plans call for remodeling the existing building to provide banquet and entertainment space for up to 1,020 persons. The existing surface parking area will be modified to provide a total of 255 parking spaces, which includes seven accessible spaces. **Figure 1** shows the proposed site plan.

The purpose of this evaluation was to address internal circulation and site access and evaluate the parking needs of the proposed development.



Proposed Site Plan

Figure 1

Existing Roadway Characteristics

Milwaukee Avenue (IL 21) provides two through lanes in each direction. In the vicinity of the site, Milwaukee Avenue carries an average daily traffic volume (ADT) of 34,400 vehicles and the posted speed limit is 45 mph. Milwaukee Avenue is under the jurisdiction of the Illinois Department of Transportation (IDOT) and is classified as a Strategic Regional Arterial (SRA). The nearest traffic signals are located at Aptakisic Road, approximately 1,200 feet north of the site access, and at Busch Parkway/Chicory Lane, approximately 2,200 feet south of the site access.

Development Access

The development will continue to be served by the main access driveway off Milwaukee Avenue (IL 21), providing one lane inbound and one lane outbound under stop sign control. The access drive is located approximately 1,200 feet south of Aptakisic Road. No improvements are proposed to Milwaukee Avenue. Southbound to eastbound left-turn movements entering the development will be made from the existing inside southbound through lane. Similarly, northbound to eastbound right-turn movements entering the development will be made from the existing outside northbound through lane. Given that a majority of the venues will occur outside peak commuting times along IL 21 (late evening on both a weekday and a Saturday), the proposed access drive and geometrics will continue to be adequate to accommodate peak traffic volumes accessing the proposed development.

Internal Circulation

Vehicles will enter from Milwaukee Avenue and proceed directly east to the rear of the site to access the surface parking areas or immediately turn right to travel south along the west face of the building to access the drop-off/pick-up area.

Drop-off/Pick-up Area

The drop-off/pick-up area will be located on the west/main face of the building adjacent to Milwaukee Avenue. The area currently has angled parking with a one-way northbound orientation. As requested by the Village of Lincolnshire staff, the angled parking will be eliminated. Further, the area will have a one-way, southbound orientation, providing a lay-by lane with storage for approximately seven vehicles, and a bypass driving lane.

Parking Circulation

The surface parking area will be redesigned to eliminate existing dead-end parking aisles and provide overall better circulation between the parking aisles.

Parking Evaluation

As noted, the development proposes a total of 255 parking spaces, which includes seven accessible parking spaces.

The Village of Lincolnshire's Code requires 25 percent of the maximum occupancy (1,020 persons), or 255 parking spaces. As such, the proposed parking supply meets Village Code.

Parking Dimensions

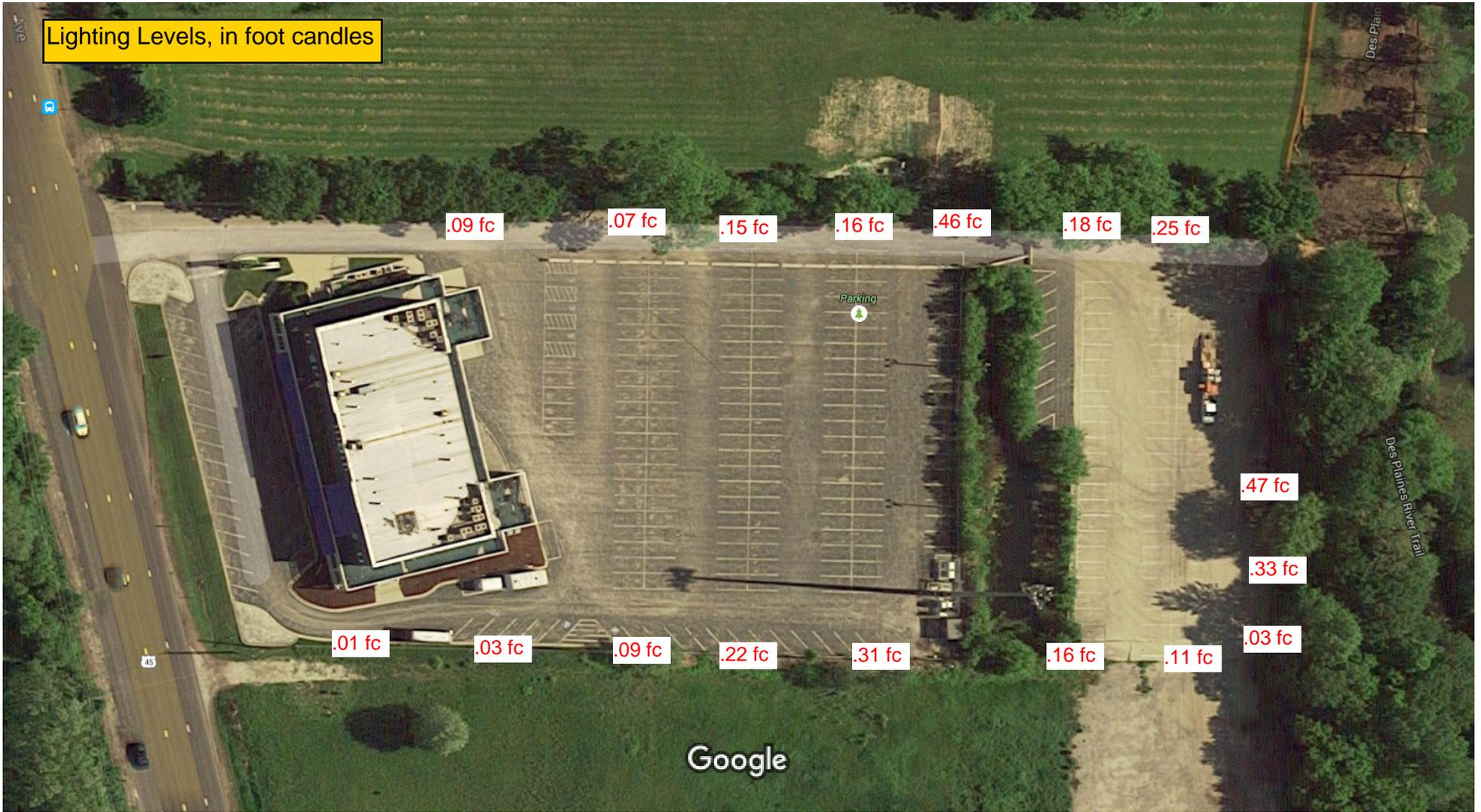
The Village Code requires 9 feet wide by 19 feet long with 25-foot aisle widths. The proposed parking modification plan will maintain the existing 9 feet wide by 18 feet long with 24-foot aisle widths. These dimensions are sufficient to accommodate the Loft 21 development for the following reasons.

- The proposed dimensions are consistent with industry standards.
- The parking lot will experience a low rate of turnover, if any, since vehicles arrive to attend one event for the evening and typically stay several hours.
- Given the site constraints, following code would only allow approximately 213 parking spaces as opposed to the proposed 255 parking spaces.

Conclusion

Based on the proposed development plan and the preceding evaluation, the following preliminary conclusions and recommendations are made.

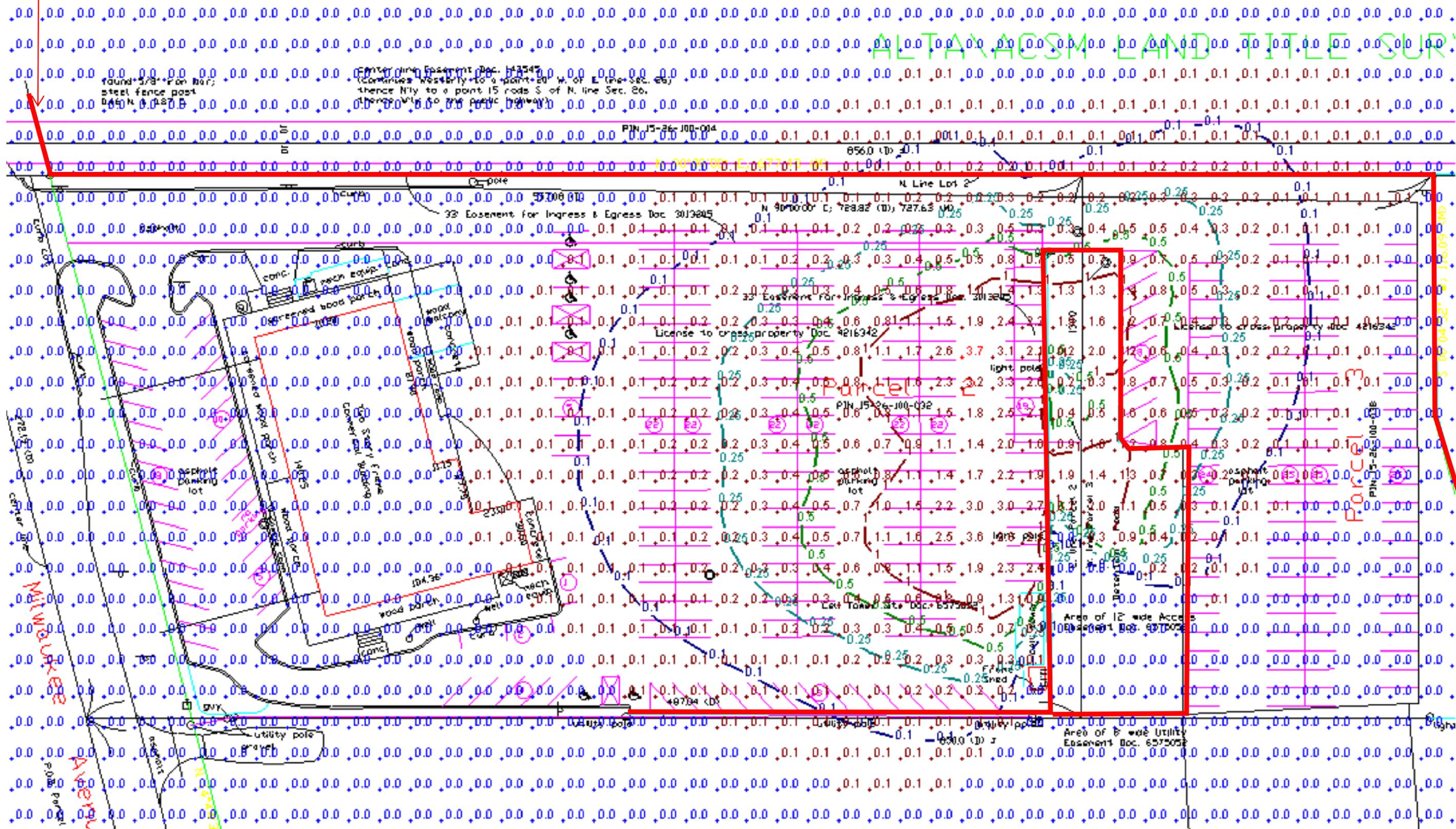
- The existing site access drive off Milwaukee Avenue will continue to be adequate to accommodate traffic during peak hour periods.
- The internal site circulation is enhanced with the modified parking layout.
- The proposed one-way southbound drop-off/pick-up zone will allow incoming traffic to flow away from the site access drive, thereby allowing freeflow movements along the site access drive at its approach to Milwaukee Avenue.
- The proposed 255 parking spaces meets Village Code.
- The proposed 9 foot wide by 18 foot long parking spaces with 24-foot aisle widths are consistent with industry standards and will be sufficient to accommodate the proposed development.





FENCE

ALTAMONTE LAND TITLE SURV



Current View

LIGHT POLE LOCATIONS
 FIXTURES ARE SHOWN AT 30'-0" MOUNTING HEIGHT. FIXTURES ARE ASSUMED TO BE 400 WATT METAL HALIDE FLOODLIGHTS. A DIRT DEPRECIATION FACTOR OF .65 HAS BEEN APPLIED.

Designer
 Date 4/22/2016
 Scale Not to Scale
 Drawing No.
 Summary



EXTERIOR CONCEPT RENDERING

**VILLAGE OF LINCOLNSHIRE
LAKE COUNTY, ILLINOIS**

ORDINANCE NO. _____

**AN ORDINANCE REZONING CERTAIN PROPERTY AND
GRANTING A SPECIAL USE AND VARIANCES FOR AN ASSEMBLY USE
(LOFT 21)**

WHEREAS, the Village of Lincolnshire is an Illinois home rule municipality operating under the Constitution and Laws of the State of Illinois;

WHEREAS, the Zoning Board convened a public hearing on May 10, 2016, notice of which was published in the Lincolnshire Review on April 21, 2016, on applications from Standard Bank & Trust Company (“Owner”) and Loft 21, Inc. (“Contract Purchaser”) (the Owner and Contract Purchaser are collectively referred to as the “Applicant”) with respect to property commonly known as 21657 and 21661 Milwaukee Avenue, Lincolnshire, Illinois (P.I.N. 15-26-100-032 and 15-26-100-038) and legally described on **Exhibit A** (the “Subject Property”), to (a) rezone the Subject Property from the R-1 Single Family Residential Zoning District to the B-2 General Business Zoning District (“Rezoning Application”), (b) grant a special use permit to permit the operation of an assembly use (banquet hall) (“Special Use Application”), and (c) grant variances to allow the existing parking lot, which is presently legally nonconforming having been built under the then applicable zoning ordinances of Lake County, to remain in its current configuration (“Variance Application”) (the Rezoning Application, Special Use Application and Variance Application is sometimes referred to collectively as the “Application”);

WHEREAS, the aforesaid public hearing on the Application 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;

WHEREAS, the Subject Property has been operated from time to time as an assembly use in unincorporated Lake County since 1995;

WHEREAS, the Subject Property was involuntarily annexed to the Village of Lincolnshire on January 11, 2016;

WHEREAS, the Zoning Board has heretofore submitted to the Mayor and Board of Trustees its findings of fact and recommendations related to the Application;

WHEREAS, the Architectural Review Board held a public meeting on May 17, 2016, to review the site and architectural plans for the Subject Property;

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

WHEREAS, the Architectural Review Board has heretofore submitted to the Mayor and Board of Trustees its recommendations related to the site and architectural plans for the Subject Property;

WHEREAS, the Corporate Authorities have concluded that the Rezoning Application, the Special Use Application, and the Variance Application, 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 and Findings.

A. The Mayor and Board of Trustees hereby confirm the truth and validity of the representations set forth in the foregoing recitals, acknowledge they are material to this Ordinance, and incorporate and make them as part of this Ordinance as though fully set forth herein. The Mayor and Board of Trustees further intend 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.

B. The Mayor and Board of Trustees have duly considered the recommendations of the Zoning Board and Architectural Review Board and hereby adopt the Zoning Board's findings of fact with respect to the Rezoning Application, the Special Use Application, and the Variance Application, attached as **Group Exhibit B**, as the findings of the Corporate Authorities the same as though fully restated herein. All references and findings of the Zoning Board and Architectural Review Board are hereby made the findings and references of the Mayor and Board of Trustees.

C. The Mayor and Board of Trustees find that the following conditions on the Subject Property, for which the Village is not granting variances, are nonconforming with the Zoning Code, and therefore shall be subject to amortization in accordance with Section 6-13-3 of the Village Code:

1. Pavement exists within five feet of the property lines abutting residentially zoned property; and
2. Light poles in the parking lot exceed twenty-five (25) feet in height.

Section 2. Rezoning. The Subject Property is hereby rezoned from the R-1 Single Family Residential Zoning District to the B-2 General Business Zoning District. The Mayor and Board of Trustees hereby direct the Zoning Administrator to cause the official zoning map of the Village to be so amended.

Section 3. Special Use. Subject to compliance with the conditions described in Section 4, the Applicant is hereby granted a special use permit to operate an assembly use for banquet hall purposes on the Subject Property.

Section 4. Conditions of Approval. The authority granted by this Ordinance and the issuance of the special use permit is hereby conditioned on the Applicant's strict compliance with the plans and conditions described below:

A. [Site and Architectural Plans], attached hereto as Exhibit C and incorporated by reference;

B.

Section 5. Variances. Subject to substantial conformance with the site and architectural plans attached hereto as Exhibit C, and solely for the purpose of allowing the existing parking lot, which is presently legally nonconforming having been built under the then applicable zoning ordinances of Lake County, to remain in its current configuration, the Village hereby grants the Applicant variances from the cited provisions to the extent specifically described below:

- A. Section 6-11-2 (C); to allow a reduction in the minimum required length of a parking stall from 19' to 18';
- B. Section 6-11-2 (C); to allow a reduction in the minimum required parking lot drive aisle width from 25' to 24';
- C. Section 6-11-2(E)(2); to allow no landscaping on islands at the end of each parking row;
- D. Section 6-11-2(E)(3); to allow no parking islands at each end of parking aisles;
- E. Section 6-11-2(E)(5); to allow no landscape islands for every 15 parking spaces; and
- F. Section 13-2-4(C)(5)(b); to allow no continuous 8' landscape planting area between the building and parking areas on the easterly façade of the building.

Section 6. 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 compliance with the Lake County Watershed Development Ordinance.

Section 7. Penalties. Any person violating the terms and conditions of this Ordinance shall be subject to a penalty, 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 8. 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 9. 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 Contract Purchaser, 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.

Section 10. Consents. By signing the acknowledgement and accepting the terms and conditions of this Ordinance, the Applicant knowingly and voluntarily waives, for itself and its successors and assigns, any and all claims against the Village, its elected and appointed officers, employees and agents, of whatever kind, nature and amount, resulting from the limitations on the use of the Subject Property applied by this Ordinance. Notwithstanding the foregoing, nothing in this Ordinance shall be deemed to waive the ability for the Applicant, or its successors and assigns, to petition the Village, from time to time, for other and further zoning and subdivision approvals.

PASSED this ____ day of _____, 2016, by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this ____th day of _____, 2016.

Mayor

ATTEST:

Village Clerk

Published by me in pamphlet form

this ____ day of _____, 2016.

EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

PARCEL 1:

THAT PART OF LOT 2 IN TRIPPS SUBDIVISION OF PART OF SECTIONS 26 AND 27, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1894 AS DOCUMENT 58422, IN BOOK "C" OF PLATS, PAGE 80, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 2 WITH THE CENTER LINE OF MILWAUKEE ROAD, RUNNING THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF MILWAUKEE ROAD, 272.19 FEET; THENCE RUNNING EAST 850.0 FEET, MORE OR LESS, ON A LINE PARALLEL TO SAID NORTH LINE OF SAID LOT 2 AND DISTANCE 264.0 FEET SOUTH THEREFROM TO THE CENTER OF THE DES PLAINES RIVER; THENCE NORTHWESTERLY ALONG THE CENTER OF THE DES PLAINES RIVER TO THE NORTH LINE OF LOT 2; THENCE RUNNING WEST 856.0 FEET, MORE OR LESS, ALONG SAID NORTH LINE OF SAID LOT 2, TO THE POINT OF BEGINNING (EXCEPT THAT PART TAKEN FOR MILWAUKEE AVENUE) TAKEN AS A TRACT; ALSO (EXCEPTING FROM SAID TRACT THAT PART LYING EAST OF A LINE 557.08 FEET EAST OF THE NORTHWEST CORNER OF SAID TRACT TO A POINT IN THE SOUTH LINE THEREOF, 487.04 FEET EAST OF THE SOUTHWEST CORNER), IN LAKE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 2 IN TRIPP'S SUBDIVISION OF PART OF SECTIONS 26 AND 27, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1894 AS DOCUMENT 58422, IN BOOK "C" OF PLATS, PAGE 80, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 2 WITH THE CENTER LINE OF MILWAUKEE ROAD; RUNNING THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF MILWAUKEE ROAD, 272.19 FEET; THENCE RUNNING EAST 850.0 FEET, MORE OR LESS, ON A LINE PARALLEL TO SAID NORTH LINE OF SAID LOT 2 AND DISTANCE 264.0 FEET SOUTH THEREFROM TO THE CENTER OF THE DES PLAINES RIVER; THENCE NORTHWESTERLY ALONG THE CENTER OF THE DES PLAINES RIVER TO THE NORTH LINE OF SAID LOT 2; THENCE RUNNING WEST 856.0 FEET, MORE OR LESS, ALONG SAID NORTH LINE OF SAID LOT 2 TO THE POINT OF BEGINNING (EXCEPT THAT PART TAKEN FOR MILWAUKEE AVENUE), TAKEN AS A TRACT; ALSO (EXCEPTING FROM SAID TRACT THAT PART LYING WEST OF A LINE 557.08 FEET EAST OF THE NORTHWEST CORNER OF SAID TRACT TO A POINT IN THE SOUTH LINE THEREOF, 487.04 FEET EAST OF THE SOUTHWEST CORNER), AND ALSO (EXCEPTING THAT PART THEREOF LYING EASTERLY OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF MILWAUKEE AVENUE AND THE NORTH LINE OF SAID LOT 2; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 728.82 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 02 MINUTES 40 SECONDS EAST, 116.03 FEET; THENCE SOUTH 15 DEGREES 42 MINUTES 44 SECONDS EAST, 153.81 FEET TO A POINT ON A LINE 264.0 FEET SOUTH OF SAID NORTH LINE), IN LAKE COUNTY, ILLINOIS.

GROUP EXHIBIT B

FINDINGS OF FACT

- B-1 Findings on Rezoning Application**
- B-2 Findings on Special Use Application**
- B-3 Findings on Variance Application**

**FINDINGS OF FACT REZONING
LOFT 21 (former Cubby Bear North Property)**

1. Existing zoning classification of the property.

The existing zoning for the subject property is R-1 single family.

2. Existing uses of property and existing physical, social or economic factors within the general area of the property in question.

The subject property is currently unoccupied, but is improved with a building which formerly housed the Cubby Bear North restaurant/bar and prior similar uses. The general area in which the property is located is improved with corridor commercial uses such as City Park at Lincolnshire and Lincolnshire Commons.

3. The zoning classification of property within the general area of the property in question.

A number of properties in the area are zoned R-1 single family, as a result of having been involuntarily annexed to the Village, at which time the R-1 zoning classification became applicable as a matter of law. Properties located immediately across Milwaukee Avenue are developed for corridor commercial uses similar to that proposed by Applicant, and are zoned B-2 General Business District.

4. The suitability of the property in questions to the uses permitted under the existing or proposed zoning classification.

The subject property, as zoned R-1 single family, is not suitable for Applicant's proposed commercial use, although the proposed use would be suitable under the B-2 General Business District being requested.

5. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification.

The trend of development along the Milwaukee Avenue corridor, exemplified by City Park at Lincolnshire and Lincolnshire Commons Development on the west side of Milwaukee Avenue, is corridor commercial, as proposed by Applicant.

6. The length of time the property has been vacant as zoned.

Upon the recent involuntarily annexation of the property to the Village, the property was zoned R-1 single family as a matter of law. The property continued to remain unoccupied since the time of such recent rezoning.

7. *The extent to which the property's value is diminished by the existing zoning classification.*

Given the location of the property along the commercial corridor of Milwaukee Avenue and the commercial use of the property prior to the involuntary annexation by the Village, the current zoning of R-1 single family is not the highest and best use for the subject property given its frontage on Milwaukee Avenue.

8. *The impact upon the objectives of the official Comprehensive Plan of the Village, as amended.*

The Official Comprehensive Plan recommends that the subject property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the subject property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the subject property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the subject property. Accordingly, the proposed use meets the objectives of the Official Comprehensive Plan.

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**FINDINGS OF FACT FOR SPECIAL USE
LOFT 21 (former Cubby Bear North Property)**

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

Applicant is seeking a special use permit for an assembly use for a banquet facility and intends to utilize the existing building which housed the former Cubby Bear North restaurant and bar. The existing building, although in need of cosmetic renovations, has been adequately designed to accommodate Applicant's intended use, including necessary parking. Similar uses in the past have proven to be compatible with neighboring uses evidencing the fact that the proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject premises. Comparable previous uses in the building have not substantially diminished nor impaired property values within the neighborhood.

- 2. 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.***

It is anticipated that any further development in the immediate vicinity of the subject property will be commercial in nature in keeping with the Village's Comprehensive Plan, which recommends corridor commercial use in which would be compatible with existing uses in proximity to the proposed use, such as City Park at Lincolnshire and Lincolnshire Commons. Accordingly, the establishment of the requested special use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in the requested B-2 General Business District.

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

Adequate utilities are already in place, having serviced previous businesses located on the subject site. The subject property fronts directly on Milwaukee Avenue, thereby providing more than adequate access. Presently existing storm water drainage facilities provide all necessary facilities to service the proposed use.

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

Ingress and egress is directly provided to and from Milwaukee Avenue and as indicated in the traffic study done on behalf of Applicant, the subject site and proposed operation have been designed to minimize traffic congestion to the public streets.

5. *The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village as amended.*

The Official Comprehensive Plan recommends that the subject property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the subject property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the subject property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the subject property. Accordingly, the proposed use is in complete conformity with the Official Comprehensive Plan.

6. *The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be varied pursuant to Section 6-14-9 of this Chapter.*

Upon rezoning the subject property to the requested B-2 General Business District, it will conform to the applicable regulations of the district, with the exception of the specific requested variations, which relate primarily to the parking lot area, and with the further exception of some existing legally non-conforming conditions which are compatible with the proposed use and will have no material impact on surrounding properties.

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**STANDARDS FOR ZONING VARIATION
LOFT 21 (former Cubby Bear North Property)**

Applicant is requesting the following variations:

- a) To permit parking spaces of 18 feet in length rather than 19 feet in length.
- b) To permit drive aisles of 24 feet rather than 25 feet.
- c) Not to require the addition of landscape islands at the end of each parking row.
- d) Not to require the addition of landscape islands for every 15 parking spaces.
- e) Not to require continuous 8 feet landscaping planting area between the building and parking areas.

All of said variations essentially seek to allow the existing parking lot, which is presently legally nonconforming having been built under the then applicable zoning ordinances of Lake County, to remain in its current configuration, in order to avoid redesigning the parking lot in such a manner as to vastly diminish the amount of available parking to service the existing building, which redesign would result in the loss of approximately 400 parking spaces. The requested variations meet the standards for zoning variations as indicated as follows:

- 1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;***

In order to provide sufficient parking to service the available capacity in the existing building, the requested variations are required, in that to fully comply with current Village parking standards would result in the number of parking spaces being dramatically reduced to a level which would provide inadequate parking for the proposed activities.

- 2. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located;***

Were the parking lot to be designed to fully comply with current Village standards, the number of parking spaces available to service the existing building would be so significantly reduced as to limit the available capacity in the building to a level which would not be economically feasible to operate the proposed facility.

- 3. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification;***

The conditions which form the basis for the requested variations are the result of Applicant's desire to utilize the existing building and parking lot at their current design capacity, which is the result of the fact that the property is not being newly developed but is being renovated with the basic existing building and parking lot design being maintained.

- 4. The purpose of the variation is not based primarily upon a desire to increase financial gain;***

The purpose of the variations is to continue to be able utilize the existing parking lot to maintain the current capacity of the existing building, which could not be accomplished were current parking lot standards required to be met. The difficulty results from the building and parking lot being constructed pursuant to Lake County ordinances and the property subsequently being involuntarily annexed to the Village which has more stringent parking lot design requirements than Lake County. The existing conditions have existed for a number of years and have posed no detrimental impact upon the public welfare nor injury to other property or improvements in the neighborhood.

- 5. The alleged difficulty is caused by this Title and has not been created by any persons presently having an interest in the property;***

The difficulty in question results from a pre-existing condition dating back to when the building and parking lot were first constructed, which pre-dates both Applicant and the current owner.

- 6. The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;***

The granting of the requested variations would allow the existing parking lot design to continue, which condition has never proved to be detrimental to the public welfare nor injurious to other properties or improvements to the neighborhood in the property.

- 7. The granting of the variation will not alter the essential character of the neighborhood or locality;***

The essential character of the neighborhood is that of corridor commercial and the granting of the requested variations will not alter this essential character.

- 8. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;***

The proposed variations are related to parking lot improvements and as such will have no impact on an adequate supply of light or air to adjacent properties. The parking lot as designed has functioned with prior similar businesses and has not resulted in any increase in congestion of public streets nor increased danger of fire, impairment of natural drainage, or created a drainage problems on adjacent properties. The previous operations on the subject site have not, nor will the proposed use, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

9. The proposed variation is consistent with the Official Comprehensive Policies Plan of the Village and other development codes of the Village.

The Official Comprehensive Plan recommends that the subject property be developed as Corridor Commercial Use to be compatible with the established commercial uses in proximity to the subject property, such as of City Park of Lincolnshire. The Official Comprehensive Plan specifically cites the subject property and the then existing Cubby Bear North restaurant/bar to demonstrate the appropriate mix of commercial development for future land use in the area of the subject property. Accordingly, the proposed use is consistent with the Official Comprehensive Plan.

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EXHIBIT C

SITE AND ARCHITECTURAL PLANS FOR THE SUBJECT PROPERTY

4851-7319-4801, v. 1

- a. Gross Floor Area: A maximum 25% of the gross ground floor area per principal structure on a zoning lot shall be utilized for non-sales tax generating uses.
- b. Variance: Any request for an increase in the above restrictions shall be subject to the Variance procedures of Section 6-14-9 of this Title.

6-6B-3: Uses

Uses permitted in the B2 General Business District are identified in the table below:

Uses	P = Permitted SU = Special Use
Any Permitted Use in the B1 Retail Business District	P
Any Special Use in the B1 Retail Business District	SU
Assembly Uses, as defined in Chapter 2 of this Title	SU
Automotive service facility	SU
Bowling alley establishment	P
Colleges, universities, or vocational schools	SU
Convalescent, sheltered care facilities and group or nursing homes	P
Drinking establishments, including Live Entertainment	SU
Hotels	SU
Motor vehicle sales establishments	SU
Parks and playgrounds	P
Radio and television station, excluding transmission towers	SU
Recreation facility, public or private, as defined in Chapter 2 of this Title	SU
Retail shopping centers	P
Urgent medical care center/clinic	SU
Any other similar use not specifically permitted in this Chapter, but which has substantially similar impacts on public services, traffic, parking and property values as the uses expressly permitted herein, is consistent with the trend in development within the District, and is complementary to the Village’s reliance on non-property taxes to finance municipal operations.	P

6-6B-4: Lot Sizes

Uses	Minimum Lot Area	Minimum Lot Width
Permitted Uses	30,000 sq. ft.	200 ft.
Automotive service/repair facility	30,000 sq. ft.	100 ft.
Motor vehicle sales establishment	30,000 sq. ft.	300 ft.
Planned Unit Developments(PUD)	By Village Board	By Village Board
Special Uses, all other	30,000 sq. ft.	200 ft.

6-6B-5: Building Setbacks

Uses	Front	Side	Corner Side	Rear
Permitted Uses	50 ft.	20 ft.	50 ft.	25 ft.
Special Uses, all others	50 ft.	20 ft.	50 ft.	25 ft.
Planned Unit Development (PUD)	By Village Board			

Where a side and/or rear yard abuts any residential zoning district, excluding the R5 District, a transitional yard measuring twice the minimum yard requirement shall be required. Landscaping or fence screening a minimum of seventy-five percent (75%) opacity shall be provided within such transitional yards. Transitional yards shall not contain any off-street parking or other structures, except driveways, sidewalks, and landscaping.

6-6B-6: Building Height

In the B2 District no building shall exceed three and one-half (3-1/2) stories or forty two feet (42') in height including rooftop equipment.

6-6B-7: Signs

Signs shall be subject to the regulations contained in Title 12 of this Code.

6-6B-8: Off-Street Parking and Loading

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title. (Ord. 86-885-22)

6-6B-9: Landscaping

Landscaping shall be subject to the regulations contained in Title 13 of this Code

Use	Minimum Number of Required Spaces
Residential	
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
Recreational	
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
Personal fitness/instruction studio	1/4 persons based on maximum occupancy +1/employee
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
Assembly Uses	
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

compliance, and for the time and labor required to achieve compliance.

13-2-8: Landscape Requirements for Stormwater Facilities

The purpose of this section is to ensure stormwater facilities within the Village are designed, constructed, and maintained in a manner which provides the highest level functionality as well as visual appeal. Any development which requires stormwater facilities, as determined by the Lake County Stormwater Management Commission (SMC), shall be subject to the following requirements:

A. General Requirements:

1. **Shape:** Stormwater facilities shall be designed to reflect a non-uniform, organic shape.
2. **Shoreline Slopes:** The shoreline banks of stormwater facilities shall be no steeper than 5:1 (from approximately 1 foot above to 1 foot below normal waterline) to prevent erosion and facilitate native plant establishment. Basins and other natural drainage facilities shall be required to have native dry-mesic and wet-mesic plants planted along the entire expanse of a detention pond's side slope.
3. **Safety Shelf:** For wet-bottom detention basins, a flat (or significantly flat) safety shelf must be constructed approximately eighteen (18) inches below normal water level, around the full perimeter of the basin. The safety shelf shall be a minimum of five (5) feet in width, and shall be planted with native emergent plant plugs.
4. **Bank Erosion Protection:** The shoreline of stormwater facilities shall be protected from erosion through establishment of deep-rooted, prairie and wetland perennial plants native to the Great Lakes region. Native prairie and wetland plants shall cover the complete shorelines, extending around the full perimeter of the stormwater facility. The native plant slope for basins shall have a minimum width from waterline of fifteen (15) feet.
5. **Seed Mixes and Planting Lists:** The landscape plan shall identify each species proposed, which shall consist entirely of native plants for all seed mixes and plant plugs to be used. Separate seed mixes shall be provided for planting on the upper (dry-mesic) and lower (wet-mesic) portions of the shoreline slope. The plant plug list shall be divided into three categories: dry-mesic, wet-mesic, and emergent plants. Each category shall contain a minimum of ten (10) species of native plants suited to the given environment.
6. **Guarantees:** All seeded and planted areas shall be guaranteed through the Maintenance Period and all performance criteria have been satisfied.

B. Plan Requirements:

1. **Installation Plan:** The installation plan shall provide detailed information regarding the specific locations and timing of native landscaping installation.
 - a. **Installation:** The installation of all native prairie and wetland plants shall be performed by a qualified natural environmental professional consultant. A site plan shall illustrate the following elements of the native landscaping installation:





