



AGENDA
COMMITTEE OF THE WHOLE MEETING
Village Hall – Community Room
Monday, November 24, 2014
Immediately following Regular Village Board Meeting

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

The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

- 2.1 Acceptance of the November 10, 2014 Committee of the Whole Meeting Minutes

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

- 3.11 Continued Consideration and Discussion of Zoning Board Recommendations Regarding Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial District, of Title 6, Zoning of the Lincolnshire Village Code, to Revise and Update Permitted Uses and Special Uses within the Village's Non-Residential Zoning Districts (Village of Lincolnshire)

- 3.12 Consideration and Discussion of a Zoning Board Recommendation Regarding Amendments to Lane Use Recommendations for Three Focus Areas in the Lincolnshire Comprehensive Plan (Village of Lincolnshire)

3.2 Finance and Administration

- 3.21 Consideration and Discussion of the 2015 Village Calendar and Meeting Schedule (Village of Lincolnshire)

- 3.22 Consideration and Discussion of Final Change to the Proposed Budget for Fiscal Year 2015 Budget (Village of Lincolnshire)

- 3.23 Consideration and Discussion of Supplemental Appropriation Ordinance of the Village of Lincolnshire, Illinois for the Fiscal Year Beginning January 1, 2014 and Ending, December 31, 2014 (Village of Lincolnshire)

- 3.24 Consideration and Discussion of an Ordinance Levying Taxes for Corporate Purposes of the Village of Lincolnshire, Lake County, Illinois for Fiscal Year January 1, 2015 and Ending December 31, 2015 (Village of Lincolnshire)

- 3.25 Consideration and Discussion of an Ordinance Abating the Tax Heretofore Levied for the Year 2014 to Pay Debt Service on Several Notes of the Village of Lincolnshire, Lake County, Illinois (Village of Lincolnshire)
- 3.26 Consideration and Discussion of an Ordinance Abating and Reducing Certain Taxes Heretofore Levied to Pay Debt Service on Special Service Area (SSA) Bonds of the Village of Lincolnshire, Lake County, Illinois (Sedgebrook Special Service Area Number 1 Special Tax Bonds)
- 3.27 Consideration and Discussion of an Ordinance Abating Certain Taxes Heretofore Levied for the Westminster Way Transportation Special Service Area Number 1A (Village of Lincolnshire)
- 3.28 Consideration and Discussion of an Ordinance Amending Chapter 15 of Title 1- Comprehensive Fee Schedule of the Lincolnshire Village Code Related to the Establishment of Fees and Charges for Service (Water and Sewer Connection Charges and Rate) (Village of Lincolnshire)
- 3.29 Consideration and Discussion of an Ordinance Authorizing the Sale and Disposal of Surplus Property (Village of Lincolnshire)
- 3.30 Consideration and Discussion Regarding Funding Policy for Illinois Municipal Retirement Fund (IMRF) and Police Pension Fund (Village of Lincolnshire)
- 3.31 Consideration and Discussion of Proposed Village of Lincolnshire Compensation Plan (Village of Lincolnshire)
- 3.4 Public Works
 - 3.41 Consideration, Discussion and Approval of Rejection of Bid from Trees “R” Us, Inc., Wauconda, Illinois and Award of Contract to Davey Tree Expert Company, Kent, Ohio for Contractual Dead, Emergency and Hazardous Tree Removal for Fiscal Year 2015 (Village of Lincolnshire)
 - 3.42 Consideration and Discussion of Contracting Out for Park Landscape Maintenance Services (Village of Lincolnshire)
- 3.5 Public Safety
- 3.6 Parks and Recreation
- 3.7 Judiciary and Personnel
- 4.0 **UNFINISHED BUSINESS**
- 5.0 **NEW BUSINESS**
- 6.0 **EXECUTIVE SESSION**
- 7.0 **ADJOURNMENT**



MINUTES
COMMITTEE OF THE WHOLE MEETING
Monday, November 10, 2014

Present:

Mayor Blomberg	Trustee Brandt (Arrived at 7:08)
Trustee Feldman	Trustee Grujanac
Trustee McDonough	Trustee Servi
Trustee McAllister	Village Clerk Mastandrea
Village Treasurer Curtis	Village Attorney Simon
Village Manager Burke	Chief of Police Kinsey
Finance Director Peterson	Public Works Director Woodbury
Community & Economic Development Director McNellis	Village Planner Robles Economic Development Coordinator Zozulya

ROLL CALL

Mayor Blomberg called the meeting to order at 7:04 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of the October 20, 2014 Special Committee of the Whole Meeting Minutes

The minutes of the October 20, 2014 Special Committee of the Whole Meeting were approved as submitted.

2.2 Acceptance of the October 23, 2014 Special Committee of the Whole Meeting Minutes

The minutes of the October 23, 2014 Special Committee of the Whole Meeting were approved as submitted.

2.3 Acceptance of the October 27, 2014 Committee of the Whole Meeting Minutes.

The minutes of the October 27, 2014 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 Public Hearing and discussion of a request to amend Ordinance No. 70-30-12, which granted a Special use for a PUD for the Tri-State International Office Center and Ordinance No. 87-918-04, which granted an amendment to the existing Special Use for a PUD for Phase II of the Tri-State International Office Center, to permit construction of a new parking structure adjacent to 25/75 Tri-State International, with zoning exceptions for required front yard setback and maximum building height (Trammell Crow Company / Principal real Estate Investors).

3.12 Consideration and discussion of an Architectural Review Board recommendation regarding approval of site plan, landscape plan, building elevations, building materials and colors, and site lighting for a proposed new parking structure adjacent to 25/75 Tri-State International Office Center (Trammell Crow Company/ Principal Real Estate Investors)

Mayor Blomberg closed the Committee of the Whole Meeting and opened up a Public Hearing for the consideration of Items 3.11 and 3.12.

Community & Economic Development Director McNellis provided an update of the request to amend a Special Use for a Planned Unit Development (PUD) by Trammell Crow Company/Principal Real Estate Investors for a proposed parking structure adjacent to 25/75 Tri-State International Office Center.

Mayor Blomberg administered an oath to the individuals intending to present during the Public Hearing.

Mr. Grady Hamilton of Trammell Crow Company provided background information of what was presented at the September Committee of the Whole meeting, introduced the team of presenters for the project and provided an update on Trammell Crow Company's current request on behalf of a potential future tenant of the Tri-State International Office Center to construct a proposed parking structure. Mr. Hamilton shared with the Village Board discussion that took place before the Architecture Review Board (ARB) and work the development team did to address comments and concerns raised by the ARB.

Trustee Feldman asked if the new tenant would make more of an impact on the traffic than Caremark, who was the last major

tenant at the Tri-State office center. Mayor Blomberg noted when Caremark was the tenant; Route 22 was only a two-lane road, and it is currently a four-lane road with multiple turn lanes on each leg of the intersection serving Westminster. Trustee Feldman asked if Caremark employees used all the parking spaces when they were tenants of the business park. Mr. Hamilton confirmed occupancy was at the maximum when Caremark was the tenant, and the new tenant would be a net increase of 524 parking stalls.

Trustee Grujanac asked if the new tenant would have regular business hours. Mr. Hamilton noted the new tenant would work at regular business hours and not be open 24-hours a day.

Trustee Servi noted the traffic study recommended Riverwoods Road light be optimized and stated this was a concern since Riverwoods Road can get backed up during high traffic times. Trustee Servi encouraged caution with any discussion regarding changing timing of the signal at Riverwoods Road. Mr. Hamilton noted most of the traffic added would be travelling west from the Tollway to the site, and not impact Riverwoods Rd., which was confirmed as part of the traffic study.

Mr. Hamilton continued with his presentation regarding structure height, appearance, impervious surface and signage.

A discussion regarding the amount of office space the prospective tenant may be leasing at the Tri-State followed. Mr. Hamilton noted the prospective tenant is intending to lease the entire footage of the 25 and 75 buildings in the development, and there is a possibility the tenant may lease part or all of the 100 building. The size of the parking structure and the total number of parking spaces needed is dependent upon the amount of office space leased. Mr. Hamilton explained the petitioner requests the right to reduce the size of the structure if needed and any possible reduction in building size be incorporated into the approval ordinance with authority to grant the reduction to be reviewed and approved administratively by staff.

Trustee Feldman asked if the lighting on the top level would be turned off at a certain time. Mr. Hamilton noted the lights would need to be left on for security purposes.

Mayor Blomberg opened up the Public Hearing to the audience.

Mr. Rob Weinberg, resident at Sutton Place was administered the oath. Mr. Weiner noted his concern was the signage and the

lights on the top of the parking structure being left on all night. Mr. Weinberg also noted the intersection at Westminster was a concern and suggested this area be monitored for traffic issues. Trustee McAllister asked Mr. Weinberg what he would like to see changed with the plan. Mr. Weinberg noted he would like some of the lights on the top floor of the parking structure to be turned off at night. Mayor Blomberg noted the lighting would be looked into.

Mr. Hamilton noted the sign facing the residential development that is a concern, would not be illuminated and the lighting fixtures for the top level of the proposed parking deck would be two feet below the height of the existing building which would block much of the light spillover to the adjacent residential development. Mr. Hamilton noted the lights on the top deck of the parking structure would be cutoff fixtures that would direct the light down onto the parking deck only. Mr. Hamilton noted Trammel Crow would be more than willing to turn some of the lights off if needed; however, maintaining some illumination would be needed to ensure security of the structure.

Mayor Blomberg closed the Public Hearing and re-opened the Committee of the Whole Meeting at 7:37 p.m.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.13 Continued Preliminary Evaluation of an amendment to Special Use Ordinance No. 03-1864-41, as amended, granting a PUD Ordinance for a Continuing Care Retirement Campus, and an Amendment to Annexation Agreement Ordinance No. 03-1861-38, as amended, to permit a proposed townhouse development on Lot 2 of the Sedgebrook Resubdivision (Pulte Homes)

Village Planner Robles provided an update to Board comments from the September 22, 2014 Committee of the Whole Meeting regarding the proposed amendment to permit a proposed townhome development on Lot 2 of the Sedgebrook Resubdivision from Pulte Homes.

Mr. Mark Mastrocco, Director of Land Acquisitions at Pulte Homes, presented the concept plan for the proposed townhouse development on Lot 2 of the Sedgebrook Resubdivision. Impervious surface, open space and school impact issues were addressed in the presentation. Pulte Homes indicated they met

with the School Districts and received information to better calculate the estimated school impact and number of students generated by the proposed development.

Mr. Chuck Hanlon, Planning Principal with WBK Associates, Ltd. presented the proposed site plan for the proposed townhouse development. Mr. Hanlon provided density and impervious surface comparisons to other townhomes.

Mr. Steve Hovany, President of Strategy Planning Associates provided an update to his provisions retail analysis concentrating on the school impact as a result from Board comments.

Trustee Feldman asked about the price point for the proposed townhomes; noting Beaconsfield and Rivershire are so different compared to the Pulte proposal. Mr. Mastrococco noted there are two different product series with the larger series being priced in the \$500,000's and \$600,000's and the smaller series being priced in the \$400,000's. The series range from two to four bedrooms, and the proposed subdivision would be a gated community.

Village Attorney Simon asked who was included in the School District meetings, and if the elementary districts were asked about combining the split of the district to one district. Mr. Mastrococco noted it was his opinion the school districts did not want to combine to include all potential students into one district. Trustee Brandt suggested Pulte further research the school and bus situation relative to Milwaukee Ave. since this is a gated community and to further pursue combining the two grade school districts. Mr. Mastrococco stated he would continue to work with the districts to resolve these issues.

Trustee McAllister noted the school impact fees could be substantial revenue for the schools. Trustees Brandt and Grujanac noted other costs and service demand for the schools would increase with the impact of the students and it is not likely the impact fees would cover these additional costs.

Trustee Servi noted many things will need to be considered prior to this project coming back to the Board, but he is willing to refer this to the Architectural Review Board.

A brief discussion followed regarding the style of the units and number of units available for four bedrooms. Mr. Mastrococco

stated Pulte would provide more data regarding the four bedroom units.

Mayor Blomberg suggested Pulte Homes continue to work on the issues with the school districts, the density of the proposed development, and the size of the roads to ensure adequate traffic flow and ease of access for emergency vehicles.

Trustee Feldman asked if the property was on a floodplain and if some of the property would be filled to address the floodplain.

Mr. Andy Heinen representing Kimley-Horn and Associates, Inc., Civil Engineer for the project and Sedgebrook noted there was floodplain on the property originally. Part of the flood plain had been filled in and compensated for with the construction of the Sedgebrook Development. Mr. Heinen noted there is no floodplain on the property currently.

It was the consensus of the Board to refer this item to the Architectural Review Board.

3.14 Consideration and discussion of a recommendation to approve a Professional Services Agreement with Teamworks Media for Lincolnshire's Branding & Marketing campaign project in an amount not to exceed \$49,655.

Economic Development Coordinator Zozulya provided a presentation regarding the recommendation to approve a Professional Service Agreement with Teamworks Media of Lincolnshire's Branding & Marketing initiative. Economic Development Coordinator Zozulya explained the services Teamworks Media would provide the Village as part of the scope of services identified. Economic Development Coordinator Zozulya provided the goals of the new brand.

Trustee Feldman noted her concern regarding the cost. Trustee Grujanac asked if anyone had done a study of the Village to encompass all the areas where the Village's current logo would need to be replaced including the signs, shirts and everything that currently has the Lincolnshire "L". Trustee Grujanac noted she was also concerned about the cost, since the contract did not include all the items where the brand would need to be updated such as street signs, vehicles, etc. Village Manager Burke noted this was a multi-year project to engage the community and move toward the future. Village Manager Burke noted the process to be headed by Teamworks Media is to engage the community via a

survey and stakeholders via in-person interviews as to what is the hope for the future of the Village. Trustee Grujanac recommended keeping the Logo and saving the cost to re-brand the Lincolnshire “L”. Village Manager Burke noted the re-branding was not just about changing or updating the logo but creating an entire platform and bringing continuity to all areas of the Village’s communication, marketing, and brand presence where there is currently not cohesiveness. Trustee Servi asked for an explanation of what platforms don’t have continuity. Village Manager Burke noted the E-News, Business Spotlight and the Village’s quarterly newsletter all contain some aspect of the Lincolnshire “L” but don’t provide the same message or have the same cohesiveness in design and messaging.

Trustee Feldman stated she agrees with the idea of re-branding but didn’t know if the Village needs to go to the depths of what is being proposed. Trustee Feldman recommended not changing the logo but highlighting what the Village currently has.

Trustee McAllister noted when he is asked about where he is from; the Marriott comes up in discussions and is the attraction for which Lincolnshire is most known.

Trustee Brandt noted Deerfield, Lake Forest and Wheeling have all recently re-branded. Trustee Brandt noted re-branding could help business in Lincolnshire and explained it is important to update the brand on a regular basis. Trustee Grujanac noted she believes strategies need to be worked on to get businesses in Lincolnshire but didn’t know if the costs associated with the proposed professional service agreement were based on strategy. Trustee Brandt noted this looks like a substantial amount of money, but money is currently being spent on fireworks and other areas of possibly less importance and noted her opinion was this could be money well spent in order to attract people & businesses to Lincolnshire.

Mayor Blomberg noted this item was discussed previously at two budget workshop meetings. Staff came back with exactly what the Board had previously discussed. Mayor Blomberg noted it was his opinion re-branding was not to get rid of the Lincolnshire “L” but to use it and come up with marketing ideas to make Lincolnshire known to the external market.

There was a consensus of the Board for staff to get additional information from Teamworks Media regarding the scope and value of the agreement and present it at the next Regular Village

Board Meeting for discussion.

3.2 Finance and Administration

3.21 Public Comment regarding the proposed Fiscal Year 2015 Budget (Village of Lincolnshire)

Mayor Blomberg asked if anyone in attendance had any comments.

Village Manager Burke noted this item would be on the November 24, 2014 Committee of the Whole meeting with adjustments made as a result of the Budget Workshop meetings.

3.22 Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2014 Tax Levy for Fiscal Year 2015 (Village of Lincolnshire)

Finance Director Peterson provided an overview of the state statute and made the official announcement of the estimated amount to be raised by Ad Valorem Taxes for the 2014 Tax Levy for Fiscal Year 2015.

3.23 Report Regarding Planned Changes to Utility Billing Processes/Procedures (Village of Lincolnshire)

Finance Director Peterson reported on the planned changes to utility billing processes/procedures.

3.3 Public Works

3.4 Public Safety

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 **UNFINISHED BUSINESS**

Trustee Brandt asked if there was money in the budget for grasses and plantings for the medians located closest to the toll road entrance and the area west of Milwaukee; where IDOT planted trees. Village Manager Burke noted this money is included in the proposed 2015 Budget. A brief discussion regarding the plantings IDOT recently installed in the median and along the right-of-way of Route 22 followed. Staff has reached out to IDOT regarding some concern with failures in the materials and will review this again.

5.0 **NEW BUSINESS**

Trustee Brandt noted her concern that there is not always a crossing guard at the crosswalk at Daniel Wright School on Riverwoods Road. Trustee Brandt

asked what the Village could do to help the situation since traffic does not always slow down. Village Manager Burke noted staff would look into the concern to see what options the Village has to help the situation. A brief discussion followed regarding options the county might possibly allow since Riverwoods is a county road.

Trustee McAllister noted the Veterans Day Holiday and thanked all Veterans for their service.

6.0 EXECUTIVE SESSION

7.0 ADJOURNMENT

Trustee Brandt moved and Trustee McAllister seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Blomberg declared the meeting adjourned at 9:04 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

REQUEST FOR BOARD ACTION
Committee of the Whole
November 24, 2014

Subject:	Amendment to Permitted and Special Uses in Commercial/Office Zoning Districts
Action Requested:	CONTINUED Consideration and Discussion of Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code, regarding the permissibility of Assembly Uses within the Village's non-residential zoning districts.
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- At the October 14th Committee of the Whole meeting, Staff presented the Zoning Board's approval recommendation for amendments to the above-referenced Chapters based on their September 9th public hearing.
- Following the Zoning Board's review of the text amendments and prior to the Board's consideration, the Village Attorney identified assembly-type uses (religious institutions, libraries, museums, convention halls/meeting rooms, etc.) are regulated inconsistently from one another - wherein certain types of assembly uses are permitted in one zoning district but not the other. This exclusionary treatment is problematic given assembly uses must be treated equally based on zoning case law.
- Given the topic of assembly uses was not discussed by the Zoning Board, the Village Board directed this topic back to the Zoning Board for further discussion and recommendation, prior to the Village Board's final action. At a public hearing on November 11th, the Zoning Board unanimously recommended approval of text amendments to permit assembly uses as a special use within the O/I Zoning Districts.

Following is a general summary of text amendments recommended by the Zoning Board and additional follow-up information requested at the October 14th Board discussion (*for specific detail, please see attached Staff memoranda to the Zoning Board and Draft Code Sections*):

Summary – B1 Retail Business & B2 General Business Districts:

- Non-Sales Tax Uses (6-6A-2(D) & 6-6B-2(D)): Staff previously identified the current 25% limit of non-sales tax generating uses permitted to occupy the ground floor of buildings in the B1 & B2 Districts. Buildings constructed prior to January 1, 1995 are currently permitted an unlimited amount of non-sales tax uses. The Zoning Board agreed with Staff that any increase in the current restriction would increase flexibility to property owners, in light of the changing tenant mix common in most shopping centers today. However, given the lack of consistent application by other communities, the Zoning Board determined a moderate increase in the restriction to 33% or 1/3 of the gross floor area was suitable.

At the October 14th COW, the Village Board requested additional background on 25% ground floor limitation. The current ground-floor restriction for non-sales tax generating uses resulted from a 1995 code amendment to assist the (then) office buildings in the B1 District experiencing a decline in sales-tax uses to more traditional office tenants. Prior to the 1995

amendment, all buildings in the B1 were subject to the 25% ground floor limitation. Buildings in the B2 did not have any such restrictions. The resulting change allowed pre-existing office buildings the ability to achieve full occupancy through office uses, while applying the 25% ground floor restriction to any new buildings in the B1 and B2 Districts to balance the relaxation in the B1 District.

In considering the proposed code revisions, Staff questioned if an increase in ground-floor occupancy for non-sales tax uses would assist property owners in achieving greater occupancy levels. Unlike in the 1995 code amendment, Staff has not received requests from property owners seeking increased flexibility in non-sales tax occupants. In the end, any relaxation of ground floor restrictions may simply be a way to demonstrate a more business-friendly position. The existing commercial buildings affected by any relaxation are: 1) Lincolnshire Commons, 2) CityPark, 3) Penny Mustard Home Furnishings, and 4) Walter Smithe/Drexel Heritage Home Furnishings. There are also undeveloped B1 and B2 zoned properties that may be affected, along with any future redevelopment of existing sites.

Summary - Assembly Uses:

- Various assembly-type uses are permitted within a variety of zoning districts throughout the Zoning Code. “Assembly uses” are simply a gathering of persons principally for civic, literary, musical, political, travel, religious, or similar purposes. The Zoning Code currently permits assembly-type uses by identification of each individual assembly use within specific zoning districts. This practice establishes that only specific assembly-type uses are acceptable, while other (similar) assembly uses are not. This content-based treatment is problematic, as recent case law indicates the zoning application of assembly uses must remain content neutral.

Previously proposed, assembly uses were to be classified into two categories 1) “Membership Assembly Uses”, and 2) “Non-Membership Assembly Uses”. The reason was the recognition that not all assembly uses contribute to the generation of sales tax, utility and telecommunications tax, and room and admission tax revenues to support the Village’s operational expenses. “Non-membership assembly uses” generally complement and create a common relationship with the Village’s hotels, commercial and office businesses, resulting in the growth of the Village’s tax revenues.

At the November 11th Zoning Board meeting, Staff presented the advantages and disadvantages of permitting all assembly-type uses within the O/I District (see attached Staff memorandum to the Zoning Board). After reviewing this information and considering testimony by Van Vlissingen President Chuck Lamphere, the Zoning Board recommends permitting [all] assembly uses as a special use within the O/I Districts. As a result, there is no longer a need to distinguish membership assembly uses from non-membership assembly uses, and the attached Draft Code has been revised based on the Zoning Board’s recommendation.

- Following, is a summary of proposed changes related to Assembly Uses within the non-residential zoning districts, as recommended by the Zoning Board (P = permitted, SU = permitted by Special Use):

R5 – Mixed Use General Residence District	
Current Code	Proposed Code
Churches & Synagogues (SU)	Removed as recommended by Zoning Board, uses not consistent with intent of R5

B1 – Retail Business District	
Current Code	Proposed Code
Community centers, museums, cultural facilities (SU)	Removed as recommended by Zoning Board, uses not consistent with intent of B1
Government office buildings, community centers, libraries (SU)	Government building remains (SU). Community centers and libraries removed , as recommended by Zoning Board, uses not consistent with intent of B1
Theaters (SU)	Moved to B2 (by ZB previously). Proposed classification as “Assembly Use” (SU)

B2 – General Business District	
Current Code	Proposed Code
Clubs & lodges (nonprofit), fraternal or religious institutions (P)	Proposed classification as “Assembly Use” (SU)
Community centers, museums, philanthropic & other cultural institutions (SU)	Proposed classification as “Assembly Use” (SU)
Meeting halls (SU)	Proposed classification as “Assembly Use” (SU)

E – Small Scale Office District	
Current Code	Proposed Code
Museums, libraries or performing art centers (P)	Proposed classification as “Assembly Uses” (SU)
Churches & synagogues (SU)	Proposed classification as “Assembly Uses” (SU)
Private recreational clubs (SU)	Changed to Private Recreational Facility (not an “assembly use”)(SU)

O/I – Office/Industrial District	
Current Code	Proposed Code
Commercial activities intended to provide service to office and industrial uses established in the district and employees thereof, including but not limited to vehicle fueling stations which may include vehicle washes as a special accessory use, restaurants, <u>private clubs, convention and exhibition halls</u> , motels and hotels, and car rental outlets (SU)	Changed to “Commercial Service Activity” (SU), removed private clubs due to inconsistencies with intent of O/I Under proposed definitions, convention and exhibition halls would be reclassified as “Non-Membership Assembly Uses” (SU)
Meeting & events center (SU)	Proposed classification as “Assembly Uses” (SU)
Private recreational clubs (SU)	Removed as recommended by Zoning Board, uses not consistent with intent of O/I
<i>No current classification</i>	Added “Public and Private Recreational Facility” (see attached Chapter 2, Definitions, for description of each use)(SU)

Recommendation:

Consideration and discussion of proposed text amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, and placement on the December 8th Consent Agenda.

Reports and Documents Attached:

- Draft Ordinance Amending Title 6 (Zoning) of the Village Code of Lincolnshire Municipal Code in Regard to Permitted and Special Uses, prepared by Village Attorney Simon. **(NOTE: The included Ordinance is the previous October 14th COW version and will be updated following Monday night's Board discussion).**
- Draft Chapter 5, Article D, R5 Mixed Use General Residence District, prepared by Staff.
- Draft Chapter 6, Article A, B1 Retail Business District; Article B, B2 General Business District; and Article C, E Small Scale Office Districts, prepared by Staff.
- Draft Chapter 8, Office/Industrial Districts, prepared by Staff.
- Draft Chapter 2, Definitions, prepared by Staff.
- Memorandum and Meeting Minutes of the November 11, 2014 Zoning Board.
- Memorandum of the October 14, 2014 Committee of the Whole.
- Non-Sales Tax Survey Summary, prepared by MWMC.
- Van Vlissingen Letter, prepared by Charles Lamphere, dated October 3, 2014.

Meeting History	
Referral at Village Board (COW):	June 23, 2014
Zoning Board Public Hearing:	August 12, 2014
Zoning Board Continued Public Hearing:	September 9, 2014
Consideration & Discussion (COW):	October 14, 2014
Zoning Board Public Hearing:	November 11, 2014
Current Consideration & Discussion (COW):	November 24, 2014

VILLAGE OF LINCOLNSHIRE

ORDINANCE NO. _____

AN ORDINANCE

**AMENDING TITLE 6 (ZONING) OF THE VILLAGE OF LINCOLNSHIRE
MUNICIPAL CODE IN REGARD TO PERMITTED AND SPECIAL USES**

WHEREAS, the Village of Lincolnshire, an Illinois home rule municipal corporation, has the authority to adopt ordinances and promulgate rules and regulations that pertain to its government and affairs, including the coordination and operation of various activities and structures within its boundaries, and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Corporate Authorities of the Village of Lincolnshire find it necessary for the preservation of the public health, safety and welfare of the Village and the promotion of the economic development of the Village that the permitted and special uses within the non-residential districts of the Zoning Code be reviewed;

WHEREAS, the Board of Trustees referred to the Zoning Board (“Zoning Board”) a petition to research, consider and prepare proposed text amendments to the Zoning Code to study and amend the permitted and special uses allowed in the non-residential zoning districts within the Village; and

WHEREAS, following due publication of notice in the Lincolnshire Review on _____, a public hearing concerning the proposed amendments to the Zoning Code of the Village was convened on August 12, 2014, and finally adjourned by the Zoning Board on September 9, 2014; and

WHEREAS, following deliberation and consideration on the evidence and testimony elicited during the public hearing and the recommendation of the Zoning Board, the Village Board desires for the Zoning Code to be amended as proposed by Staff; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village and the public to amend its Zoning Code to promote the economic health and welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village Of Lincolnshire, Lake County, Illinois, in exercise of its home rule powers, as follows:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance as though fully set forth herein. The findings of the Zoning Board of the Village of Lincolnshire, are herein incorporated by reference as the findings of this Board to the same effect as if fully recited herein at length. All references in the Zoning Board's findings are made the references of the Mayor and Board of Trustees of the Village of Lincolnshire.

SECTION TWO: Additional Findings: The Mayor and Board of Trustees additionally find and determine that:

A. Economic development is an integral component of Lincolnshire's comprehensive planning efforts;

B. The Village's Economic Development Strategic Plan seeks to attract diverse industries and business types to ensure economic stability and tax base in Lincolnshire;

C. The Village's Economic Development Strategic Plan also seeks to achieve a desirable mix of commercial and retail development that meets the needs of Lincolnshire residents and employee population;

D. Local office and industrial businesses represent a variety of industries, including medical/pharmaceutical, biotechnology, human resources and office equipment suppliers to name a few. It is this diversity in industries that helps lessen the impacts caused by changes in specific industries and the Village's zoning regulations should be designed to promote the growth and diversification of local office and industrial businesses;

E. Unlike many other regional suburban communities, the village derives only a small portion of its municipal revenues from property taxes. These property tax revenues are used exclusively to fund municipal employee pensions and are not levied for operational purposes;

F. The Village relies heavily on consumption taxes that include sales tax, utility and telecommunications tax, and room and admission tax revenues to support operational expenses;

G. Lincolnshire is home to six nationally recognized hotels that supply a total of 1,050 rooms.

H. The proximity to hotels of uses which are complementary to such hotels increases the multiplier effect resulting from the combination of such uses;

I. The Village's zoning code should promote uses that complement and create symbiotic relationships with the hotels, including conference centers, meeting and banquet facilities and other assembly uses which serve short-term, non-resident patrons, resulting in retention and expansion of the hotels and growth of the Village's room and admission tax revenues;

SECTION THREE: For the purpose of aligning the Village's Zoning Code and its Economic Development Strategic Plan, and providing for commercial, office and industrial districts which contain uses that serve and complement each other and strengthen and diversify the Village's tax base, the Village amends the Zoning Code in the manner set forth below:

A. Chapter 2, Definitions, of Title 6, Zoning, of the Village of Lincolnshire Municipal Code shall be amended so that it shall read as described in **Exhibit A**, incorporated as though fully restated herein; and

B. Chapter 5D, Mixed-Use General Residence District, of Title 6, Zoning, of the Village of Lincolnshire Municipal Code shall be amended so that it shall read as described in **Exhibit B**, incorporated as though fully restated herein; and

C. Chapter 6, Business Districts, of Title 6, Zoning, of the Village of Lincolnshire Municipal Code shall be amended so that it shall read as described in **Exhibit C**, incorporated as though fully restated herein; and

D. Chapter 8, Office/Industrial Districts, of Title 6, Zoning, of the Village of Lincolnshire Municipal Code shall be amended so that it shall read as described in **Exhibit D**, incorporated as though fully restated herein.

SECTION FOUR: If any section, subsection, sentence, clause, phrase or application of this Ordinance, or any regulations adopted hereby, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, either facially or as applied, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof or any other application under which such provision is deemed permitted.

SECTION FIVE: All prior Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this _____th Day of _____, 2014, at Lincolnshire,
Lake County, Illinois.

AYES:

NAYS:

ABSENT:

APPROVED:

Brett Blomberg, Mayor

DATE:_____

ATTEST:

Barbara Mastandrea, Village Clerk

TITLE 6: Zoning

CHAPTER 2: Definitions

Sections:

6-2-1: Rules of Word Construction

6-2-2: Definitions

6-2-1: Rules of Word Construction

The language set forth in the text of this Zoning Code shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and the plural the singular;
- B. The present tense includes the past and future tenses, and the future the present;
- C. The word "shall" is mandatory, while the word "may" is permissive;
- D. The masculine gender includes the feminine and neuter;
- E. Whenever a word or term defined hereinafter appears in the text of this Zoning Code, its meaning shall be construed as set forth in the definition thereof; and any word appearing in parenthesis, between a word and its definition herein, shall be construed in the same sense as that word;
- F. All measured distances, expressed in feet, shall be to the nearest integral foot; if a fraction is one-half foot ($\frac{1}{2}'$) or more, the integral foot next above shall be taken;
- G. Words contained in this Code and not defined hereinafter shall assume definitions as set forth in Merriam-Webster's dictionary (website edition; www.merriam-webster.com);
- H. Unless otherwise specified, all distances shall be measured horizontally.
- I. Graphic illustrations are used herein to demonstrate the intent of the definition language. In any case of conflict between a graphic illustration and the text definition, the text shall prevail.

6-2-2: Definitions

The following words and terms, wherever they occur in this Zoning Code shall be defined as follows:

ACCESSORY STRUCTURE

A structure detached from the Principal Structure located on the same lot and customarily incidental and subordinate to a principal building or use, in terms of size, area, extent or purpose.

ACCESSORY USE

A use of land, structure or a portion thereof customarily incidental and subordinate to the principal use of the land or building, in terms of intensity or purpose, and located on the same lot with the principal use.

ADVERTISING DEVICE

Any advertising sign, billboard, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively

related to the premises where such sign is located or to which it is affixed; but does not include those advertising signs, billboards, or poster panels which direct attention to the business on the premises or to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

ADJACENT

Lying near or in the immediate vicinity

ADJOINING

Touching or contiguous to; or to be in the neighborhood or vicinity of.

AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Included are truck-farming, growing of nursery stock, raising of fruit and berries, bee-keeping, and the retail sale of products grown or raised on the premises through one growing season.

Agriculture shall not include the commercial feeding of garbage or offal to swine or other animals or operating for the disposal of garbage, sewerage, rubbish, or offal. Also, excluded from agriculture are mechanized industrial animal farms, commercially operated greenhouses, commercial milk farms, and commercial dog kennels.

The land area (farm) necessary to constitute an agricultural use is five (5) acres.

AIRCRAFT

A contrivance, now known or hereafter invented, for use in or designed for navigation of or flight in the air.

AIRPORT

Any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other air-port facilities or rights of way, including all necessary taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings and open spaces.

**AIRPORT (LANDING STRIP
HELIPORT or HELISTOP)**

Any premises which are used, or intended, for use, or for the landing and take-off of aircraft; and any appurtenant areas which are used or intended for use as airport buildings or other airport structures or rights of way, together with all airport buildings and structures located thereon.

ALLEY

A right of way, with a width not exceeding twenty four feet (24') which affords a secondary means of access to abutting property.

ALTERATION

Any change in size, shape, character, occupancy, or use of a building or structure.

AMENDMENT

Any addition to, deletion from, or change, including text and/or map.

ANIMAL CLINIC/HOSPITAL

An establishment for the diagnosis and medical and surgical treatment of small domestic animals by persons qualified and

authorized by appropriate licensing to treat injuries, illnesses and diseases of animals. All activity associated with animal clinics/hospital operations shall be conducted within a completely enclosed building.

ANIMAL HOSPITAL

A structure where animals or pets are given medical or surgical treatment. Use as a kennel, or for other boarding purposes, shall be limited to short-time and fully enclosed boarding and shall only be incidental to such hospital use. Also a "veterinary clinic.

ANTENNA

Any device or array that transmits and/or receives electromagnetic signals for voice, data or video communication purposes including, but not limited to, television, AM/FM radio, microwave, cellular telephone, personal wireless services and similar forms of communications.

APARTMENT

One or more rooms in a multi-family dwelling arranged, intended or designed as living quarters for an individual, group of individuals, or a family.

ASSEMBLY USE

The use of a non-government owned building, or part thereof, by a gathering of persons principally for civic, literary, arts, music, political, transportation, religious, or similar purposes. Examples include, but are not limited to Fraternal Lodges, Private Club which shall not include any Sexual Oriented Business as defined in Section 6-7B-3 of this Title, Veterans' membership organizations, civic organizations, conference centers, banquet halls, and meeting rooms and ballroom facilities which are principal uses or accessory to hotels/motels.

ATTIC

The space between the ceiling beams of a top habitable story and the roof rafters.

AUTOMOBILE LAUNDRY

A building or portion thereof containing facilities for (Car Wash) washing motor vehicles, using automatic production-line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, and equipment for the hand washing of autos, whether by the customer or the operator.

AUTOMOBILE REPAIR FACILITY

The general repair, including engine rebuilding or reconditioning, of motor vehicles; collision service such as body, frame and fender straightening and repair, and painting of motor vehicles.

AUTOMOBILE SERVICE FACILITY

Any building or premises used for the sale and installation of tires, batteries and other minor accessories and services for automobiles, but not including Automotive Repair Facility services; and may include washing of automobiles where no production line methods are employed. When the dispensing, sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

AUXILLARY USE

Retail and/or service use within the Office/Industrial (O/I) Districts, incidental to and to service the principal use for the convenience of the employees.

AWNING

A roof-like cover, temporary in nature, which projects from the wall of a building and which may overhang the public way.

BASEMENT (CELLAR)	The portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
BASEMENT, ENGLISH	The portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground and which is finished for living space.
BERM	A hill of land that acts as a visual barrier between a lot and adjacent properties, alleys or streets.
BLOCK	A tract of land bounded by streets, or by a combination of one or more streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shore lines of waterways, or corporate boundary lines.
BUILDABLE AREA	The area of the lot remaining after the minimum open space and/or yard requirements of this Code have been complied with.
BUILDING	Anything constructed for the shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.
BUILDING/COMPLETELY ENCLOSED	A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.
BUILDING/DETACHED	A principal building surrounded by open space on the same lot. (Ord. 86-885-22)
BUILDING HEIGHT	The vertical distance from the established grade to the highest point of the roof of a building or the highest point of the roof including rooftop equipment screens, but excluding residential chimneys. The established grade shall be determined by taking the mean elevation of the finished lot grade at the front of the building. In residential districts, the established grade for any new dwelling units associated with the replacement or reconstruction, for any reason, of a previous dwelling unit shall be determined by taking the mean elevation of the lot grade at the front of the proposed building, prior to any new site grading. Established grade for development of a previously-vacant lot shall be determined by reference to the mean existing grade at the front yard setback line. (Amd. Ord. 04-1934-50, eff. 11/8/04)
BUILDING/RESIDENTIAL	A principal building arranged, designed, used or intended to be used for residential occupancy by one or more families.
BUILDING SIDE SETBACK PLANE	Defines the planes within which, except for permitted encroachments, all portions of a building must remain. The planes begin at specific points directly above the established grade at the side lot lines and run at a 45 degree angle toward the interior of the lot until they reach the maximum building height permitted on the lot. (Amd. Ord. 04-1934-50, eff. 11/8/04)
BUILDING/TEMPORARY	A building not designed to be permanently located in the place where

it is, or where it is intended to be placed or affixed.

BULK

A composite characteristic of a given building or structure as located upon a given lot-not definable as a single quantity but involving all of these characteristics:

- A. Size and height of building or structure.
- B. Location of exterior walls at levels in relation to lot lines, streets, or to other buildings or structures.
- C. Floor area ratio.
- D. All open spaces allocated to the building or structure.
- E. Amount of lot area provided per dwelling unit.

BUSINESS

An occupation, employment or enterprise which occupies time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.

CANOPY

A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground, and erected primarily to provide shelter from the weather.

**CARGO or FREIGHT
TERMINAL**

A building or premises in which cargo or freight is received or dispatched.

CARPORT

An open sided (on at least 2 sides), roofed automobile shelter, usually formed by extension of the roof from the side of a building.

CEMETERY

A permanent or semi-permanent burial place or receptacle for human remains, regardless of whether the remains are composed of the whole body or parts thereof and irrespective of the vessel in which the remains are held, encased or entombed. For illustrative purposes only, and not intended to be an exhaustive list, Cemetery includes a catacomb, cinerarium, columbarium, crypt, mausoleum, ossuary, sepulcher, sepulture, tomb, or vault. (Ord. 08-3070-53)

CERTIFICATE, OCCUPANCY

The written approval of the Zoning Administrator certifying that the building or structure, as constructed, conforms to the applicant's approved plans and drawings as authorized through the zoning certificate and is ready for occupancy.

CERTIFICATE, ZONING

The written approval of the Zoning Administrator certifying that the applicant's plans and drawings comply with all applicable provisions of this Code. The "zoning certificate" may consist of a standardized independent form bearing the signature of the Zoning Administrator or it may be represented as a part of the building permit application.

**CERTIFICATE OF ZONING
COMPLIANCE**

The written confirmation certifying compliance with the regulations set forth in Title 6, Zoning, including but not limited to any decisions, conditions or special requirements for any use or occupancy of a parcel of land.

COMMON OPEN SPACE

Land or water unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development.

Common open space may contain walks, patios, and structures for recreational use. Area used for individual open space, such as private courtyards, and not available to all residents of the planned unit development shall not be included as common open space. (Ord. 86-885-22)

**COMMUNICATIONS
SUPPORT BUILDING**

A structure for the protection and security of communications equipment associated with one or more antennas, where access to equipment is gained from the interior of the structure.

**COMMUNICATIONS
SUPPORT CABINETS**

A casing or console used for the protection and security of communications equipment associated with one or more antennas, where direct access is provided from the exterior.

**COMMUNITY RESIDENTIAL
HOME**

A dwelling unit owned or leased and operated to provide a living environment for twelve (12) or fewer unrelated residents who operate as the functional equivalent of a family unit and who receive support services and are under the supervision of a sponsor or support staff due to their developmental, physical or mental disability.

A community residential home shall not be construed to include a medical or nursing facility. A community residential home shall not include a residence which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance abuse or alcohol abuse or for treatment of a communicable disease. (Ord. 90-1182-66)

COMPATIBLE USE

A property, use, or service which is capable of direct association with certain other uses because it is complimentary, congruous, or otherwise non-detrimental.

**CONCRETE RECYCLING,
STORAGE AND SALES:**

The process whereby previously manufactured concrete, without protruding metal bars, is received, stored, segregated, processed and remixed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)

**CONFORMING BUILDING or
STRUCTURE**

Any building or structure which:
A. Complies with all the regulations of the Zoning Code or of any amendment hereto governing bulk for the zoning district in which such building or structure is located, or,
B. Is designed or intended for a conforming use.
C. Example: An office building in a Business District.

CONTIGUOUS

In contact, adjoining, or touching another object or item, as distinguished from being adjacent.

**CONVALESCENT, NURSING
or REST HOME**

An establishment for the care of the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain convalescent equipment for surgical care or for more than the incidental treatment of disease or injury.

CULTIVATION CENTER

A facility operated by an organization or business registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis Dispensary Organizations with usable medical cannabis. No available parcels in the Village of

Lincolnshire permit Cultivation Centers to exist due to the separation requirements of the Compassionate Use of Medical Cannabis Pilot Program Act (Illinois Public Act 098-0122).

CURB LEVEL

The level of the established curb in front of a building measured at the center of such front. Where no curb elevation has been established, the pavement elevation at the street center line similarly measured, or the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the "curb level".

DAY

As used in this Code, "day" shall mean one calendar day. If a projected day falls on a weekend or holiday, the next following working day or week day shall fulfill requirements.

DAY CARE CENTER

An institution or place in which are received three (3) or more children, not of common parentage, apart from their parents or guardian, for part or all of a day but not later than nine o'clock (9:00) P.M. This term includes but is not limited to nursery schools, child care centers, and day nurseries.

DAY SPA

An establishment that provides State licensed, professionally administered massage and body treatments. For the purposes of explanation, and not intended to an exhaustive list, day spa services may include body wraps, skin exfoliation, electrolysis, body toning, waxing, aromatherapy, and facial treatments. Full service beauty shops/salons, makeup consultation and applications, manicure and pedicure services, and body tanning may be provided as accessory services to a day spa.(Ord. 09-3103-26, eff. 06/22/09)

DECIBEL

A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".

DETENTION

The temporary on-site restraining of storm water. (Ord. 86-885-22)

**DEVELOPMENTAL
DISABILITY**

A severe or chronic disability of a person which:

- A. Is attributable to a mental or physical impairment or combination of mental and physical impairments.
- B. is manifested before the person attains age twenty two (22).
- C. is likely to continue indefinitely.
- D. Results in substantial functional limitation in three (3) or more of the following areas of major life activity: 1) self-care, 2) receptive and expressive language, 3) learning, 4) mobility, 5) self-direction, 6) capacity for independent living, and 7) economic self sufficiency.
- E. Reflects the person's need for a combination and sequence of special care, treatment, or other services which are lifelong or of extended duration and are individually planned and coordinated, (Ord. 90-1182-66)

**DISPENSARY
ORGANIZATION**

A facility operated by an organization or business registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered Cultivation Center for the purpose of dispensing cannabis, paraphernalia, or related supplies

and educational materials to registered qualifying patients.

DISTRICT

A portion of the corporate area of the Village, within which certain uniform regulations and requirements; or various combinations thereof, apply under the provisions of this Title.

DOG KENNEL

Any premises where three (3) or more dogs, over four (4) months of age, are owned, boarded, bred, and/or offered for sale.

DRIVE-THROUGH RESTAURANT

Any business where food or beverages are sold and delivered to the consumer while the consumer is in an automobile or other motorized vehicle.

DRIVEWAY

A pathway for motor vehicles from a street to a structure used for service purposes or for access to the structure only.

DRINKING ESTABLISHMENT

Establishments primarily engaged in preparing and serving alcoholic beverages for immediate consumption; commonly known as bars, taverns, nightclubs, or drinking place; and may also provide limited food services.

DWELLING

A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings, but not including hotels or motels.

DWELLING/ATTACHED

A dwelling which is joined to another dwelling at one or more sides by party walls.

DWELLING/DETACHED

A dwelling which is entirely surrounded by open space on the same lot.

DWELLING/MULTI-FAMILY

A building, or portion thereof, containing three (3) or more dwelling units, originally constructed for said purpose. (Ord. 86-885-22)

DWELLING/SINGLE-FAMILY

A building containing one dwelling unit only and that is occupied by one family as defined in this Title. (Ord. 90-1182-66)

DWELLING/TWO FAMILY

A building containing two (2) dwelling units only, designed for two (2) families to live independently of each other, and that is occupied by not more than two (2) families. (Ord. 86-885-22)

DWELLING UNIT

A group of contiguous rooms which include facilities which are used for living, sleeping, cooking, and eating, constituting all or part of a dwelling or hotel, and arranged, designed or intended for use exclusively as living quarters for one family or a community residential home maintaining a single and separate housekeeping unit, except as provided in Section 6-3-9 of this Zoning Code. (Ord. 90-1182-66)

EDUCATIONAL INSTITUTION

A public, parochial, private or charitable, or nonprofit school, junior college, college or university, other than trade or business schools, including instructional and recreational uses.

EFFICIENCY UNIT

A dwelling unit consisting of one principal room together with

bathroom, kitchen, hallway, closets, and/or dining room alcove directly off the principal room, provided such dining alcove does exceed one hundred twenty five (125) square feet in area. An efficiency unit created after the effective date of this Zoning Code shall contain at least three hundred (300) square feet of floor area.

**ELEEMOSYNARY
INSTITUTION**

A building or group of buildings devoted to and supported by charity.

ESTABLISHMENT, BUSINESS

A place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business located on the same zoning lot. Direct access to each "business establishment" shall be separate and distinct from direct access to any other business establishment, and in no case shall there be access to one such establishment from within another such establishment.

FAMILY

- A. One person, his or her spouse, their offspring, legally adopted children.
- B. Plus not more than six (6) other persons who are foster children or related to said person by blood, marriage or legal adoption such as mother or father, sister or brother, and mother-in-law or father-in-law, except that the total shall not exceed eight (8) unless it consists entirely of persons included under A as listed above. (Ord. 86-885-22)
- C. A family may also be composed of not to exceed three (3) persons not so related, provided that such unrelated persons live in a single dwelling and maintain a common household and a single housekeeping unit, including persons of a community residential home as defined in this Title.

A family includes any domestic servants and not more than one gratuitous guest residing with said family; such servants or guests shall be included in the unrelated persons attained by this definition, and shall not be in addition thereto. (Ord. 90-1182-66)

FARMERS MARKET

A designated area where home-grown or home-made products are sold directly to the public from open or semi-open facilities.

FENCE

A structure, other than a building, which is a barrier and used as a boundary or means of protection or confinement.

FENCE, NATURAL

A fence made of natural growth, such as trees, deciduous shrubs, evergreens, etc.

FENCE, OPEN

A fence, including gates, which contains no greater than 60% opaque materials, as measured horizontally along each foot of the length of the fence facing each yard.

FENCE, SOLID

A fence, including gates, which conceals from view from adjoining properties, streets, or alleys activities conducted behind it.

FLOOD	A temporary increase in normal water level (surface water elevation) that results in water inundating areas adjacent or near to the usual channel or lake.
FLOOD BASE ELEVATION	Six hundred forty five feet (645') above mean sea level which is the elevation of the highest flood on record for the Des Plaines River at Highway 22.
FLOOD-CREST ELEVATION	The elevation equal to the flood-crest level of record designated by the Village Engineer or other governmental official or body having jurisdiction as applicable to the property for which a zoning certificate is being requested.
FLOOD PLAIN AREA	That continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood-crest elevation including also land less than ten (10) acres in area having an elevation higher than flood-crest elevation and which is surrounded by land in a flood plain area, or land, less than five (5) acres in area, having an elevation equal or higher than flood-crest elevation and bordered on three (3) sides by land in a flood plain area.
FLOOD TABLE LAND	The area up to one thousand feet (1,000') adjacent to the flood plain but which is lower than the flood base elevation. Areas protected by an existing dike or natural ridge are not considered flood table land.
FLOOR AREA (GROSS FLOOR AREA)	For the purpose of determining the floor area ratio, the minimum floor area and conversions of existing structures. The sum of the gross horizontal areas of the several floors of a building, including the English Basement floor but not including a basement floor, measured from the exterior faces of the exterior walls. The "floor area" of a building shall also include elevator shafts and stairwells at each floor; floor space used for mechanical equipment, except equipment, open or enclosed, located on the roof; penthouses; finished attic space having headroom of five feet (5') or more; unfinished garage attic space, with or without flooring, having headroom of five feet (5') or more from the top of the lowest garage ceiling rafters; provided however that porches and any space devoted to accessory off-street parking or loading shall not be included in "floor area, and, in residential zoning districts, the area of a garage shall be included, with the exception that the first 400 square feet of the total garage area shall be excluded. Further, for that portion of any open two-story element, which consists of an interior space which has a clear height of sixteen feet (16') or more from the floor elevation, that floor area shall be counted twice in calculating the floor area ratio. (Amd. Ord. 04-1934-50, eff. 11/8/04)
FLOOR AREA (FOR THE PURPOSE OF DETERMINING OFF-STREET PARKING AND LOADING REQUIREMENTS)	The sum of the gross horizontal area of the several floors of a building or portion thereof, devoted to a use requiring off-street parking or loading as required in this Zoning Code. This area shall exclude such floor areas used for accessory off-street parking and off-street loading facilities and such basement floor areas that are devoted exclusively to uses accessory to the operations of the building. All horizontal dimensions shall be taken from the exterior faces of the wall.

FLOOR AREA (OF A DWELLING UNIT OR A LODGING ROOM)	The sum of the gross horizontal areas of the room constituting the dwelling unit or lodging room, including closets, baths, utility rooms, hallways when accessible only to the occupants of said dwelling unit or lodging room and not accessible to other occupants of the building or to the general public, and only when such rooms, halls or other areas are an integral part of said dwelling unit or lodging room. Floor area shall be measured from the interior faces of the outer-most walls defining the dwelling unit or lodging room but shall not include any unfinished space or finished space having a headroom of less than five feet (5').
FLOOR AREA (RATIO)	The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.
FOOTCANDLE	A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface. (Ord. 08-3049-32, eff. 08/11/08)
FREE-STANDING ANTENNA POLE	A free-standing monopole-design structure that is constructed solely for the purpose of supporting one or more antennas. This definition does not include towers that require additional support, such as guyed towers or lattice towers.
FRONTAGE	The length of all the property fronting on one side of a street between the two (2) nearest intersecting streets, measured along the line of the street, or if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
FRONTAGE, ZONING LOT	The length of all the property of such zoning lot fronting on street, measured between side lot lines.
GARAGE/PRIVATE	An accessory building or an accessory portion of the principal building, which is intended for and used for storing of privately owned motor vehicles, boats and trailers of the family or families resident upon the premises and in which no business, service, or industry connected directly or indirectly with motor vehicles, boats and trailers is carried on; provided that not more than two-thirds (2/3) of the parking spaces therein may be rented for the storage of motor vehicles, boats and trailers of persons not resident on premises, except that all the parking spaces in a garage of one (1), two (2) or three (3) car capacity may be so rented.
GARAGE/PUBLIC	A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, storing, or parking motor-driven vehicles. The term repairing shall not include an automotive body repair shop or the rebuilding, dismantling, or storage of a wrecked or junked vehicle, unless expressly authorized.
GARAGE SALE	The occasional sale of used or surplus household goods, wares and other items of personal property owned by the occupier of the residence on the premises where such sale is held, or owned collectively by a group of persons including the occupier of the residence on the premises where such sale is held. Also includes

sales commonly known as yard sales, basement sales, house sales, yard sales, attic sales, rummage sales, estate sales or other similar occasional sales conducted on an infrequent and unscheduled basis from residentially zoned premises.

GARAGE/STORAGE

A building or premises used for housing of motor vehicles, and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired or sold, except that fuel, grease, or oil may be dispensed within the building to vehicles stored therein.

GAZEBO

A freestanding roofed Accessory Structure open on all sides, affording shade and rest.

GLARE

A distinct light source within the visual field that is sufficiently brighter than the ambient level of brightness to which the eyes are adapted to cause a visual disturbance or nuisance. (Ord. 08-3049-32, eff. 08/11/08)

GRADE

The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GRADING

Reshaping natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making minor changes in land elevation.

GROSS FLOOR AREA

All the floor area contained within a building or buildings, without exception.

GROUND FLOOR

That level of a building on a sloping or multi-level site which has its floor line at or not more than three feet (3') above exit grade.

GROUND FLOOR AREA

The lot area covered by a building, measured from the exterior faces of exterior walls, but excluding open terraces and carports.

GUEST/PERMANENT

A person who occupies or has the right to occupy, a residence accommodation for a period of thirty (30) days or more.

HEDGE

A row or fence of bushes. (Ord. 86-885-22)

HISTORIC DISTRICT

Any parcel of land, use or structure which has been determined by the Village Board or National Trust to be of historic significance and which is identified as such on a recorded plat, plan or any other appropriate document. (Ord. 87-954-40)

HOME OCCUPATION

An occupation or profession practiced by, a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling; and in connection with which there is no indication from the exterior, that the building is being utilized in whole or in part for any purpose than that of a dwelling. No commodity is sold upon the premises and no commodity intended for sale or use elsewhere is stored on the premises; no more than one person is employed other than members

of the family residing on the premises; and no mechanical or electrical equipment is used except such as is permissible for purely domestic or household purposes. A professional person may use his residence for consultation, emergency treatment, or performance of religious rites. No accessory building shall be used for such home occupation. Home occupations, further, shall not utilize more than twenty five percent (25%) of the total floor area of any one story.

HOSPITAL

A medical institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and care of individuals suffering from illness, disease, injury, deformity or other abnormal physical condition.

HOTEL or MOTEL

An establishment which is open to transient guests, in contradistinction to a boarding, rooming or lodging house, and is commonly known as a hotel in the community in which it is located; and which provides customary hotel services such as maid services, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

IMPERMEABLE SURFACE

A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of Portland concrete, bituminous concrete, composed stone or gravel, or any other surface that allows little or no water penetration.

IMPERVIOUS SURFACE

Any man-made area that alters the natural surface course for or does not allow for the natural rate of absorption or retention of storm water. Such areas may include, but are not limited by reason of exclusion from the following list of examples, roofs, parking and driveway areas, graveled areas, sidewalks and bike paths, paved recreational areas, swimming pools, porches, decks and patios. (Amd Ord. 07-2973-01B, eff. 1/22/07)

INCOMPATIBLE LAND USE

A non-residential use adjacent to a residential zoning district or a Special Use in a residential zoning district. (Amd. Ord. 12-3233-03, eff. 1/23/12)

KENNEL

Any premises or portion thereof on which two (2) or more dogs, cats, or other household domestic animals over four (4) months of age are kept, or on which more than two (2) such animals are maintained, boarded, bred, or cared for, in return for remuneration, or are kept for the purpose of sale.

LABORATORY

A place devoted to experimental study such as testing and analyzing. Manufacturing of product or products is not to be permitted within this definition.

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as a result of the care of lawns, shrubbery, vines and trees.(Ord. 06-2948-40, eff. 8/14/06)

LIBRARY-PUBLIC

A facility owned and operated by a unit of local government for the collection, storage, use and dissemination of educational and recreational materials in various formats and which provides space for uses that support the efficient and effective operation of a public

library system. (Ord. 92-1228-06)

LIVE ENTERTAINMENT

With respect to any restaurant, bar, tavern or other place of public accommodation, any public artistic, musical or dramatic performance which is the principal purpose for the audience to be present, regardless of whether a fee is charged. (Ord. 13-3282-08, eff. 3/11/13)

LOADING BERTH

A space within the principal building or on the same lot as the principal building providing for the standing, loading, or unloading of trucks and with access to a street or alley.

**LODGING HOUSE
(INCLUDING BOARDING
ROOMING HOUSE)**

A residential building, or portion and thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which and accommodate persons who are not members of the keeper's family. Lodging with or without meals is provided for compensation on a weekly or monthly basis.

**LODGING ROOM (ROOMING
UNIT)**

A room which is not physically a part of a dwelling unit, or which through physically a part of a dwelling unit is used or intended for use by a person or persons other than members of the family occupying said dwelling unit, and which is used or intended to be used as sleeping and living quarters, but without facilities for either cooking or eating.

LOT

A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot may consist of any of the following, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Zoning Code:

- A. A single lot of record;
- B. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

A lot occupied by, or intended for occupancy by, one principal building or principal use and shall have frontage upon a street as defined by this Zoning Code. Notwithstanding the above requirements, a lot shown on a plat properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code even though not meeting the requirements of this Zoning Code as to width or area may be used as a zoning lot if it complies with conditions as set forth in Section 6-3-3A of this Zoning Code.

LOT AREA, GROSS

The area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by the waters of a duly recorded lake or river.

LOT/CORNER

A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty five degrees (135°).

LOT COVERAGE/BUILDING

The ratio between the ground floor area of all buildings or structures

	on a lot and the total area of the lot.
LOT COVERAGE/GROSS	The ratio between the ground floor area of all buildings and structures plus all areas used for off-street parking facilities, loading areas, vehicular access ways of driveways, and the total area of the lot.
LOT DEPTH	The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
LOT LINE	A line dividing one lot from another lot or from a street or alley.
LOT LINE/FRONT	A lot line which is a street lot line. Any street lot line of a corner lot may be established by the owner as the front lot line, but once established, shall not be altered.
LOT LINE/REAR	That boundary of a lot which is most distant from and is, or is approximately, parallel to the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet (10') in length within the lot, parallel to, and at the maximum distance from, the front lot line.
LOT LINE/SIDE	Any boundary of a lot which is not a front or rear lot line. On a corner lot a side lot line may be a street lot line.
LOT LINE/STREET	A lot line dividing a lot from a street.
LOT/REVERSED CORNER	A corner lot where the street side lot line is substantially a continuation of the front lot line of the first lot to its rear.
LOT/THROUGH	A lot which has a pair of opposite lot lines along two (2) substantially parallel streets, and which is not a corner lot. On a through lot both street lot lines shall be deemed front lot lines.
LOT/WIDTH	The horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first thirty feet (30') of lot depth immediately in back of the required front yard.
LOT, ZONING	A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.
LUMINAIRE	A complete lighting unit, including the lamp, reflectors, globes, lenses, shields, or other components designed to block, diffuse or distribute light. (Ord. 08-3049-32, eff. 08/11/08)
MARQUEE	A roof-like structure of a permanent nature which projects from a wall of a building. (Ord. 86-885-22)
MEETING AND EVENTS CENTER	A non-residential building primarily used for the rental or leasing of space for use as a banquet hall, conference center, dance hall or meeting room.

MEMORIAL ASSEMBLY FACILITY	A type of cemetery comprising an area and/or structure (i.e. columbarium) intended as a memorial for deceased persons and used for the burial, inurnment or interment of only cremated human remains. For the purpose of this Chapter, an outdoor Memorial Assembly Facility shall include the area and/or structure wherein the cremated human remains are buried, inurned or interred and the adjoining improvements intended for memorials, services or private reflection. (Ord. 08-3070-53)
MEMORIAL GARDEN	An area and/or structure intended as a memorial for deceased persons but which shall not be used as a CEMETERY. (Ord. 08-3070-53)
MENTAL DISABILITY	An individual or group of disorders that cause severe disturbances in thinking, feeling, and relating that can result in a substantially diminished capacity for coping with the ordinary demands of life. (Ord. 90-1162-66)
MOBILE FOOD VENDOR	A mobile vendor that transports and sells food and/or drinks from a designated vehicle or cart, which may include facilities for storage, preparation and cooking of food and/or drinks, for immediate public consumption.
MOBILE SERVICES	A mobile operation providing on-site services, including but not limited to car wash, product pick-up/distribution, and general vehicle maintenance and service, but not including major automotive repair and service.
MOTOR VEHICLE	Any passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.
MULTI-USER BUILDING	An office/industrial building that is occupied, or operated, by two or more business users or business tenants. (Ord. 09-3106-39, eff. 7/13/09)
MULTIPLE-FAMILY STRUCTURE	A residential structure with more than one dwelling unit with interior common habitable areas. (Amd. Ord. 95-1377-7, eff. 1/9/95)
NO IMPACT	<p>The term “no impact” personal wireless service facility shall be defined as a facility which is:</p> <ol style="list-style-type: none">1. Designed so as to completely conceal all components of the personal wireless service facility within a new or existing structure that is architecturally compatible with its surroundings; including, but not limited to, an antenna behind louvers, or in a false roof on a building, or inside a steeple, clock tower, flagpole (with a maximum diameter of 15 inches), campanile or bell tower; or2. Camouflaged so as to blend into its surroundings to such an extent that it is no more obtrusive to the casual observer than the structure on which it is (a) placed, such as a rooftop, lighting standard or existing tower; or (b) replacing, such as a school athletic field light standard, or other similar structure.

NONCONFORMING/USE STRUCTURE, LOT	Any Use, Structure or Lot which was lawfully established, either by right or by reason of a variance or special use, and becomes noncompliant with this Title by reason of an amendment to this Title that becomes effective following the attachment of vested rights to such use, structure or lot.
NOXIOUS MATTER	Material which is capable of causing injury or malaise to living organisms by chemical reaction, or is capable of causing detrimental effects upon the health, or the psychological, social, or economic well-being of human beings.
NURSING HOME (CONVALESCENT HOME, SHELTERED CARE HOME)	An establishment for the care of children or the aged or infirm. Such a home shall not contain equipment for or provide care in maternity cases or for psychotics or other unruly mentally deranged persons nor for surgical or medical cases commonly treated in hospitals.
OCTAVE BAND	A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.
ODOROUS MATTER	Any matter or material that yields an odor which is offensive in any way. (Ord. 86-885-22)
OFFICE	A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. An office shall not include a clinic or the production, distribution or sales of goods or commodities which are physically located on the premises. (Ord. 90-1163-47)
OPEN SALE LOT	Any open space used or occupied for the purpose of buying and selling merchandise, passenger cars, trucks, commercial trailers, motor scooters, motorcycles, boats and monuments, or for the storing of same prior to sale. (Ord. 86-885-22)
ORNAMENTAL METAL FENCE	A fence constructed of wrought iron, aluminum or steel materials and designed with horizontal rails and other decorative elements, such as balusters, rings or finials, but which does not contain woven metallic materials in the style typical of chain link or cyclone fences. (Ord. 12-3233-03, eff. 1/23/12)
OUTDOOR STORAGE	The keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than twenty four (24) hours. (Ord. 90-1163-47)
PARKING AREA	One or more parking spaces, and may also include access drives, aisles, ramps, and maneuvering area.
PARKING LOT	An area reserved or used for parking motor vehicles, hauling trailers or trailer-mounted boats on premises on which there is not a principal building.
PARKING SPACE	An accessible area used or intended for use for temporary storage of one motor vehicle, hauling trailer or trailer-mounted boat which parking space may be located in a private or storage garage, or in the open. In this definition, temporary storage shall be further limited to include only the storage of vehicles which are fully capable of legal

operation on the public streets. Any other storage of vehicles shall be considered as the storage of goods and shall be prohibited except where specifically permitted by this Zoning Code.

PARTICULATE MATTER

Material which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or solid at atmospheric temperature and pressure.

PARTY WALL

A wall which is common to but divides contiguous buildings. (Ord. 86-885-22)

PERSON

Any corporation, partnership, individuals, or group of individuals, associations, or agent, so that any entity who would be subject to the Zoning Code would be defined as a person, (Ord. 86-885-22)

PERSONAL RECREATION FACILITY

An Accessory Structure intended for the purpose of private recreation activity conducted on a purpose-built court or field, including but not limited to basketball court, tennis court, volleyball court, etc.

PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES

A personal wireless service facility shall mean any facility of whatever kind or nature that receives, transmits or relays radio or microwave signals for cellular, PCS or other similar service. This shall include any installation or mounting structure or equipment and any appurtenant electronics necessary for the operation of the facility. This definition shall be inclusive of the definition of personal wireless service facility set forth in 47 USC 332(c)(7)(C), as amended now or in the future.

PHYSICAL DISABILITY

A disability that may have been caused by a head injury, severe arthritis, stroke, muscular dystrophy, multiple sclerosis, spinal cord injury, and other causes that can substantially limit an individual's capacity to function in society. (Ord. 90-1182-66)

PHYSICIANS OFFICE

Establishment for the practice of general or specialized medicine; including but not limited to, offices of one or more physicians, dentists, clinical psychologists, and similar medical or chiropractic professionals that does not include overnight care facilities.

PLAY STRUCTURE

An Accessory Structure intended for the purpose of children's play, including but not limited to playhouse, jungle gym, swing set, or trampoline.

PREMISES

A distinct portion of real estate, land or lands with or without buildings or structures. It may or may not have the same meaning as "lot", "building", or "structure".

PRINCIPAL STRUCTURE (BUILDING)

A building in which is conducted the principal use of the lot on which it is located.(Amend Ord. 95-1397-27)

PROPERTY LINE

The line bounding a zoning lot, as defined herein.

PUBLIC WAY

Any sidewalk, street, alley, highway, or other public thoroughfare.

RECORDING (OF A DOCUMENT)

Officially record a document in the office of the Lake County Recorder.

**RECREATION FACILITY,
PUBLIC**

A facility operated as a commercial business and open to the public for a fee, offering indoor party facilities and/or fitness/recreational sports featuring exercise and other active physical fitness conditioning or recreational sports activity, and which may include food service and/or the sale of alcoholic beverages to patrons, provided it is secondary and incidental to the primary recreational activity. Such facility shall not operate any Sexual Oriented Business, as defined in Section 6-7B-3 of this Title, or any establishment commonly known as a gun, shooting or firing range.

**RECREATION FACILITY,
PRIVATE**

A facility offering fitness and/or recreational sports featuring exercise and other active physical fitness conditioning or recreational sports activity for members paying monthly and/or annual dues, and which may include food service and/or the sale of alcoholic beverages, provided it is secondary and incidental to the primary recreational operation. Such facility shall not operate any Sexual Oriented Business, as defined in Section 6-7B-3 of this Title, or any establishment commonly known as a gun, shooting or firing range.

POOL HOUSE

An Accessory Structure that serves and solely used in conjunction with an in ground swimming pool.

**RECYCLING COLLECTION
POINT**

An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a parking lot or in other public/quasi-public areas. (Ord. 90-1163-47)

RESEARCH LABORATORY

A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but no facilities for manufacture or sale of products.

RESERVOIR

The term "reservoir" is commonly applied to waters held in storage in either artificial or natural basins and impoundments primarily for a source of water for power, Municipal, industrial, domestic, or flood control uses. (Ord. 86-885-22)

**RESTAURANT, TABLE
SERVICE**

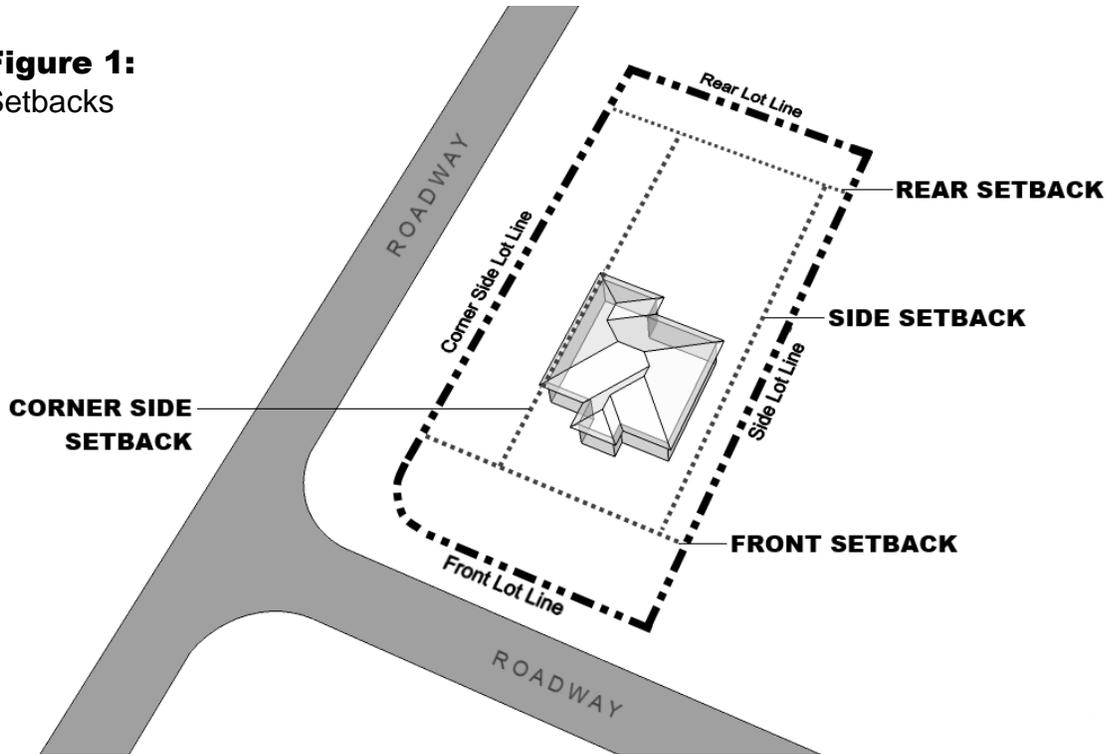
Unpackaged food to the customer in a ready-to-consume state, in individual servings where food is served to the customer and the customer generally consumes these foods while seated at tables or counters located within, or immediately adjacent to, the building. Carry-out business shall be permitted at these establishments as a subsidiary use. (Ord. 02-1818-28) (Amd. Ord. 07-2983-11, eff. 5/14/07)

RESTAURANT, FAST FOOD

An establishment that is commonly referred to within the restaurant industry as a "QSR", or quick service restaurant. Characteristics common to a Fast Food Restaurant include one or more of the following: offers quick food service, a limited menu, food items pre-prepared or prepared quickly, orders are not-taken at the customers table, and food is generally served in disposable wrapping or containers. This type of establishment often times includes a drive-up or drive-through service facility. (Ord. Amd. 07-2983-11, eff. 05/14/07)

RESTAURANT, CONVENIENCE	An establishment commonly referred to within the restaurant industry as a “fast casual” restaurant. Characteristics common to a Convenience Dining Restaurant include: (a) the principal business model of the restaurant is to serve food at the patrons table; (b) limited menu items are made-to-order and are prepared only upon being ordered by the patron; and (c) the décor is more similar to a Table Service Restaurant than a Fast Food Restaurant. (Ord. Amd. 07-2983-11, eff. 05/14/07)
RETENTION	The permanent on-site maintenance of storm water.
RINGELMANN CHART	One which is described in the U.S. Bureau of Mines information Circular 8333, and on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of smoke density.
ROADSIDE STAND	A structure for the display and sale of agricultural products, with no space for customers within the structure itself.
ROOF-MOUNTED ANTENNA POLE	Any structure that supports one or more antennas, and is designed and constructed to be attached, at its base, to the roof of an existing building.
SATELLITE EARTH STATION ANTENNA	Any dish-type satellite signal receiving station or disc antenna, whether flat or concave which is designed for receiving television, radio, data, microwave or other signals from satellites or other sources. (Amd. Ord. 95-1380-10, eff. 2/13/95)
SCREEN	Any permanent barrier comprised of natural or man-made materials which conceals from view all or any part of a deck or patio. (Amd. Ord. 12-3233-03, eff. 1/23/12)
SCREENING	A structure erected or vegetation planted for concealing from viewers the area behind it.
SELF-SUPPORTING FENCE	A fence made of rigid or semi rigid materials, capable of maintaining its shape without sagging or having significant deflection between support posts. (Amd. Ord. 12-3233-03, eff. 1/23/12)
SETBACK	The distance required between any Lot Line and the Structure or the nearest supporting member of any structure on the lot. See Figure 1.
SETBACK, FRONT	The required distance measured from the front lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1.
SETBACK, SIDE	The required distance measured from the side lot line to the nearest member of the Structure, extending between the front and rear setbacks. See Figure 1.
SETBACK, REAR	The required distance measured from the rear lot line to the nearest member of the Structure, extending between the side and/or corner side lot lines. See Figure 1
SETBACK, CORNER SIDE	The required distance measured from the side lot line adjoining a street, extending between the front and rear setbacks. See Figure 1.

Figure 1:
Setbacks



SIGN

Any visual device or representation designed or used for the purpose of communicating a message or identifying a product, service, person, organization, business or event, with the use of words or characters, visible from outside the premises on which such device is located.

SINGLE FAMILY ATTACHED STRUCTURE

A residential structure with more than one dwelling unit with an independent means of egress and with no interior common habitable areas. (amd. Ord. 95-1377-7, eff. 1/9/95)

SOUND LEVEL

The intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER

An instrument standardized by the American Standards Association for measurement of the intensity of sound.

SPECIAL USE

A "special use" of land or buildings, or both, described and permitted herein, is a use subject to special provisions and which because of unique characteristics cannot be properly classified as a permitted use. (Ord. 86-885-22)

SPONSOR or SUPPORT STAFF

Any person licensed or similarly authorized by an agency of the State of Illinois to operate a community residential home. (Ord. 90-1182-66)

STORAGE STRUCTURE

A fully enclosed roofed structure used solely for storage.

STORY

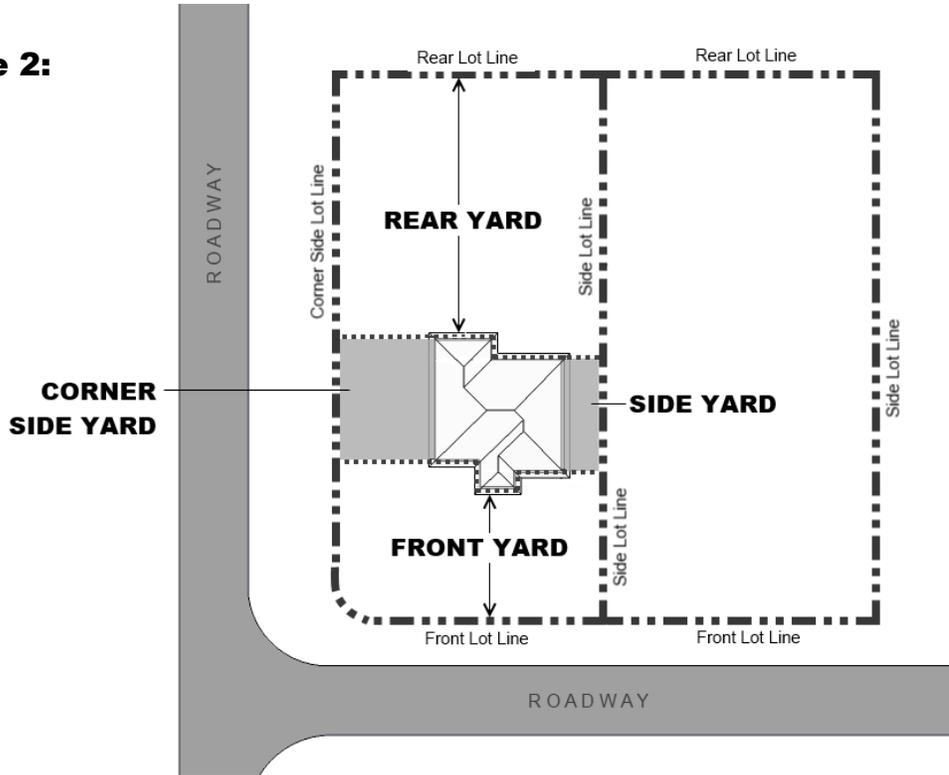
That portion of a building included between the surface of any floor and the surface of the floor above; or if there is no floor above, the space between the floor and the ceiling above. An English Basement shall be counted as a story, but a basement or cellar shall not be counted as a story.

STORY/HALF	A space under a sloping roof which has the line of intersection for roof decking and wall below the ceiling level of the top floor.
STREAM	Any natural, artificial, or channelized watercourse that transports continuous or periodic flowing water.
STREET	A publicly dedicated right of way not less than fifty feet (50') in width or a permanently reserved easement of access approved by the Board of Trustees, which affords a primary means of access to abutting property.
STRUCTURAL ALTERATIONS	Any change, other than incidental repairs in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams, or girders; or any substantial change in the roof or exterior walls.
STRUCTURE	Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. An advertising or business sign, if detached or projecting from a building, shall be construed to be a separate structure. Accessory Structures shall be considered Structures notwithstanding whether they are permanently affixed or mounted to one location on the ground or attached to something having a permanent location on the ground. (Amd. Ord. 06-2011-02, eff. 1/23/06)
STRUCTURE, SEASONAL	An Accessory Structure located on residential property used for temporary seasonal use, including but not limited to tents, shade structures, and temporary ice rinks.
STRUCTURE, TEMPORARY	A structure located on non-residential property for temporary use and is removed when the permitted time period, activity, or use for which the temporary structure was erected has ceased.
SUPERVISION	The act of assuming responsibility for the day-to-day operation of a community residential home that includes, without limitation, the performance of any act that requires licensing, certification or such similar authorization by an agency of the State of Illinois of competent jurisdiction.
SUPPORT SERVICES	Those services provided to residents in order to facilitate their integration into the community and to improve their level of functioning and independence. (Ord. 90-1182-66)
SURFACE WATER ELEVATION	The normal water level elevation of a lake, stream, or stream bed as depicted on the United States Geological Survey (U.S.G.S.) flood plain topographic maps. If "surface water elevation" datum specified by the Illinois Department of Transportation - Division of Water Resources is more current than U.S.G.S. flood plain topographic maps, Division of Water Resources information may be used.
TEMPORARY EVENT	An organized occasion, activity, or gathering for public attendance on private property, which may be conditioned upon participant registration, for a fixed, short time period.

TEMPORARY SALES	Temporary sales of overstock and similar products manufactured, warehoused or distributed in the normal business operation of the principal use.
TENT	A portable shelter intended for outdoor use constructed of canvas, nylon, or similar pliable fabric.
THREE-COMPONENT MEASURING SYSTEM	A complement of instruments or seismograph which can record, simultaneously, vibration vectors in three (3) mutually-perpendicular directions.
TOXIC MATERIAL	Any substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property when emitted in any amount, is injurious to plants, animals, or human beings.
TRAILER	Any vehicle, house, car, camp car, recreational vehicle, or any portable or mobile vehicle on wheels, jacks, horses, skids, or blocks, and with or without motive power; which is used, adapted, or designed for living, sleeping, business, trade, occupation, or storage purposes. A permanent foundation shall not change its character unless the entire structure meets Village Building Code regulations.
TRANSIENT GUEST	A tenant who does not have a lease and occupies an apartment, lodging room, or other living quarters on a month to month, week to week, or day to day basis.
TREE CHIPPING	The process whereby parts of trees, and no other forms of landscape waste, are received, stored and processed for sale to end markets in the form of raw materials or products.(Ord. 06-2948-40, eff. 8/14/06)
URGENT MEDICAL CARE CENTER/CLINIC	An establishment comprised of physicians and other medical staff engaged in providing surgical services or emergency care services on an outpatient basis.
USE	The purpose or activity for which the land, building or structure thereon, is designed, arranged, or intended or for which it is occupied or maintained.
USE, PERMITTED	Any building, structure, or use which complies with the applicable regulation of this Code governing permitted uses in the zoning district in which such building, structure or use is located.
USE, PRINCIPAL	The main use of land, building or structure as distinguished from a subordinate or accessory use.
USE, TEMPORARY	A use permitted for a limited duration and is discontinued upon the expiration of the approved time period.
VARIANCE	A relaxation of the terms of the Zoning Code where such relaxation will not be contrary to the public interest and where, due to conditions peculiar to the property and not the direct result of the actions of the owner, a literal enforcement of the Code would result in unnecessary hardship.
VEHICLE FUELING STATION	Any building or portion thereof or premises used primarily for

	dispensing or offering for sale at retail to the public, vehicle fuels, gasoline, petroleum products, and other permitted retail goods. (Ord. 97-1494-18 eff. 6/9/97)
VEHICLE REPAIR (AUTOMOBILE REPAIR)	The general repair, engine, rebuilding or reconditioning of vehicles, collision service such as body, frame and fender straightening and repair, and painting of motor vehicles. (Ord. 97-1494-18 eff. 6/9/97)
VEHICLE SERVICE STATION (AUTOMOBILE SERVICE STATION)	Any building or portion thereof or premises used primarily for the dispensing or offering of vehicle fuels, petroleum products, and other permitted retail goods. Light maintenance and service activities such as tire repairs, battery replacement, lubrication, engine tune-ups, and minor repairs may be conducted within the completely enclosed building on the site. Vehicle Service Stations shall not include vehicle repairs other than as stated in this definition. (Ord. 97-1494-18 eff. 6/9/97)
VEHICLE WASH (AUTOMOBILE LAUNDRY)	A completely enclosed building or portion thereof containing equipment or providing space or water for cleaning vehicles defined in the Illinois Vehicle Code as first division and Class B vehicles up to, and including 8,000 pounds, as a special accessory use to another principal permitted or special use in the zoning district. (Ord. 97-1494-18 eff. 6/9/97)
WAREHOUSE	A structure, part thereof, or area used principally for the storage of goods and merchandise.
WATCHMAN'S QUARTERS	Working facilities for an owner/operator or employee to provide twenty four (24) hour security in any zoning district where such accommodations are a permitted use. Watchman's quarters shall not serve as a primary residence for a watchman.
WHOLESALE ESTABLISHMENT	A business establishment engaged in selling to retailers or jobbers rather than consumers.
YARD	An open space on a lot which is unoccupied and unobstructed from its lowest level to the sky, except by natural features and as otherwise permitted in this Zoning Code. No yard provided for any building and required for the purpose of complying with this Zoning Code shall again be used as a yard for any other building.
YARD/CORNER SIDE	A side yard which adjoins a public street. See Figure 2.
YARD/FRONT	A yard extending from the abutting roadway to the front of the Structure and extending the full width of the lot. See Figure 2.
YARD/REAR	A yard extending from the rear lot line to the rear of the Structure and extending for the full width of the lot. See Figure 2.
YARD/SIDE	A yard extending from a side lot line to the side of the Structure, extending between the front and rear yards. See Figure 2.

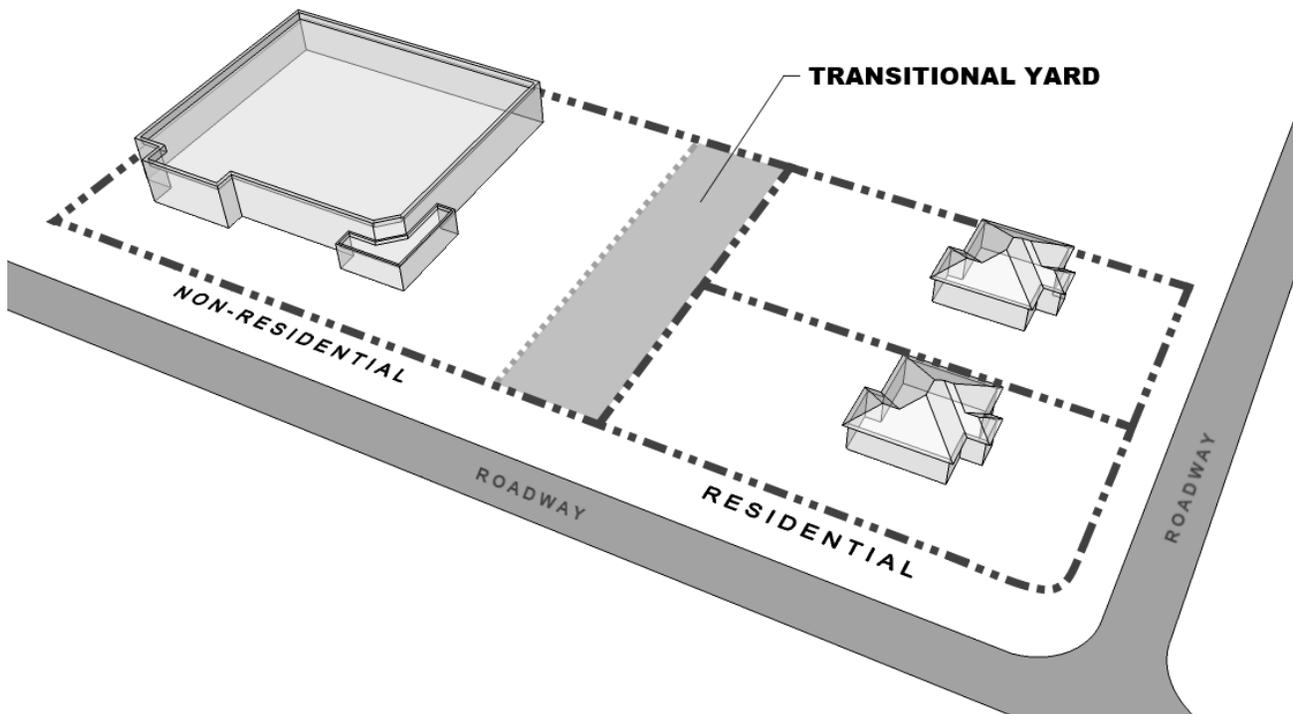
Figure 2:



YARD/TRANSITIONAL

A yard which serves as a buffer between two incompatible zoning districts, when such yard of a non-residential zoning lot adjoins a residential zoning district. See Figure 3.

Figure 3:



ZONING ADMINISTRATOR

The officer and assistant designated by the Village Board of Trustees as the officer responsible for enforcing and administering all requirements of this Zoning Code.

**ZONING EXCEPTION
CERTIFICATE**

Refers to the written approval of the Zoning Administrator which indicates granting of relief from any of the provisions of this Code due to establishment as a lawful nonconforming building, structure or use, establishment as a lawful special use, the granting of a variation by the Board of Trustees, or court action granting the zoning exception. (Ord. 86-885-22)

TITLE 6: Zoning
 CHAPTER 5: Residence District
 ARTICLE: D



Sections:

- 6-5D-1: Intent and Scope of Regulations
- 6-5D-2: Uses
- 6-5D-3: Lot Sizes
- 6-5D-4: Building Setbacks
- 6-5D-5: Building Height
- 6-5D-6: Signs
- 6-5D-7: Off-Street Parking and Loading
- 6-5D-8: Landscaping

6-5D-1: Intent and Scope of Regulations

The R5 District is primarily intended to accommodate a mixture of residential dwelling units and selected retail uses. Accordingly, mixed-use developments incorporating residential and commercial uses in the same or in attached structures are consistent with this District.

The R5 District also recognizes the special complexity and interaction of land uses in and around the Village Green and Milwaukee Avenue, to allow flexibility in land use and design of multiple structures on a single lot; to encourage opportunities for mixed-use development; to facilitate the creation of convenient, attractive, and harmonious context of buildings and streets, and pedestrian ways; and to encourage public and private investment that will promote vitality, activity, and safety in the District.

6-5D-2: Uses

Uses permitted in the R5 Mixed Use General Residence District are identified in the table below:

P = Permitted

SU = Special Use

Uses	
Bank, financial institution with drive-thru facility	SU
Banks and financial institutions, without drive-thru facilities	P
Community residential homes of less than four (4) persons (Ord. 90-1182-66)	P
Convenience store	P
Day care center	SU
Drinking establishment	SU
Food store, including candy/confectionery stores, dairy products, and bakeries	P
General retail and service uses	P
Office, business and professional	P
Physician's office	SU
Planned Unit Development (PUD), as regulated in Section 6-14-12 of this Title	SU
Personal fitness/instruction studio (yoga, martial arts, dance), not including health club/athletic facilities	P
Education institution, private, business, trade school	SU
Restaurant with Live Entertainment	SU
Restaurant, excluding Live Entertainment	P
Restaurant, Fast Food with drive-thru facility	SU
Restaurant, Fast Food without drive-thru facility	P
Retail pharmacy/drug store, with drive-thru facility	SU
Retail pharmacy/drug store, without drive-thru facility	P

Separate dwelling units above the ground floor of commercial-use structures	P
Single-family attached dwellings	SU
Any other similar use not specifically permitted in this Article, but which has substantially similar impacts on public services, traffic, parking and property values as the uses expressly permitted herein and is consistent with the trend in development within the District.	
	P

6-5D-3: Lot Sizes

Uses	Minimum Lot Area	Minimum Lot Width
Permitted Uses	15,000 sq. ft.	100 ft.
Bank, financial institution with drive-thru facility	20,000 sq. ft.	100 ft.
Drinking establishment	15,000 sq. ft.	100 ft.
Education institution, private, business, trade school /day care center	7,500 sq. ft.	50 ft.
Physician's office	15,000 sq. ft.	100 ft.
Planned Unit Development (PUD)	By Village Board	By Village Board
Restaurant, with Live Entertainment	15,000 sq. ft.	100 ft.
Restaurant, Fast Food with drive-thru facility	45,000 sq. ft.	200 ft.
Retail pharmacy/drug store, with drive-thru facility	45,000 sq. ft.	200 ft.
Single-family attached dwellings	4,000 sq. ft.	140 ft.

6-5D-4: Building Setbacks

Uses	Front*	Side	Corner Side	Rear
Permitted Uses	15 ft.	10 ft.	15 ft.	20 ft.
Special Uses	15 ft.	10 ft.	15 ft.	20 ft.
Planned Unit Developments (PUD)	By Village Board			

*When adjacent to the Village Green the front yard shall be zero (0) feet.

6-5D-5: Building Height

In the R5 District no building or other structure shall exceed three and one-half (3 ½) stories or forty (40) feet in height.

6-5D-6: Signs

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

6-5D-7: Off-Street Parking and Loading

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title unless otherwise recommended by the Zoning Board and approved by motion of the Corporate Authorities for projects in the downtown redevelopment area. (Ord. 86-885-22)

6-5D-8: Landscaping

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

TITLE: 6
CHAPTER 6: Business Districts
ARTICLE: A, B1 Retail Business District



Sections:

- 6-6A-1: Intent and Scope of Regulations
- 6-6A-2: General Requirements
- 6-6A-3: Uses
- 6-6A-4: Lot Size Requirements
- 6-6A-5: Building Setbacks
- 6-6A-6: Building Height
- 6-6A-7: Signs
- 6-6A-8: Off-Street Parking and Loading
- 6-6A-9: Landscaping

6-6A-1: Intent and Scope of Regulations

This District is intended to provide a location suitable to accommodate a combination of retail, service and office uses in an intensive commercial core area. Permitted and special uses can be placed on relatively small zoning lots reflecting the historic development pattern of Half Day Road and to encourage a pedestrian environment in retail shopping areas.

As the village relies almost exclusively on retail sales generated from properties located in the village to fund its municipal services, this Article is also intended to regulate the conversion or elimination of retail sales establishments through the preservation and enhancement of sales tax generating uses, while also working with the property owners to maintain a viable tenant mix on various properties within this District.

6-6A-2: General Requirements

- A. Outdoor Business and Storage: All business, service, storage, merchandise display and repair processing, where allowed, shall be conducted only within a completely enclosed building except for off-street parking, off-street loading, open sales lots, automobile service facilities, and drive-thru facilities where such uses are allowed.
- B. Production of Goods: The production of any goods on the premises shall be associated with a Permitted and/or Special Use and incidental to the principal use, unless otherwise specifically provided herein.
- C. Performance Criteria: The use of equipment and goods processed or produced in the premises shall not be objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.
- D. Restrictions on Ground Floor Uses:
 - 1. Non-sales tax-generating uses shall be unlimited in ~~buildings~~ structures constructed prior to January 1, 1995, subject to Chapter 13, Non-Conforming Buildings & Uses, of this Title.

2. Non-sales tax generating uses in ~~buildings~~ structures constructed after January 1, 1995 shall be subject to the following restrictions:
 - a. Gross Floor Area: ~~Not more than~~ A maximum 33% of the gross ground floor area per principal structure on a zoning lot shall ~~may~~ be utilized for non-sales tax generating uses.
 - b. Variance: Any request for an increase in the above restriction shall be subject to the Variance procedures of Section 6-14-9 of this Title.

6-6A-3: Uses

Uses permitted in the B1 Retail Business District are identified in the table below:

Uses	P = Permitted SU = Special Use
Banks and financial institutions, with drive-through facilities	SU
Banks and financial institutions, without drive-thru facilities	P
Catering establishment	SU
Convenience store	P
Day care center	SU
Day Spa, with massage services	SU
Day Spa, without massage services	P
Educational institution, private, business, trade school	SU
Food store, including candy/confectionery stores, dairy products and bakeries	P
Funeral home	SU
General retail and services uses	P
Government building (subject to the regulations of Section 6-6A-2(D))	SU
Liquor sales, package only	P
Musical instrument sales and repair, including accessory instruction/lessons	P
Office, business and professional (subject to the regulations of Section 6-6A-2(D))	P
Personal fitness/instruction studio (yoga, martial arts, dance), not including health club/athletic facilities	P
Pet shop, with limited boarding and/or sale of live animals	SU
Physician's office	P
Planned Unit Development (PUD), as regulated in Section 6-14-12 of this Title	SU
Printing, publishing, blueprinting and photocopying establishments with retail sales only	SU
Repair or servicing of any article, the sale of which is from a permitted use in this District	SU
Restaurants with Live Entertainment	SU
Restaurants, excluding Live Entertainment	P
Restaurants, Fast Food with drive-thru	SU
Restaurants, Fast Foot without drive-thru facility	P
Retail pharmacy/ drug store, without drive-thru facility	P
Vehicle Fueling Station, may include convenience store	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

6-6A-4: Lot Sizes

Uses	Minimum Lot Area	Minimum Lot Width
Permitted Uses	15,000 sq. ft.	100 ft.
Banks and financial institutions, with drive-through	40,000 sq. ft.	150 ft.
Funeral home	30,000 sq. ft.	200 ft.
Planned Unit Development	By Village Board	By Village Board
Restaurant with Live Entertainment	15,000 sq. ft.	100 ft.
Restaurant, Fast Food with drive-thru facility	45,000 sq. ft.	200 ft.
Special Uses, all others	7,500 sq. ft.	100 ft.
Vehicle Fueling Station, may include convenience store	45,000 sq. ft.	200 ft.

6-6A-5: Building Setbacks

Uses	Front	Side	Corner Side	Rear
Permitted Uses	10 ft.	8 ft.	10 ft.	15 ft.
Special Uses	10 ft.	8 ft.	10 ft.	15 ft.
Planned Unit Developments (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 along such transitional yards. Transitional yards shall not contain any off-street parking or other structures, except driveways, sidewalks, and landscaping.

6-6A-6: Building Height

In the B1 District no building shall exceed two and one-half (2-1/2) stories or thirty feet (30') in height including rooftop equipment.

6-6A-7: Signs

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

6-6A-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)

6-6A-9: Landscaping

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

TITLE: 6
CHAPTER 6: Business Districts
ARTICLE: B, B2 General Business District



Sections:

- 6-6B-1: Intent and Scope of Regulations
- 6-6B-2: General Requirements
- 6-6B-3: Uses
- 6-6B-4: Lot Sizes
- 6-6B-5: Building Setbacks
- 6-6B-6: Building Height
- 6-6B-7: Signs
- 6-6B-8: Off-Street Parking and Loading
- 6-6B-9: Landscaping

6-6B-1: Intent and Scope of Regulations

The intent of the B2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Often times such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

As the village relies almost exclusively on retail sales generated from properties located in the village to fund its municipal services, this Article is also intended to regulate the conversion or elimination of retail sales establishments through the preservation and enhancement of sales tax generating uses, while also working with the property owners to maintain a viable tenant mix on various properties within this District.

6-6B-2: General Requirements

- A. Outdoor Business and Storage: All business, service, storage, merchandise display and repair processing, where allowed, shall be conducted only within a completely enclosed building except for off-street parking, off-street loading, open sales lots, automobile service facilities, and drive-thru facilities where such uses are allowed.
- B. Production of Goods: The production of any goods on the premises shall be associated with a Permitted and/or Special Use and shall be incidental to the principal use, unless otherwise specifically provided herein.
- C. Performance Criteria: The use of equipment and goods processed or produced on the premises shall not be objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.
- D. Restrictions on Ground Floor Uses:
 - 1. Non-sales tax-generating uses shall be unlimited in ~~buildings~~ structures constructed prior to January 1, 1995, subject to Chapter 13, Non-Conforming Buildings & Uses, of this Title.
 - 2. Non-sales tax generating uses in ~~buildings~~ structures constructed after January 1, 1995

shall be subject to the following restrictions:

- a. Gross Floor Area: ~~Not more than~~ A maximum 33% of the gross ground floor area per principal structure on a zoning lot shall ~~may~~ 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
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
Recreation facility, public or private, as defined in Chapter 2 of this Title		SU
Hotels		SU
Motor vehicle sales establishments		SU
Non-Membership -Assembly Uses, <u>as defined in Chapter 2 of this Title</u>		SU
Parks and playgrounds	P	
Radio and television station, excluding transmission towers		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

TITLE: 6
 CHAPTER 6: Business Districts
 ARTICLE: C, E Small Scale Office District



Sections:

- 6-6C-1: Intent and Scope of Regulations
- 6-6C-2: Uses
- 6-6C-3: Lot Sizes
- 6-6C-4: Building Setbacks
- 6-6C-5: Building Height
- 6-6C-6: Floor Area Ratio (FAR)
- 6-6C-7: Signs
- 6-6C-8: Off-Street Parking and Loading
- 6-6C-9: Landscaping

6-6C-1: Intent and Scope of Regulations

The E District is intended to provide low density office and service uses to serve as transitional areas between residential areas and more intense commercial sectors of Lincolnshire. This district is characterized by lands developed in tranquil residential-like settings as opposed to more intensely developed commercial centers.

6-6C-2: Uses

Uses permitted in the E Small Scale Office District are identified in the table below:

Uses	P = Permitted SU = Special Use
Animal Clinic/Hospital	SU
Assembly Uses	SU
Banks and financial institutions with drive-thru facilities	SU
Banks and financial institutions, without drive-thru facilities	P
Day care centers	SU
Educational institution, private	SU
Government Buildings	SU
Hotel	SU
Memorial Assembly Facility, as regulated in Section 6-3-5 of this Title	SU
Office, business and professional	P
Physician's office	P
Planned Unit Development (PUD), as regulated in Section 6-14-12 of this Title	SU
Recreation facility, private	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.	P

6-6C-3: Lot Sizes

Uses	Minimum Lot Area	Minimum Lot Width
Permitted Uses	30,000 sq. ft.	125 ft.
Animal clinic/hospital	30,000 sq. ft.	130 ft.
Assembly Uses	80,000 sq. ft.	150 ft.
Banks and financial institutions with drive-thru facilities	60,000 sq. ft.	150 ft.
Private recreation facility	40,000 sq. ft.	150 ft.
Planned Unit Development (PUD)	By Village Board	By Village Board
Special Uses, all other	30,000 sq. ft.	150 ft.

6-6C-4: Building Setbacks

Uses	Front	Side	Corner Side	Rear
Permitted Uses	35 ft.	20 ft.	35 ft.	30 ft.
Special Uses	35 ft.	20 ft.	35 ft.	30 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.

6-6C-5: Building Height

- A. The maximum building height shall be three and one-half (3-1/2) stories or forty two feet (42') including rooftop equipment.
- B. Assembly uses, government buildings and educational institutions may be erected to a maximum building height of 60 feet. The minimum yard requirements of Section 6-6C-5(A) shall be increased one (1) foot per each foot of additional building height above the limit for this district.

6-6C-6: Floor Area Ratio (FAR)

The maximum allowable floor area ratio (FAR) shall be 0.36.

6-6C-7: Signs

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

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

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title.

6-6B-9: Landscaping

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

TITLE 6: Zoning

CHAPTER 8: Office/Industrial District



Sections:

- 6-8-1: Intent and Purpose
- 6-8-2: Subdistricts Established
- 6-8-3: General Requirements and Restrictions
- 6-8-4: Performance Standards
 - 6-8-4-1: Noise
 - 6-8-4-2: Vibration
 - 6-8-4-3: Air Pollution
 - 6-8-4-4: Toxic Substances
 - 6-8-4-5: Water Pollution
 - 6-8-4-6: Fire and Explosion Hazards
 - 6-8-4-7: Deleted by Ordinance 08-3049-32, eff. 08/11/08
 - 6-8-4-8: Additional Restrictions
- 6-8-5: Permitted Uses and Special Uses
- 6-8-6: Prohibited Uses
- 6-8-7: Lot Sizes and Floor Area Ratio Requirements
- 6-8-8: Building Setbacks
- 6-8-9: Building Height
- 6-8-10: Signs
- 6-8-11: Off-Street Parking and Loading
- 6-8-12: Landscaping



These sections are omitted as no changes are proposed

6-8-1: Intent and Purpose

The O/I (Office/Industrial) District is intended to accommodate office buildings, highly restrictive industrial and warehousing uses, and limited commercial activities in a mutually compatible environment which necessitate suitable separation from residential development. Uses permitted in the O/I District shall be restricted to those which require a pleasant, hazard-and- nuisance-free environment and do not create either an appreciable nuisance or hazard to other property, individuals, or the public in general.

6-8-2: Subdistricts Established

The District is divided into four (4) subdistricts for the purpose of accommodating office-industrial developments of different bulk character.

- A. The O/Ia, a subdistrict, is intended to be located along State Highways 21 and 22 and shall be for office use with no industrial or warehousing uses or activities whatsoever permitted.
- B. The O/Ib subdistrict is intended primarily to accommodate office dominant uses where combinations of office/restricted light industrial or office-warehousing uses are to be accommodated as long as twenty five percent (25%) of the gross floor area of the original principal structure on the zoning lot is devoted to office activities.
- C. The O/Ic subdistrict is a restricted light industrial district. It is meant to be located off of secondary roads which are within industrial park developments. Uses permitted in the O/Ia and O/Ib subdistricts are encouraged in the O/Ic subdistrict.

- D. The O/Id subdistrict is designed to accommodate uses similar in character to those permitted in the O/Ic, and in addition, to industrial users who require rail service, which requires a special use permit, while maintaining a controlled structural and activity environment which meets the criteria of bulk regulations, performance standards and other design standards and regulations as contained herein. It is further intended to permit such uses to occur on smaller lots than those permitted in the O/Ic subdistrict. O/Id subdistrict is appropriate for areas along and adjacent to railroad lines which offer rail access to industrial users. Uses permitted in the O/Ia, O/Ib, and O/Ic subdistricts are also encouraged in the O/Id subdistrict.

6-8-3: General Requirements and Restrictions

- A. No building or zoning lot shall be devoted to any use other than uses permitted hereinafter in the zoning district in which such building or zoning lot shall be located, with the exception of the following:
1. Uses lawfully established on the effective date of this Chapter.
 2. Special uses allowed in accordance with the provisions hereof.
 3. Uses established prior to the effective date of this Chapter shall be rendered nonconforming and subject to the regulations of Chapter 13 of this Title.
- B. Dwelling units are not permitted, unless otherwise permitted in this Chapter.
- C. Special uses shall be permitted in the zoning districts indicated, subject to procedures outlined in Section 6-14-11 of this Title.
- D. All activities including manufacturing, storage, merchandise display, business operations and service or maintenance shall be conducted within completely enclosed buildings, except areas specifically set aside for refuse collection or pick-up. All refuse collection or pick-up areas shall be completely screened by permanent construction material on all sides, as regulated in Section 6-15-3(B)(4).

All loading berths on zoning lots in the O/Ib District shall be within completely enclosed buildings. All utilities shall be placed underground. (Ord. 80-632-89)

- E. All drives, loading dock aprons, parking areas, and walkways throughout the site shall be paved with asphalt or concrete material. Areas not covered by impervious materials shall be fully landscaped and maintained with grass, groundcover, trees and shrubs.
- F. To the extent of any conflict between the provisions of this Chapter and the provisions of any applicable Village building, subdivision or fire codes, the most strict provision shall prevail and be applicable. (Ord. 80-632-89; and. Ord. 82-742-49)

6-8-5: Uses

Uses permitted in the O/I District are identified in the table below:

O/I DISTRICT USES	P = Permitted S = Special Use	O/a	O/b	O/c	O/d
Attached or detached structured parking garage		P	P	P	P
<ul style="list-style-type: none"> The height of all structured parking garages shall not exceed fifty percent (50%) of the height of the principal building. Structured parking garages shall not be closer to the front lot line of the property than the principal building. Attached parking garages shall be of the same architectural design and constructed of the same exterior materials as the principal building, except for a glass curtain-walled principal building, where alternate but compatible exterior materials shall be substituted. Detached parking garages shall be compatible in architectural design as the principal building. All areas surrounding the structured parking garage shall be landscaped as if it were a principal building. In no instance shall the structured parking garage exceed the gross floor area of the principal building. 					
Automotive repair facility			P	P	P
<ul style="list-style-type: none"> As defined in Section 6-2-2 					
Auxiliary use		P	P	P	P
<ul style="list-style-type: none"> Shall be incidental to and to service the principal use or for the convenience of the employees, including but not limited to, financial institutions without drive-through facilities, pharmacy/drug store, retail sales, cafeteria, and health club facilities. Shall be located within the principal building. No exterior display of the auxiliary use shall be permitted. 					
Commercial Service Activity		SU	SU	SU	SU
<ul style="list-style-type: none"> Commercial activities shall include, but not limited to, vehicle fueling stations which may include vehicle washes, restaurants, bank and financial institutions which may include drive-through facilities, child daycare facilities, pet day care facility, and car rental facilities primarily intended to service the uses established in the district and employees thereof. Pet day care facilities shall not include any overnight boarding/kenneling of animals. 					
Dispensary Organization					SU
<ul style="list-style-type: none"> Shall comply with all provisions of the Compassionate Use of Medical Cannabis Pilot Program Act (Illinois Public Act 098-0122), and the regulations promulgated by the Department of Financial and Professional Regulation and Illinois Department of State Police. Shall not be located within 1,000 ft. of the property line of a pre-existing public or private preschool or elementary or secondary school, day care center, day care home, group day care home, or part day child care facility. For the purpose of this Chapter, "pre-existing" means operating prior to September 8, 2014. Shall not be permitted in a multiple-tenant property and/or structure. Drive-through facilities are prohibited. Shall operate for a minimum of 35 hours a week, only between 6:00 AM and 8:00 PM, local time, and shall not operate uninterrupted for a 24 hour period. Medical cannabis, medical cannabis infused products, medical cannabis paraphernalia, or similar products shall not be displayed for public view from the exterior of the Dispensary Organization. Consumption of cannabis on the property of a Dispensary Organization shall be prohibited. Registration from the Department of Financial and Professional Regulation. A current copy of such registration shall be submitted to the Lincolnshire Police and Community and Economic Development Departments at all times. The sale of paraphernalia that is directly used for the consumption of medical cannabis shall be permitted. The sale of any paraphernalia not directly required for the consumption of medical cannabis is prohibited. 					

- All trash containers shall be located entirely within the interior of the primary structure to prevent uncontrolled access from the building’s exterior, except for routine disposal of trash containers.

Hospital and/or medical campus	SU	SU	SU	SU
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- As defined in Section 6-2-2

Laboratories, research and development facilities, public or private	P	P	P	P
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- Said operations shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with Sections 6-8-3 and 6-8-4 of this Chapter.

Light manufacturing; fabricating; processing; assembly; repairing; storing; servicing; or testing of materials, goods or products	P	P	P	P
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- Said operations shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with Sections 6-8-3 and 6-8-4 of this Chapter.

Non-Membership Assembly Uses	SU	SU	SU	SU
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- As defined in Section 6-2-2

Municipal services activities		P	P	P
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- Including, but not limited to, water supply facilities, public works facilities, fire stations, government post office, or other municipal facilities providing services to the public.

Office, business, professional and corporate headquarters	P	P	P	p
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Parking garages (as principal use)	SU	SU	SU	SU
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Physician’s office	SU	SU	SU	SU
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- The cumulative off-street parking spaces for all uses operated on or from the premises shall be provided in accordance with the minimum requirements listed in Section 6-11-3(B) of this Zoning Code.
- In the O/la subdistrict, in any building on a zoning lot with frontage on an arterial highway (including but not limited to; Aptakistic Road, Half Day Road, and Milwaukee Avenue) there shall be no limitation on the proportion of clinic to non-clinic uses, irrespective of which floor the clinic(s) are located.
- In the O/la subdistrict, in any building on a zoning lot without frontage on an arterial highway, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located.
- In all other O/I subdistricts, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located. (Amd. Ord. 07-33011-39, eff. 11/26/07)

Printing and reproduction services, graphic and photo-stating services, office machine sales and repair, office supply sales, and other similar uses		P	P	P
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Product showroom	P	P	P	P
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- Accessory to a principal use.
- Limited to twenty five percent (25%) of the gross leasable space.

Public utility facilities	SU	SU	SU	SU
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- Public utility facilities shall include transportation facilities, structures and buildings (bus turnarounds, bus waiting shelters, but excluding heliports) telephone exchanges, transmission buildings and equipment, telephone booths, electric distribution substations, natural gas equipment and distribution facilities

Railroad lead and spur tracks				SU
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- Except for the present lead track running in an easterly direction from the Soo Line main line track, any new lead tracks must run parallel to the Soo Line main line track and within twenty five feet (25') from the right of way line of said Soo Line or as otherwise provided for herein.
- No new lead track running parallel to the Soo Line main track shall be located less; than one hundred feet (100') of the center line of Aptakistic Road.
- The present lead track running in an easterly direction from the Soo Line main line track along the south line of the property presently occupied by Aluminum Mills shall not be extended eastward from its present terminus.
- Only spur tracks required to serve specific industries or users contiguous to a lead track shall be

permitted and such spur tracks shall run parallel to the present lead track running in an easterly direction from the Soo Line main line track or to a lead track parallel to running parallel to the Soo Line main line track.

- All spur tracks installed to serve any users in this subdistrict shall only be permitted in the rear yard as defined in Section 6-8-5 of this Zoning Code, and must terminate within five feet (5') of the edge of the building.
- No railroad spur track shall be constructed or made available for public use or to any user(s) not immediately abutting upon such spur track.
- On zoning lots in the O/Id subdistrict which have spur tracks on the zoning lot, the coupling and uncoupling of railroad cars is prohibited between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.
- Zoning lots in the O/Id subdistrict which are contiguous to any lead track must have a minimum two (2) acre lot area (eighty thousand [80,000] square feet) and a two hundred foot (200') minimum lot width.
- In the O/Id subdistrict only one rail user will be allowed for each five hundred (500) lineal feet of lead track. (Ord. 85-817-01)

Recreation facility, public or private, as defined in Chapter 2 of this Title			SU	SU
Testing of materials	P	P	P	P
<ul style="list-style-type: none"> • Shall be conducted only in the interior of a building. • Shall be accessory to the primary business operations. • Testing shall occupy no more than 25% of the gross building area (if a building is occupied by one user) or gross tenant space area (if a building is occupied by multiple users). • Testing of and on animals shall be prohibited. • Testing of hazardous or combustible materials shall be prohibited. • All Performance Standards outlined in this Chapter, inclusive of Section 6-8-4 and all subparts thereof, shall apply separately to each individual tenant space and/or building, wherein testing of materials is performed. (Amd. Ord. 10-3132-09, eff. 4/12/10) 				
Urgent medical center/clinic			SU	SU
<ul style="list-style-type: none"> • As defined in Section 6-2-2 				
Warehouse and storage			P	P
<ul style="list-style-type: none"> • Shall be conducted within a completely enclosed structure. • Shall not include freight terminals or cartage firms, which are not permitted. 				
END OF O/I USES LIST			6-8-5	

6-8-6: Prohibited Uses: All Subdistricts

- A. No zoning lot, parcel, or tract of land shall be used, and no structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; arsenals, blast furnaces; boiler works; cartage except where incidental to a permitted principal use; coke ovens cement and stone mason contracting yards; crematories; manufacture or storage of fireworks or explosives; dumping, reduction, or other processing of garbage, dead animals, or offal; the processing of refuse, except as customarily incidental to a permitted principal use; ore reduction; petroleum processing or refining; pyroxylin manufacture; natural or synthetic rubber, coutchouc, or gutta percha manufacture or treatment; packing plants; salt works; sauerkraut manufacture; soap manufacture; smelters; stock yard or slaughter of animals or fowls processing of fish oil; tallow, grease or lard manufacture or treatment; tanning; curing, or storage of raw hides or skins; tar distillation or manufacture; or cement manufacturing; concrete or asphaltic concrete mixing plants.
- B. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village or are used as customarily incidental to the operation of a principal use in such

quantities, and in a manner conforming with applicable performance standards set forth hereafter under subsection A of this Section. Such materials shall include, but shall not be confined to; all primary explosives such as lead ozide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

6-8-7: Lot Sizes and Floor Area Ratio Requirements

A. Lot Size Requirements:

Uses	Minimum Lot Area	Minimum Lot Width
O/Ia subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/Ib subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/Ic subdistrict	2 acres (87,120 sq. ft.)	220 ft.
O/Ic, Municipal services	1 acre (43,560 sq. ft.)	150 ft.
O/Id subdistrict	1 acre (40,000 sq. ft.)	100 ft.
Commercial Service Activity, Car Rental	20,000 sq. ft.	150 ft.
Commercial Service Activity, Motels and Hotels	5 acres	220 ft.
Commercial Service Activities, All others	1 acre	150 ft.
Dispensary Organization	1 acre	150 ft.
Municipal Services Activity, Commuter rail station	As specified by the Zoning Board	
Non-Membership Assembly Uses	5 acres	220 ft.
Parking garages, as principal use	As specified by the Zoning Board	
Physician's office	1 acre	150 ft.
Public utility facility	As specified by the Zoning Board	
Urgent medical center/clinic	1 acre	150 ft.
Special Uses, All others	2 acres	150 ft.

B. Maximum Floor Area Ratio (FAR): In the O/I District, the floor area ratio shall not exceed the following:

Uses	Maximum FAR
All other Permitted uses	0.5
Auxiliary use	0.7
Commercial Service Activity, Car Rental	0.7
Commercial Service Activity, Motels and Hotels	1.0

Commercial Service Activity, Restaurants	0.7
Commercial Service Activity, Vehicle Service Stations	0.7
Dispensary Organization	0.5
Laboratories/research and development facilities	0.5
Light manufacturing/fabricating and warehouse uses	0.5
Non-Membership Assembly Uses	0.5
Office and bank/financial institutions	1.0
Parking Garages	As specified by the Zoning Board
Public Utilities Facilities	As specified by the Zoning Board
All other Special Uses	0.5

Accessory Uses: In the O/I District, the floor area of the accessory buildings shall be included in the total allowable floor area permitted on the zoning lot; however, any floor area devoted to off-street parking or loading facilities shall be exempt from floor area ratio requirements. (Ord. 14-3309-35)

6-8-8: Building Setbacks

O/Ia & O/Ib Districts

Front & Corner	50 ft.	Increase by 1 ft. for each 1 ft. building height exceeds 45 ft., up to 72 feet, including roof-top mechanical equipment.
Side		
Side	30 ft.	Increase by 1 ft. for each 1 ft. building height exceeds 45 ft., including roof-top mechanical equipment.
Rear		

O/Ic District

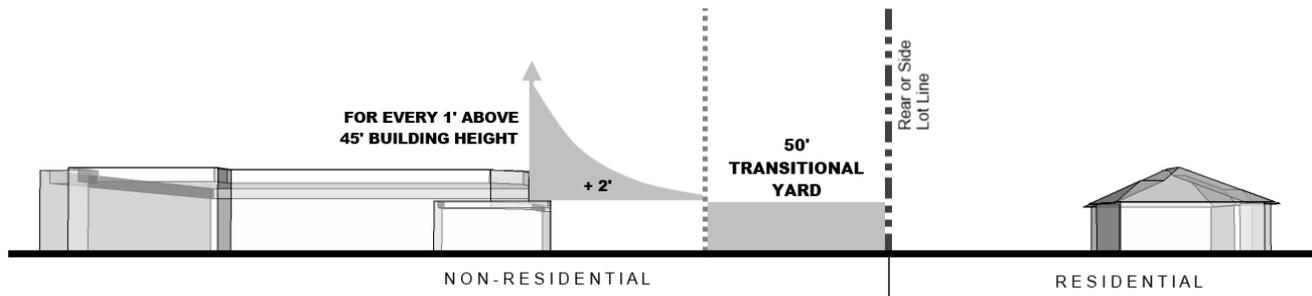
Front & Corner	35 ft.		Increase by 1 ft. for each 1 ft. building height exceeds 20 ft., including roof-top mechanical equipment.
Side			
Side	20 ft.		
Rear	25 ft.		

O/IId District

Front & Corner	35 ft.		Increase by 1 ft. for each 1 ft. building height exceeds 30 ft., including roof-top mechanical equipment.
Side			
Side	20 ft.		
Rear	25 ft.		

However, where the side or rear yard of any zoning lot in the O/I District is adjacent to a zoning lot in any residential district such yard shall be considered a transitional yard. Transitional yards shall be 50 feet in depth where the building height is under 45 feet in height. This yard shall be increased by 2 feet for every 1 foot by which the building height exceeds 45 feet in height.

Figure 6-8-8: Transitional Yard



6-8-9: Building Height

- A. O/Ia Subdistrict: Maximum allowable height of all structures, including all mechanical equipment, shall be eighty five feet (85') or six (6) stories (and two (2) levels of underground parking), whichever is less. (Ord. 80-632-39)
- B. O/Ib and O/Ic and O/Id Subdistricts: Maximum allowable height of all industrial, warehouse, or manufacturing structures, including all mechanical equipment, and other permitted uses, shall be forty five feet (45') or three (3) stories, whichever is less. Office buildings constructed in the O/Ib and O/Ic and O/Id subdistricts will be permitted to the heights set forth in paragraph 1 above. (Ord. 85-817-01)

6-8-10: Signs

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

6-8-11: Off-Street Parking and Loading

- A. Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title.
- B. Parking spaces shall be permitted in required rear and interior side yards, and there shall be no parking in the required front yards and corner side yards. Further, there shall be, at a minimum, a fully landscaped and maintained strip of at least fifteen feet (15') in the O/Ia and O/Ib subdistricts and eight feet (8') in the O/Ic and O/Id subdistricts extending continuously along the perimeter of all rear and interior side yards (excluding driveway or sidewalk entrances, or railroad track frontage). (Ord. 85-817-01)

6-8-12: Landscaping

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

REQUEST FOR BOARD ACTION
Zoning Board
November 11, 2014

Subject:	Amendment to Permitted and Special Uses in Commercial/Office Zoning Districts
Action Requested:	Public Hearing of Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code, regarding the permissibility of Assembly Uses within the Village's non-residential zoning districts.
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- At the October 14th Committee of the Whole meeting, Staff presented the Zoning Board's approval recommendation for amendments to the above-referenced Chapters based on the September 9th public hearing.
- After the Zoning Board's review of the text amendments and prior to the Committee of the Whole consideration, the Village Attorney identified assembly-type uses (religious institutions, libraries, museums, convention halls/meeting rooms, etc.) are regulated inconsistently from one another - wherein certain types of assembly uses are permitted in one zoning district but not the other. This exclusionary treatment is problematic given assembly uses must be treated equally based on zoning case law.
- Given the topic of assembly uses was not discussed by the Zoning Board, the Village Board directed this topic back to the Zoning Board for further discussion and recommendation, prior to any final action by the Village Board.

Summary:

- **Assembly Uses:**
Various "assembly uses" are permitted within a variety of zoning districts throughout the current Zoning Code. "Assembly uses" are simply a gathering of persons principally for civic, literary, musical, political, travel, religious, or similar purposes. The manner in which these "assembly uses" are currently regulated in the Zoning Code is by identification of each individual "assembly use" within specific zoning districts. The attached "Assembly Use Example" identifies the current list of permitted uses in the E District to illustrate this current practice.

Identifying individual "assembly uses" within each zoning district establishes that only specific "assembly uses" are acceptable, while other (similar) "assembly uses" are not. This content-based treatment is problematic, as recent zoning case law indicates the zoning application of "assembly uses" must remain content neutral.

To establish content-neutrality for "assembly uses", the Village Attorney and Staff have developed the following zoning definitions:

ASSEMBLY USE

The use of a non-government owned building, or part thereof, by a gathering of persons principally for civic, literary, musical, political, travel, religious, or similar purposes.

**ASSEMBLY USE,
MEMBERSHIP**

Any Assembly Use for which the principal use is to host events for or provide services to members and guests of the owner or operator. Examples of Membership Assembly Uses include, but are not limited to Fraternal Lodges, Private Club which shall not include any Sexual Oriented Business as defined in Section 6-7B-3 of this Title, Veterans' membership organizations, civic organizations and religious institutions.

**ASSEMBLY USE, NON-
MEMBERSHIP**

Any Assembly Use for which the principal use is to host events or provide services to temporary, short-term guests who are non-members of the owner or operator. Examples of Non-Membership Assembly Uses include, but are not limited to, conference centers, banquet halls, meeting rooms and ballroom facilities which are principal uses or accessory to hotels/motels.

As proposed, assembly uses would be categorized into two terms 1) "Membership Assembly Uses", and 2) "Non-Membership Assembly Uses". The purpose for distinguishing the two is the recognition that not all assembly uses contribute to the generation of sales tax, utility and telecommunications tax, and room and admission tax revenues to support the Village's operational expenses. As defined, "non-membership assembly uses" would generally complement and create a common relationship with the Village's hotels, commercial and office businesses, resulting in the growth of the Village's tax revenues.

Request for Feedback - Does the Zoning Board concur with the Staff proposed classification of assembly uses; membership assembly uses and non-membership assembly uses, and the need to distinguish the two?

- **Permissibility of Assembly Uses:**

The attached proposed text amendments incorporate the new "assembly uses" terms. Following, is a summary of the changes that are proposed by defining two different types of Assembly Uses (P = permitted, SU = permitted by Special Use):

R5 – Mixed Use General Residence District	
Current Code	Proposed Code
Churches & Synagogues (SU)	Removed – Previously discussed with Zoning Board, uses not consistent with intent of R5

B1 – Retail Business District	
Current Code	Proposed Code
Community centers, museums, cultural facilities (SU)	Removed – Previously discussed with Zoning Board, uses not consistent with intent of B1
Government office buildings, community centers, libraries (SU)	Government building (only)(SU) – Community centers and libraries previously discussed with Zoning Board, uses not consistent with intent of B1
Theaters (SU)	Moved to B2 (by ZB previously). Proposed classification as "Non-Membership Assembly Use" (SU)

B2 – General Business District	
Current Code	Proposed Code
Clubs & lodges (nonprofit), fraternal or religious institutions (P)	Removed – Previously discussed with Zoning Board, uses not consistent with intent of B2
Community centers, museums, philanthropic & other cultural institutions (SU)	Proposed classification as “Non-Membership Assembly Use” (SU)
Meeting halls (SU)	Proposed classification as “Non-Membership Assembly Use” (SU)

E – Small Scale Office District	
Current Code	Proposed Code
Museums, libraries or performing art centers (P)	Proposed classification as “Assembly Uses” (membership & non-membership)(SU)
Churches & synagogues (SU)	Proposed classification as “Assembly Uses” (membership & non-membership)(SU)
Private recreational clubs (SU)	Changed to Private Recreational Facility (not an “assembly use”)(SU)

O/I – Office/Industrial District	
Current Code	Proposed Code
Commercial activities intended to provide service to office and industrial uses established in the district and employees thereof, including but not limited to vehicle fueling stations which may include vehicle washes as a special accessory use, restaurants, <u>private clubs, convention and exhibition halls</u> , motels and hotels, and car rental outlets (SU)	Changed to “Commercial Service Activity” (SU), removed private clubs due to inconsistencies with intent of O/I Under proposed definitions, convention and exhibition halls would be reclassified as “Non-Membership Assembly Uses” (SU)
Meeting & events center (SU)	Under proposed definitions, would be reclassified as “Non-Membership Assembly Uses” (SU)
Private recreational clubs (SU)	Removed – Previously discussed with Zoning Board, uses not consistent with intent of O/I
--	Added “Public or Private Recreational Facility” (see attached Chapter 2, Definitions, for description of each use)(SU)

Assembly-type uses in the O/I Zoning District were part of a recent conversation Mr. Charles Lamphere, President – Van Vlissingen and Co. had with the Village Board. Mr. Lamphere provided the attached letter regarding the increase of “non-traditional uses” within corporate business campuses. The proposed text amendments would now permit many of the commercial uses identified in the attached letter within the O/I District. During the Village Board’s consideration, they expressed their willingness to consider permitting both types of assembly uses in the O/I Zoning District. Further, they requested that the attached meeting minutes of their October 14th Committee of the Whole meeting be forwarded to the Zoning Board so their sentiments on this use type were clear.

“Membership assembly uses” located within commercial and office/industrial zoning districts could provide benefits, including, occupying long-standing vacant buildings; operating during off-peak hours; and generating additional off-peak tenants to frequent local

stores/restaurants. On the contrary, such uses could also remove available commercial/industrial buildings for future development as non-assembly uses; increase occupancy and off-street parking levels beyond existing capacity; and in some scenarios, reduce tax-generating uses within the Village's commercial and office/industrial sector.

Request for Feedback - Staff seeks the Zoning Board's input and recommendation regarding the permissibility of membership and non-membership assembly uses within the R5, B1, B2, E, and O/I Districts for Staff to incorporate into revised text amendments to be considered by the Committee of the Whole.

Recommendation:

Approval of text amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code to address the permissibility of Assembly Uses within the Village's non-residential zoning districts.

Motion:

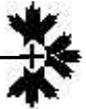
Having made findings based on facts covered in a Public Hearing held on November 11, 2014, the Zoning Board recommends approval to the Village Board of amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of the Lincolnshire Zoning Code to revise and update the permissibility of Assembly Uses within the Village's commercial zoning districts, to permit these uses in (list districts) Zoning Districts OR to prohibit these uses in (list districts) Zoning Districts, and further subject to. . . .

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

Reports and Documents Attached:

- Draft Chapter 5, Article D, R5 Mixed Use General Residence District, prepared by Staff.
- Draft Chapter 6, Article A, B1 Retail Business District; Article B, B2 General Business District; and Article C, E Small Scale Office Districts, prepared by Staff.
- Draft Chapter 8, Office/Industrial Districts, prepared by Staff.
- Draft Chapter 2, Definitions, prepared by Staff.
- Assembly Use Example, prepared by Staff.
- Van Vlissingen Letter, prepared by Charles Lamphere, dated October 3, 2014.
- Meeting Minutes of the October 14th Committee of the Whole.

Meeting History	
Referral at Village Board (COW):	June 23, 2014
Zoning Board Public Hearing:	August 12, 2014
Zoning Board Continued Public Hearing:	September 9, 2014
Consideration & Discussion (COW):	October 14, 2014
Current Zoning Board Public Hearing:	November 11, 2014



UNAPPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, November 11, 2014, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

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

ALSO PRESENT: Stephen Robles, Village Planner

ABSENT: Trustee Liaison Brandt and Member Kalina.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 p.m.

1.0 ROLL CALL

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

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes related to the Zoning Board Meeting held on Wednesday, October 15, 2014.

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

3.0 ITEMS OF GENERAL BUSINESS:

3.1 PUBLIC HEARING regarding an Amendment to existing Special Use Ordinance 78-533-23 to remove the prohibition of truck and trailer parking in front of the building and reduction of a required existing landscape berm from six feet to three feet in height for a proposed U-Haul facility located at 200 Industrial Drive (Amerco Real Estate Company).

3.2 PUBLIC HEARING regarding Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code, regarding the permissibility of Assembly Uses within the Village's non-residential zoning districts (Village of Lincolnshire).

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

Village Planner Robles presented Staff's memorandum and noted over the past few months, the Zoning Board had discussed a series of Staff proposed text amendments on permitted uses within the Village's non-residential zoning districts. Following the Zoning Board's approval recommendation, Staff presented the recommendation and proposed text amendments to the Committee of the Whole back in October. However, after the Zoning Board's recommendation, but prior to the Committee of the Whole meeting, the Village Attorney identified assembly-type uses such as religious institutions, libraries, museums, convention halls/meeting rooms, etc. were regulated inconsistently from one another. **Village Planner Robles** explained that essentially, certain types of assembly

uses were permitted in one zoning district but not the other. Such exclusionary treatment was problematic since assembly uses must be treated equally based on zoning case law. Since assembly uses were not discussed by the Zoning Board, the Village Board directed this topic back to the Zoning Board for further discussion and recommendation.

Village Planner Robles continued his presentation noting assembly uses were simply a gathering of persons principally for civic, literary, musical, political, travel, religious, or similar purposes. The Zoning Code currently regulates assembly uses by identifying each individual assembly use within specific zoning districts. **Village Planner Robles** referenced the included "Assembly Use Example" to illustrate the current practice of the Zoning Code. He continued that by identifying individual assembly uses for each zoning district established that only specific assembly uses were acceptable, while other and often similar assembly uses were not. To establish content-neutrality for assembly uses, the Village Attorney and Staff had developed zoning definitions for; 1) assembly use, 2) membership assembly uses, and 3) non-membership assembly use. The reason for the distinction was that not all assembly uses contribute to the generation of sales tax, utility and telecommunications tax, and room and admission tax revenues to support the Village's operational expenses. Based on the proposed definition, non-membership assembly uses generally complement and create a common relationship with the hotels, commercial and office businesses, resulting in the growth of the Village's tax revenues. **Village Planner Robles** identified Staff was seeking feedback on whether the Zoning Board agreed with the proposed classification of assembly uses; membership assembly uses and non-membership assembly uses, and the need to distinguish the two.

Village Planner Robles requested the Zoning Board refrain from feedback until the conclusion of the presentation. He continued with his presentation regarding the permissibility of assembly uses and noted the proposed text amendments incorporated the new assembly uses terms. **Village Planner Robles** referenced a series of tables prepared by Staff included in the memo, which summarized the changes that were previously recommended by the Zoning Board that used the two different assembly use classifications.

Village Planner Robles continued, assembly-type uses specifically in the Office/Industrial District were part of a recent conversation Mr. Charles Lamphere, President of Van Vlissingen and Co. had with the Village Board at their October meeting. As a result, the Village Board requested the Zoning Board be provided the provided letter from Mr. Lamphere regarding the increase of non-traditional uses within corporate business campuses. **Village Planner Robles** explained the proposed amendments would permit many of the commercial uses identified in the letter within the O/I District. The Village Board expressed their willingness to consider permitting both types of assembly uses in the O/I District and requested their meeting minutes be provided to the Zoning Board so their comments on this use type were clear, which are also included in the memo. Following, **Village Planner Robles** explained the advantages of permitting membership assembly uses within commercial and office/industrial zoning districts that could provide benefits, including, occupying long-standing vacant buildings; operating during off-peak hours; and generating additional off-peak tenants to frequent local stores/restaurants. On the contrary, he noted such uses could also remove available commercial/industrial buildings for future development as non-assembly uses; increase occupancy and off-street parking levels beyond existing capacity; and in some scenarios, reduce tax-generating uses within the Village's commercial and office/industrial sector. At the conclusion of Staff presentation, **Village Planner Robles** identified Staff also sought the Zoning Board's recommendation regarding the

permissibility of membership and non-membership assembly uses within the R5, B1, B2, E, and O/I Districts for Staff to incorporate into revised text amendments to be considered by the Committee of the Whole.

Chairman Manion questioned since the definitions developed in conjunction with the Village Attorney were what should be recommended for approval. **Village Planner Robles** clarified that although the proposed definitions were developed under the advisement of the Village Attorney, the Zoning Board was directed by the Village Board to evaluate the permissibility of assembly uses in non-residential zoning district and is free to make the recommendation they see fit.

Member Bichkoff sought clarification on the reason for the distinction of tax generating assembly uses. **Village Planner Robles** explained that not all assembly uses could provide the same level of tax benefits compared to other assembly uses. He cited an example of a convention center, which would be classified as a non-membership assembly use, compliments and creates a common relationship with the professional office uses, which in turn compliments the restaurants, and the area hotels. All of which result in the growth of the Village's tax revenues.

Chuck Lamphere, President of Van Vlissingen and Company, summarized his letter regarding non-traditional uses within corporate business campuses. **Member Bichkoff** sought clarification from **Mr. Lamphere** on his presentation that non-profits would not remove properties from the tax rolls. **Mr. Lamphere** explained in his experience, non-profits organizations often were not able to obtain the necessary capital to purchase land and preferred to lease existing buildings.

Chairman Manion sought any additional public comment for the record. There being no further public comment, **Chairman Manion** closed the Public Hearing and reconvened the Zoning Board meeting.

Chairman Manion questioned if the topic of the Village becoming more accommodating to businesses and address current vacancy rates was also discussed at the previous public hearing. **Village Planner Robles** clarified the Zoning Board's previous discussion on the proposed text amendments pertain to the permissibility of commercial-related uses being permitted in the O/I District, and that the matter of assembly-related uses was not addressed at that time. **Member Leider** added his desire for the Village to look at ways to fill building vacancies.

Discussion ensued amongst the Zoning Board regarding assembly uses and the advantages they could provide to the O/I District.

There begin a consensus among the members, **Chairman Manion** sought a motion.

Member Bichkoff *moved and Member Leider* *seconded a motion, to recommend approval to the Village Board, based on facts covered in a Public Hearing held on November 11, 2014, of amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of the Lincolnshire Zoning Code to revise and update the permissibility of Assembly Uses within the Village's zoning districts.*

The motion passed unanimously by voice vote.

- 3.3 Consideration and Discussion regarding Text Amendments to Chapter 2, Definitions, and Chapter 11, Off-Street Parking and Loading, of Title 6 – Zoning of the Lincolnshire Village Code, regarding updates to the Village's off-street parking and loading regulations (Village of Lincolnshire)
- 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 Leider** moved, and **Member Van de Kerckhove** seconded the motion to adjourn. The meeting adjourned at 8:53 p.m.

Minutes Submitted by Stephen Robles, Village Planner.

REQUEST FOR BOARD ACTION
Committee of the Whole
October 14, 2014

Subject:	Amendment to Permitted and Special Uses in Commercial/Office Zoning Districts
Action Requested:	Consideration and Discussion of Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code, to revise and update Permitted Uses and Special Uses within the Village's non-residential zoning districts
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- At the June 23rd Committee of the Whole, Staff and the Village Board discussed challenges Lincolnshire's commercial sector faces in maintaining and growing a steady commercial tenant mix throughout the Village.
- At that meeting, Staff was authorized to review current permitted and special uses in the Village's non-residential zoning districts to determine changes that would sustain and encourage commercial development within the Village.
- The Zoning Board held a Public Hearing on September 9th and unanimously recommended approval of amendments to the above-referenced Chapters, subject to 1) eliminating the prohibition of only one non-office business entity permitted to operate in an individual building in the O/lc and O/ld subdistricts, and 2) refining the definition of "club, private" to prevent sexually oriented business from exploiting any loopholes related to this term.

Following is a general summary of text amendments recommended by the Zoning Board at the September 9th Public Hearing (*for specific detail, please see attached Staff memoranda to the Zoning Board and Draft Code Sections*):

Summary – R5 Mixed Use General Residence District:

- Intent & Scope of Regulations & Permitted/Special Uses (6-5D-1 & 6-5D-2): This district is intended for mixed-uses incorporating multiple-family residential uses adjacent to commercial districts, and also including a limited mix of select retail uses. However, permitted uses only include single-family attached and community residential homes, which is contrary to the mixed-use intent of the R5 District.

The Permitted Uses list has been updated to permit commercial retail and services uses to more accurately reflect the current development pattern of this District comprised predominately of commercial uses. Single-family attached residential use has been moved to the Special Uses list. New commercial uses to reflect current development trends have also been added. The Intent of the District (Section 6-5D-1) has also been updated based on the emphasis on commercial mixed-use developments.

- Bulk Regulations (6-5D-4 and 6-5D-5): Lot Sizes and Setback requirements which define the minimum bulk regulations for permitted and special uses have been revised based on amendments to the permitted and special uses lists.

Summary – B1 & B2 Districts:

- General Requirements (6-6A-2(D) & 6-6B-2(D)): The current code restricts ground floor uses occupied by non-sales tax generating uses to 25% of gross floor area, except for buildings constructed prior to January 1, 1995. The Zoning Board agreed with Staff in the need to increase the current restriction for such uses, in light of the changing tenant mix common in most shopping centers today. However, they first sought additional research on other communities' management of this use type. This was the subject of a 2010 Northwest Municipal Conference (NWMC) Survey, where 6 of 23 participating communities impose a limitation on non-sales tax generating uses, of varying degrees (see attached survey summary).

Given the lack of consistent application by other communities, the Zoning Board determined a moderate increase in the restriction to 33% or 1/3 of the gross floor area was suitable.

- B1 Uses (6-6A-3): The current permitted and special uses list is structured as an exhaustive list of permitted uses. Based on this inclusionary-based approach, any use not listed is not permitted, even though such use may be desirable and appropriate in the B1. The permitted uses list has been reformatted to include "general retail and services uses" to adjust to changing commercial trends and avoid the pitfalls of dated terminology. Additional uses beyond general retail/service acceptable in B1 are also included.
- B2 Uses (6-6B-3): The table of permitted and special uses is updated similar to the B1 table of uses. Special Uses permitted in the B1 are carried over to the B2 as a Special Use, which has not changed from the current zoning code.

Staff seeks Village Board input if Special Uses in the B1 are acceptable as Permitted Uses in the B2, or if Special Uses should remain as drafted? The Zoning Board discussed this topic and did not have a preference to changing the approach to special uses in the B1 and B2 district.

- Bulk Regulations (6-6A-5, 6-6A-6, 6-6B-5, & 6-6B-6): The Lot Sizes and Setback requirements which define the minimum bulk regulations for permitted and special uses have been updated based on the recommended revisions to the permitted/special uses lists.

Summary – E Small Scale Office District:

- Although the E District contains two subdistricts, Ea and Eb, the Permitted and Special Uses applies to both. Given redundancy between the two districts, and limited E-zoned property, the two subdistricts are recommended to be combined to establish one overall E District. The minimum and maximum bulk regulations have also been merged, using the less restrictive requirements to ensure existing properties within this district remain compliant.

Summary –O/I Office/Industrial Districts:

- Permitted Uses in O/Ia & O/Ib (6-8-5(A) and 6-8-5(B)): The current permitted uses list generally aligns with the purpose of these subdistricts, and only minor revisions have occurred.
- Multi-Tenancy in O/Ic (6-8-5(C)): Historically, the industrial/warehouse sector of the Village has been limited to individual use operations (no multi-tenancy). Staff sought direction from the Zoning Board on the appropriateness of reducing the multi-tenant requirements beyond the current limitation where buildings no less than 100,000 SF may subdivide into spaces no

smaller than 50,000 SF (outcome of a 2009 property owner's request seeking to subdivide their large warehouse building). Following additional Staff analysis of surrounding communities (Lake Forest, Buffalo Grove, Deerfield, Northbrook, and Highland Park) zoning codes, which found multi-tenancy within office/industrial zoned districts was permitted without any restrictions; the Zoning Board recommended elimination of the current prohibition on multi-tenancy in the O/c and O/Id districts to remain economically competitive with other communities. The Zoning Board felt concerns over increased signage, declining building aesthetics, parking and other bulk regulations were minimized given the current range of Village codes and ordinances preventing such extreme modifications.

- Prohibited Uses (6-8-7, proposed): The Permitted Uses section of the O/Ic subdistrict contains a substantial list of uses the Village generally finds to be incongruent with the trend of development in this district. A Prohibited Uses Section has been created to reduce any potential confusion.

Summary – Assembly Uses (B, E, and O/I Districts):

- After the Zoning Board's recommendation of support of the text amendments, the Village Attorney identified assembly-type uses (religious institutions, libraries, museums, convention halls/meeting rooms, etc.) are regulated inconsistently from one another - wherein certain types of assembly-type uses are permitted in one zoning district but not the other. This exclusionary treatment of various uses is problematic given assembly uses must be treated equally based on zoning case law. Additionally, such assembly uses can be found in similar commercial/industrial zoning districts in other communities; such as a religious institution permitted within a vacant office/warehouse building.

In working with the Village Attorney, the attached draft code includes three new uses: 1) Assembly Use, 2) Membership Assembly Use, and 3) Non-Membership Assembly Use. These land use types classify the various assembly-type uses into three categories and are incorporated in the permitted/special uses tables in the B, E, and O/I Districts.

Example: In the B2 General Business District, "Non-Membership Assembly Uses" such as conference centers, banquet halls, meeting rooms and ballroom facilities are a permitted Special Use. However, "Membership Assembly Uses" such as fraternal lodges, civic organizations or religious institutions would not be permitted.

- Assembly-type uses were part of a recent conversation with Village Manager Burke and Mr. Charles Lamphere, President – Van Vlissingen and Co. Mr. Lamphere provided the attached letter regarding the increase of "non-traditional uses" within corporate business campuses. The proposed text amendments would permit some of the commercial uses identified in the attached letter within the Village's Corporate/Business Centers. However certain assembly uses would not be permitted under the proposed changes to this section of the code. "Assembly Uses" located within commercial and office/industrial zoning districts could provide benefits, including, occupying long-standing vacant buildings; operating during off-peak hours; and generating additional day-time tenants to frequent local stores/restaurants. On the contrary, such uses could also remove available commercial/industrial buildings for future development as non-assembly uses; increase occupancy and off-street parking levels beyond existing capacity; and reduce tax-generating uses within the Village's commercial and office/industrial sector.

Staff understands membership-based assembly uses are present in office/industrial centers in other communities, which offer flexibility in the reuse of vacant buildings as business models shift. However, before permitting a wholesale change in the environment/function of the Village's office/industrial sector, Staff believes a more appropriate first approach is permissibility in allowing smaller multi-tenant industrial spaces. This allows Corporate Center owners the flexibility to create smaller multi-tenant industrial spaces, understanding their challenges in leasing substantial building spaces. Further, the vision of the O/I District, as outlined in the Comprehensive Plan and Zoning Code, can continue as office/industrial with supporting uses.

Given the topic of membership-assembly uses was not discussed by the Zoning Board, the Village Board may want to remand this topic back to the Zoning Board for further discussion and recommendation. Alternately, if the Village Board is comfortable with the recommended changes to membership-type assembly uses as outlined in the draft ordinance, the ordinance will be finalized for Village Board action.

Recommendation:

Consideration and discussion of proposed text amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, and placement on the October 14th Consent Agenda.

Reports and Documents Attached:

- Draft Ordinance Amending Title 6 (Zoning) of the Village Code of Lincolnshire Municipal Code in Regard to Permitted and Special Uses, prepared by Village Attorney Simon.
- Draft Chapter 5, Article D, R5 Mixed Use General Residence District; Chapter 6, Article A, B1 Retail Business District; Article B, B2 General Business District; Article C, E Small Scale Office Districts; and Draft Chapter 8, Office/Industrial Districts, prepared by Staff.
- Draft Chapter 2, Definitions, prepared by Staff.
- Non Sales Tax survey summary, prepared by NWMC.
- Van Vlissingen Letter, prepared by Charles Lamphere, dated October 3, 2014.
- Staff Memoranda and Meeting Minutes of the August 12th and September 9th Zoning Board.

Meeting History	
Referral at Village Board (COW):	June 23, 2014
Zoning Board Public Hearing:	August 12, 2014
Zoning Board Continued Public Hearing:	September 9, 2014
Current Consideration & Discussion (COW):	October 14, 2014

Municipality	Do you currently restrict non-sales tax producing activities within commercial district(s) (i.e. banks, offices, medical clinics, etc.)?	If so, how do you restrict them? (e.g. limit them to the second floor, etc.)
Buffalo Grove	No.	
Carpentersville	No.	
Des Plaines	No.	
Grayslake	No.	
Hawthorn Woods	No.	
Highland Park	No.	
Hoffman Estates	No.	
Inverness	No.	
Lake Zurich	No.	
Libertyville	Yes.	Limit them to second floor above commercial in the downtown district. In the alternate, they can locate on the first floor, but not in the front 35 ft. of a building or occupy more than 25% of the first floor area.
Morton Grove	No.	
Mount Prospect	No.	
Niles	No.	
Northfield	No.	
Palatine	No.	
Park Ridge	Yes.	Limited to the second floor and also by the RDA for our downtown development.
Prospect Heights	No.	
Skokie	Yes - CX Core Mixed - use (retail street).	Setback and other restrictions.
Streamwood	No.	
Vernon Hills	Temporarily, but we are not studying ways to restrict.	Established a moratorium temporarily prohibiting any new non-retail sales tax generating uses with our core business area.
Wheeling	No.	
Deerfield	Yes	In C-2, Outlying Commerical District,max 20,000 sq. ft. on ground floor
Lake Forest	Yes	B-3 Traditional Business District, B-4, Preservation Business District, limited to 10% of ground floor space



October 3, 2014

Mr. Brad Burke
Village Manager
Village of Lincolnshire
One Old Half Day Road
Lincolnshire, IL 60069

Dear Brad,

It was a pleasure discussing with you the dramatic increase in the prevalence of non-traditional space uses within corporate business campuses, which increase both the vitality of the parks and the communities they are located in. While such uses locating in Class A business parks was almost unknown fifteen years ago, non-traditional occupancies have become increasingly important in recent years, particularly in Illinois where the growth in quality manufacturing jobs continues to be anemic. In our Lake County developments, *outside of Lincolnshire*, we already have successfully leased spaces to users accommodating the following uses:

- After School Tutoring and Enrichment Programs
- Agility and Speed Training
- Childcare and Eldercare
- Children's Indoor Party Facilities (Multiple Users)
- Church Worship and Rehearsal Space
- Corporate Training Centers
- Dance Studios
- Distribution Operations with Showrooms and Outlet Stores (Multiple Users)
- Fitness Clubs (Multiple Users)
- Football, Basketball, Baseball and Cheerleading Training Spaces (Multiple Users)
- Gymnastics Studios
- Marriott Theatre's Practice Facility
- Martial Arts Studios
- Personal Trainers (Multiple Users)
- Riverside Foundation's Client Work Facility
- The Area's Largest Indoor Volleyball Club with Practice Facility
- Trampoline Centers
- Veterinary Clinics
- VFPD Fire Station

Communities immediately adjacent to Lincolnshire are also home to additional non-traditional space uses in their business parks including:

- Chicago Bears Practice Facility
- Ice Rink
- Indoor Go-Kart Track



- Lake Forest Graduate School of Management
- Police Station, Train Station, Post Offices
- Regional Girl Scouts Headquarters and Meeting Facility
- Variety of Nighttime Educational Programs
- Vernon Hills High School
- YMCA

Although many of these uses may not fall into the current, or contemplated, Lincolnshire Code, the benefits to the community of expanding its code to accept such non-traditional users is significant. First, at a time when Lincolnshire has over one million square feet of vacant office and over four hundred thousand square feet of vacant industrial space these uses are a way to absorb a significant portion of this space, which helps keep buildings fully assessed on the tax rolls for the local community and school districts. The additional employees and customers support local merchants, restaurants and hotels, often on days and during hours when the business parks are otherwise mostly vacant. In Lincolnshire, this is particularly important because of the limited local nighttime population and the tendency of some Lincolnshire residents to not actively shop and dine west of the river. Non-traditional uses also focus on activities that directly cater to the needs of local residents, which adds to the vitality and desirability of the community. Such uses also relieve congestion by offering services to local residents closer to home and often having a peak traffic load at hours outside of typical business park congestion periods. The different timing of peak parking usage also offers the opportunity to share parking during normal business hours to help existing, often under-parked, corporate space users stay in the community. Finally, the re-use of existing industrial facilities for non-traditional uses is good environmental stewardship because it enables the adaptive utilization of existing physical resources rather than consuming far more resources building new facilities.

The major challenges posed by non-traditional uses are assuring sufficient parking and maintaining the existing architectural character of the business parks. The experiences gained in our Vernon Hills and Buffalo Grove business parks and the other uses in the neighboring communities clearly shows that this can be accomplished with a sensible screening and regulation process.

Thank you for your consideration. I would be pleased to discuss this with you at length, if you desire.

Sincerely,

A handwritten signature in black ink that reads "Charles R. Lamphere". The signature is written in a cursive, flowing style.

Charles R. Lamphere
President

CRL/cg

**REQUEST FOR BOARD ACTION
Committee of the Whole
November 24, 2014**

Subject:	Amendments to Comprehensive Plan
Action Requested:	Consideration and Discussion of a Zoning Board recommendation regarding amendments to Land Use recommendations for three focus areas in the Lincolnshire Comprehensive Plan.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- The Village Board discussed the subject of land use recommendations for key development parcels in the Comprehensive Plan, as part of a broad discussion on current and long-term commercial challenges and opportunities at the June 23rd Committee of the Whole.
- This matter was directed to the Zoning Board for review, analysis and a Public Hearing, related to the land use recommendations for four key areas of the Village.
- The four areas to be reviewed included: Aon/Hewitt Tollway Campus site; Southwest corner of Rt. 22 and Milwaukee Avenue; Southeast corner of Rt. 22 and Milwaukee Avenue; and the subdivided 20 acre parcel at the north end of Sedgebrook.
- The Zoning Board reviewed these areas at a workshop on August 12th and a Public Hearing on October 15th.

Summary:

At their August 12th discussion, the Zoning Board declined to pursue an amendment to the Focus Area located at the southwest corner of Rt. 22 and Milwaukee Avenue, as there was no clear direction for a land use different than the one noted in the existing plan. There was also no development pressure on that site, and the Zoning Board felt it was appropriate to “limit the number of Focus Areas revised in favor of development at one time, to insure a well thought-out and balanced development pattern” (*for specific detail, see attached Staff memoranda and minutes of the Zoning Board, as well as attached Draft Amendment Language*).

Following is a general summary of the key points and direction presented by the Zoning Board related to each Focus Area (**Focus Area #3** was removed, as noted above).

Focus Area #1 – Aon Hewitt Tollway Campus:
(critical area #4 in East sector in existing Comprehensive Plan)

- Mixed-Use is appropriate as the new Land Use recommendation.
- This is a gateway development, at Lincolnshire’s front door.
- Commercial uses are acceptable only if either unique or small-scale to support surrounding area only.
- Office, Commercial, Hotel and Multi-Family can be considered as part of Mixed-Use.
- Important to weigh and limit impacts of multi-family on the School District.
- Limit potential multi-family acreage.
- This Focus area should be more restricted than Focus Area #2.
- A single office campus should still be acceptable if that’s what the market desires.

Focus Area #2 – Southwest Corner of Rt. 22 and Rt. 21:
(critical area #5 in South sector in existing Comprehensive Plan)

- Mixed-Use appropriate as the new Land Use recommendation.
- Mixed-Use provides flexibility and is reflective of the development pressure on this parcel.
- It should be clear this property may house a number of uses, not only commercial or only office.
- Village will ultimately determine most appropriate use(s) for this parcel. Proposed Land Use recommendation states only what can be considered, but does not direct development.

Focus Area #3 – North Sedgebrook Property:
(critical area #6 in Village Core sector in existing Comprehensive Plan)

- Attached residential (as opposed to single-family) appropriate as the new Land Use recommendation.
- Removed language restricting the property to a Continuing Care Retirement Community, as the market in Lincolnshire for this housing type has been sated.
- Considered existing Land Use pattern north and south of the parcel, and marginal size and nature of any potential commercial use in decision.

At a Public Hearing held on October 15, 2014, the Zoning Board unanimously recommended approval to the Village Board of amendments to Land Use recommendations for three Focus Areas in the Lincolnshire Comprehensive Plan, as presented in the attached Draft Amendment language document (or, in attached Draft Ordinance).

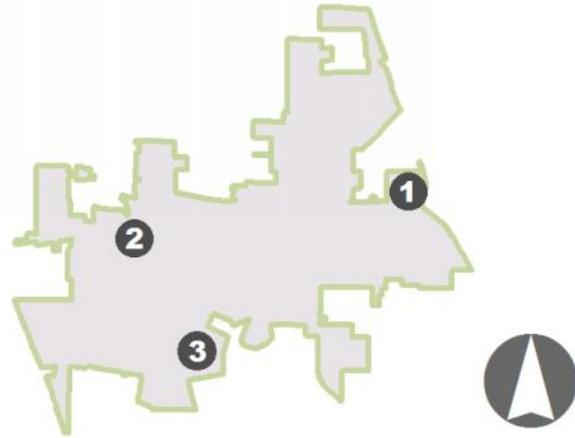
Recommendation:

Consideration and discussion of Amendments to the Update 2012 Comprehensive Plan, and placement on the December 8, 2014 Consent Agenda.

Attachments:

- Focus Area's Location Map, prepared by Staff.
- Draft Comprehensive Plan Amendment Language, prepared by Staff
- Draft Resolution, Prepared by Village Attorney
- Staff Memorandum from August 12, 2014 Regular Zoning Board Meeting
- Approved Minutes of the August 12th and October 15th Zoning Board Meetings.

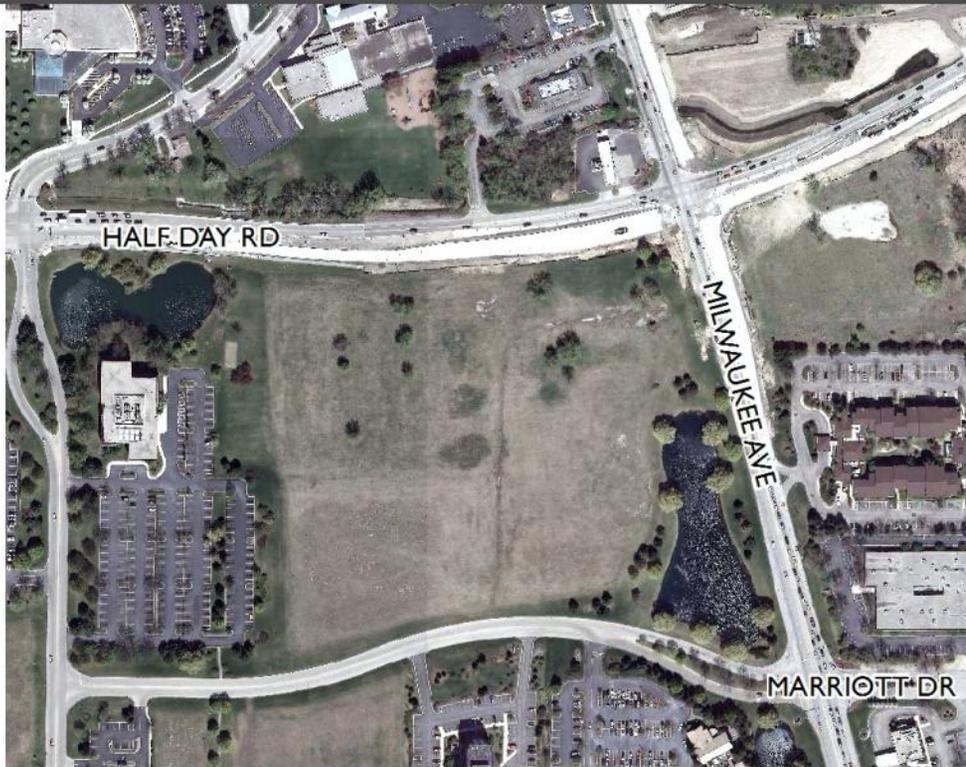
Meeting History	
Initial Discussion at Village Board (COW):	June 23, 2014
Zoning Board Workshop:	August 12, 2014
Zoning Board (Public Hearing):	October 15, 2014
Current Consideration & Discussion (COW):	November 24, 2014



1 Aon Hewitt Tollway Campus



2 SW Corner of Rt. 22 & 21



3 Subdivided Sedgebrook Parcel



Draft Comprehensive Plan Amendment Language

(revised for November 24, 2014 COW Meeting)

FINAL EDITED VERSION

Redline = added language

~~Cross-out~~ = removed language

Language = Moved language

Future Land Use Classification Purpose Statements:

New Land Use added:

Arterial Mixed Use

This land use classification is intended to provide the opportunity for an integration of office, commercial and multi-family land uses in a mixed-use development that combines both urban character and environmental amenities. Such areas should typically be adjacent to the Village's two main arterials, Milwaukee Avenue and Half Day Road. Unified design is important in site and building layout, to exhibit the special character integral to this land use classification. Pedestrian paths should be incorporated and be utilized as part of site circulation. Land uses may include a mix of commercial, office, hotel, entertainment and multi-family residential. Primary uses in this classification include office and commercial, with multi-family residential as a supporting use only.

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Sector Areas:

East Sector - Critical Area 4 (*Focus Area #1*)

Area 4 consists of approximately 38 acres and contains three office buildings and off-street parking areas for the AonHewitt Half Day Road Campus located along the north side of Half Day Road, immediately west of Interstate Tollway 94. The campus was developed around the environmental features present in this Area through the preservation of significant woodlands and incorporation of required stormwater detention facilities. This planning area has long served as the Half Day Road Office Campus for Hewitt Associates, which was merged with Aon Corporation in 2010. As of 2014, two of three buildings on the property are vacant, and the third building (98 Half Day Road) contains a Computer Support Center and minimal staffing. The property is available for sale and AonHewitt's lease ends in 2016, and currently remains an active center of the restructured AonHewitt company. Access to the site is maintained by a divided four-lane entrance/exit from Half Day Road, directly north of Westminster Way.

Land Use Recommendation: ~~Professional Office~~ Arterial Mixed Use

As the improvements of this planning area consist of an aging office campus developed under outdated corporate office design standards, the ability for the site to sustain its current development design may not be reasonable in its existing form. In the latter years of the 2000's, corporations have streamlined internal operations and no longer operate under the surplus employee workforce as was standard prior. As a result, it is anticipated the overall planning area ~~is may be~~ too expansive for one corporation, current or future, and future redevelopment of this area ~~is may be~~ likely. The planning area's proximity to the nearby Tri-State International Office Center and adjacent Interstate Tollway 94 could foster future development pressure for commercial support services based on the high visibility and traffic generated by the surrounds. However, the "Arterial Mixed Use" ~~the "Professional Office"~~ land use classification has been

designated for this Critical Area to reinforce that properties of this size, in such a high-visibility location, are most conducive to a mix of uses that will take advantage of the benefits afforded by Tollway visibility and regional vehicular access on US Highway Rt. 22. Given its location, this property serves as a gateway to the community. As such it must be developed with the appropriate uses; site and building design, and enhanced environmental amenities to help set the tone for expectations in the community. Commercial uses in this area should consist of either a unique feature not present in the community, or be limited in size and scope, so as to serve and support only the immediate residential and Tollway interchange uses. It will be of prime importance to weigh the impacts on the local school districts of any multi-family uses incorporated into this area, and to insure such a use is limited in size. If only one land use type is preferred in this area, professional office is the most appropriate. professional office uses remain as the most appropriate land use classification for this planning area.

Any future redevelopment of this planning area should continue to be done so in a manner that mitigates any impacts on adjacent residential neighborhoods. Critical Area 3 is located to the north and west of this Area and is classified for future single-family residential development. Therefore, the dense woodlands along the perimeter to Area 3 should remain to provide a naturalized buffer for any such future residential development. The presence of wetlands along Half Day Road supports the preservation of ~~the substantial tree coverage along~~ stands along this frontage, with the ability to remove selected understory material to provide some visibility into the property, and would also continue the semi-rural character of the Half Day Road corridor. In addition to the significant tree coverage, ~~the~~ West Fork of the North Branch of the Chicago River traverses the eastern boundary of the planning area and development is subject to the North Branch Chicago River Watershed Plan to ensure preservation and restoration of this waterway. In areas along the Tollway frontage, and west of the North Branch of the Chicago River, tree removal should be permitted for Tollway visibility, as long as significant tree stands remain preserved. Furthermore, the existing stormwater detention ponds constructed from the expansion of the AonHewitt Center should be reconditioned to current Best Management Practices (BMP's) and incorporate native plantings to further retain the natural setting of the campus.

Vehicular access to the site will remain at the current four-lane entrance to the Area, which provides signalization from the intersection to Half Day Road. Due to the recent reconstruction of the Half Day Road overpass of Interstate Tollway 94 in 2010, the intersection to this planning area can sustain an increase in traffic volumes that could be associated with any potential future ~~office~~ redevelopment.

Village Core Sector - Critical Area 6 (*Focus Area #2*)

This planning area is composed of two vacant parcels at the southwest corner of Milwaukee Avenue and Half Day Road totaling approximately 21 acres, located within the Lincolnshire Corporate Center. Although the area is situated adjacent to the most visible intersection in the village, development of this land area has yet to occur.

Currently there are no access points to this vacant site. However, Marriott Drive provides opportunity for multiple curb-cuts into the planning area. No environmental constraints are

present in this area, however, an existing stormwater detention pond is located at the southeast corner of the planning area.

Land Use Recommendation: ~~Planned Commercial Development~~ Arterial Mixed Use

Although this planning area is located within the Lincolnshire Corporate Center and currently zoned O/1a – Office/Industrial Zoning District, the highly visible location at the Milwaukee Avenue and Half Day Road intersection (situated diagonally from the Village’s Downtown Redevelopment Area) makes it viable to support a variety of commercial land uses. The land use classification of Arterial Mixed Use ~~“Planned Commercial Development”~~ is recommended for this area to highlight the feasibility of a combination of commercial, office, entertainment and multi-family uses representing the highest and best land use for this critical area. Any such ~~commercial-mixed use~~ development must be executed in a unified manner with unique architectural character and detail to complement the commercial character outlined for Critical Area 4 and office park character of the adjacent Lincolnshire Corporate Center.

Primary vehicular access should be limited to Marriott Drive and align with the existing driveway curb-cuts of Walker Bros. Original Pancake House restaurant and the Spring Hill Suites hotel on the south side of Marriott Drive. Limited right-in/right-out access could be accommodated off Half Day Road based on site design and authorization from IDOT. Pedestrian paths should also be incorporated along the perimeter of the planning area and incorporated into the development site design to provide alternative transportation means and recreational amenity to village residents and employees in the nearby corporate center.

Expansion of the stormwater detention facilities may be necessary depending on the proposed development of the planning area and should be integrated as an extension of the existing pond located along Milwaukee Avenue. The existing stormwater pond has experienced significant shoreline erosion and any future improvements to the site should require restoration to the banks, including the introduction of native and aquatic vegetation.

South Sector - Critical Area 5 (Focus Area #3)

Critical Area 5 distinguishes itself from the other focus areas of the South Sector, as well as all other critical areas of this Plan ~~in that it contains a lot which is as a result of its status as~~ the largest parcel of intact acreage within Lincolnshire’s municipal boundary (approximately ~~70~~ 90.4 acres). ~~This Critical Area property~~ is located at the southern most end of the ~~current~~ municipal boundary, along the east side of Milwaukee Avenue. Historically used for agricultural crop growth, the planning area was annexed into Lincolnshire and construction began on the development of the Sedgebrook Retirement Community in 2004. The Village’s approval of the Sedgebrook residential development substantially altered the character of the Milwaukee Avenue corridor in this area. Pursuant to that approval, the first of a planned three total “neighborhoods” in Sedgebrook was completed in 2009; ~~The property has since been sold to a different entity, who now plans only two neighborhoods to complete the development. The current owner received approval for a two-lot subdivision in early 2014, which created a new 20-acre lot for sale at the north end of the development, leaving the remaining 70-acre lot containing the existing Sedgebrook Neighborhood 1 and land for the future construction of Neighborhood 2, with the construction of the remaining two neighborhoods yet to occur.~~

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As a result of the scope of the Sedgebrook development, careful consideration was taken to ensure ingress and egress to the site was managed to avoid causing traffic conflicts along Milwaukee Avenue, a four-lane primary arterial under the authority of IDOT. In order to achieve this, access was confined to a single location in-line with the Milwaukee Avenue access for Lincolnshire Commons retail center to establish a fully signalized intersection. As a stipulation of the recently-approved subdivision, the future owner of the northern 20 acres will be required to realign Riverside Road so that it creates a four-way intersection with Tower parkway at Milwaukee Avenue. This will serve as the primary access for this lot.

Land Use Recommendation: Attached Residential

~~Although~~ Development of this planning area is one-third complete and Village Board approvals have been granted both to the conceptual development plans for the remaining attached residential neighborhood in the -Sedgebrook Planned Unit Development (PUD) on the southern 70 acres, and to a subdivided 20 acre lot to the north, with no conceptual plan. the site remains as a critical area. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for the southern 70 acres in this planning area. Given the large number of Continuing Care residential units yet to be constructed at Sedgebrook, the demand for additional age-restricted housing on the northern 20 acres has not been demonstrated. In recognition of the surrounding residential uses on the east side of Milwaukee Avenue, north and south of the northern 20 acres, the attached residential land use classification, with no age restrictions, remains the most appropriate for the 20 acre parcel. Given the surrounding pattern of purpose-built owner-occupied housing types, a continuation of that pattern is also recommended. ~~Typically, phased development projects that have not reached completion would not evoke the need to be included in a focus area. However, the effects of the economic downturn set off in 2008 have stalled the progress of the Sedgebrook development and resulted in the property being acquired by a new corporation from the original developer of the campus. As the weakened economy has largely affected residential home sales, further expansion of the residential retirement campus has been placed on hold. While there are approximately 26 acres remaining for development in the approved retirement community site development plans, this area could generate additional land use interests that are consistent with the "Attached Residential" land use classification, but are not compatible with the adjacent Sedgebrook development land use. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for this planning area. Any deviations should not be permitted in order to prevent incompatible land uses that could jeopardize the existing Sedgebrook Retirement Community. Furthermore, since the current owner/operator of the Sedgebrook development was not the original developer of the community, any future expansion must be carefully considered in order to maintain the quality and character that identifies the currently built area of the Sedgebrook campus.~~

**VILLAGE OF LINCOLNSHIRE
LAKE COUNTY, ILLINOIS**

RESOLUTION _____

**A RESOLUTION TO APPROVE AN
AMENDMENT TO THE COMPREHENSIVE PLAN**

WHEREAS, the Village of Lincolnshire is a home rule municipal corporation operating under the Constitution and laws of the State of Illinois; and

WHEREAS, on March 26, 2012, the Village approved a complete update to the Village of Lincolnshire Comprehensive Plan (the “Comprehensive Plan”); and

WHEREAS, further study and additional experience with the growth and development of the community has led the Village to consider additional changes and corrections to the Comprehensive Plan, including modifications to the Land Use recommendations for three Focus Areas and/or Critical Areas described in the Comprehensive Plan (the “Plan Amendment”); and

WHEREAS, on June 23, 2014, the Village Board referred to the Zoning Board a petition to consider the Plan Amendment; and

WHEREAS, the Zoning Board, which is authorized under the Village’s home rule power to perform the duties otherwise described for a plan commission under the Illinois Municipal Code, held a public hearing on the proposed amendment on October 15, 2014, notice of which was published in the Lincolnshire Review on September 25, 2014; and

WHEREAS, based on evidence and testimony presented in the public hearing, on October 15, 2014, the Zoning Board voted to recommend approval to the Village Board of amendments to the Land Use recommendations for three Focus Areas and/or Critical Areas in the Comprehensive Plan, as presented in Staff’s memorandum dated October 15, 2014, and

further subject to the recommended language for Focus Area #3 (aka Critical Area #5 in the South Sector) be the Residential-Only option; and

WHEREAS, following deliberation and consideration on the evidence and testimony elicited during the public hearing and the recommendation of the Zoning Board, the Village Board desires for the Comprehensive Plan to be amended as recommended by the Zoning Board; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village and the public to amend its Comprehensive Plan to promote the economic health and welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village Of Lincolnshire, Lake County, Illinois, in exercise of its home rule powers, as follows:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance as though fully set forth herein. The findings of the Zoning Board of the Village of Lincolnshire are herein incorporated by reference as the findings of this Board to the same effect as if fully recited at length. All references in the Zoning Board's findings are made the references of the Mayor and Board of Trustees of the Village of Lincolnshire.

SECTION TWO: The 2012 Comprehensive Plan of the Village of Lincolnshire is hereby amended in the manner described in Exhibit A, attached hereto and incorporated as though fully restated herein.

SECTION THREE. In exercise of its home rule powers, the Corporate Authorities hereby ratify and approve the process by which the Zoning Board considered the amendments to

the Comprehensive Plan and waives any delay in reporting a recommendation beyond any deadlines otherwise set by applicable law.

SECTION FOUR. In the event any provision or application of this resolution is found invalid or unenforceable by a court of competent jurisdiction, it is the intent of the Corporate Authorities that this resolution would have been approved without the offensive provision or application and for all other provisions or applications of this resolution to remain enforceable to the fullest extent permitted by law.

SECTION FIVE. This resolution shall become effective upon the expiration of 10 days after the date of filing notice of the adoption of the Plan Amendment with the Lake County Recorder.

SO RESOLVED this ____ Day of _____, 2014.

AYES:

NAYS:

ABSENT:

APPROVED:

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

Zoning Board
August 12, 2014 Meeting

Subject:	Comprehensive Plan - Amendments
Action Requested:	Preliminary discussion regarding proposed amendments to five Focus Areas in the Comprehensive Plan.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Referred To:	Zoning Board

Background:

In March, 2012, the Village Board approved the latest comprehensive update to the Village's Comprehensive Plan. That update was the result of nine months of workshop discussions with the Zoning Board and Village Board. The 2012 Update addressed land use recommendations in three Sector Areas, including; the East Sector (encompassing all land east of the Des Plaines River), the South Sector (encompassing land west of the Des Plaines River and south of Marriott Drive) and the Village Core Sector (encompassing land within the proximity of the Milwaukee Avenue and Half Day Road intersection). Critical Areas were defined within each sector. Those Critical Areas were researched, analyzed and recommendations formulated for their future land use.

On June 23, 2014, Staff met with the Village Board in a wide-ranging discussion on the challenges and opportunities for commercial properties and uses in the Village. One of several recommendations made by Staff was to revisit Comprehensive Plan recommendations for four key focus areas, which have been or soon will be receiving development pressure. Those Focus Areas include: 1) the Aon/Hewitt Tollway Campus at the northwest corner of Rt.22 and the Tollway, 2) Southwest Corner of Rt 22 (Half Day Road) and Rt. 21 (Milwaukee Avenue), 3) Southeast Corner of Rt. 22 and Rt. 21, and 4) Newly-platted North Sedgebrook Property. Staff believes these Focus Areas should be revisited given the recommended land Uses and how they could be affected by the changing commercial environment.

Summary of Focus Areas:**Area 1 – Aon Hewitt Tollway Campus:**

(Current) Land Use Recommendation: Professional Office. "The planning area's proximity to the nearby Tri-State International Office Center and adjacent Interstate Tollway 94 could foster future development pressure for commercial support services based on the high visibility and traffic generated by the surrounds. However, the "Professional Office" land use classification has been designated for this Critical Area to reinforce that professional office uses remain as the most appropriate land use classification for this planning area."

Staff Comments – Staff's 2012 recommendation was to designate this parcel to permit services such as restaurants, hotels, and other support services for the corporate office community. Staff further noted the adjacent Interstate Tollway promotes the opportunity to expand commercial land uses based on the high visibility and traffic generated by the interstate. While the "Professional Office" future land use classification was designated for this Critical Area, and could remain appropriate under a single land use development, any redevelopment of this planning area should consider introducing additional commercial land uses that compliment/support professional office uses.

Staff continues to believe that a mixed-use development is appropriate for this large, visible site at the gateway to the community. Mixed-use could include a large corporate office building, limited commercial (either a unique commercial development or support for the immediate area), hotel and possibly even multi-family housing. As an example, the northwest corner of Willow Road and Interstate Tollway 294 in Glenview contains a mixed-use development anchored by a large corporate office headquarters (Astellas). It is important this Focus Area have limited commercial, unless it is a very unique type of commercial development (entertainment or unique shopping experience), so it does not pull customers from the Village's existing commercial corridor on Milwaukee Avenue. Along with a re-consideration of the land use recommendation, the Zoning Board may wish to recommend a rezoning to a more appropriate zoning district (ie. B2 Commercial or R5 Mixed-Use) be undertaken.

Note - This property is currently For-Sale and is expected to transfer ownership this Fall.

Area 2 – Southwest Corner of Rt. 22 and Rt. 21:

(Current) Land Use Recommendation: Planned Commercial Development “is recommended for this area to highlight the feasibility of the highest and best land use for this critical area. Any such commercial development must be executed in a unified manner with unique architectural character and detail to complement the commercial character outlined for Critical Area 4.”

Staff Comments – As with Area 1, Staff recommends consideration be given to designation of this parcel as Mixed-Use, with an emphasis on commercial, and permissibility for support uses such as hotel and multi-family uses. Development pressure on this site over the past several years has focused on commercial development with the possibility of a corporate office building(s), entertainment uses and multi-family housing units (from condos to rental apartments). With an adjacent large office employment center (Lincolnshire Corporate and Business Centers), support uses and services are appropriate. In addition, the large employment base makes a case for the inclusion of multi-family housing to serve those employees interested in working close to home. Along with a re-consideration of the land use recommendation, the Zoning Board may wish to recommend a rezoning to a more appropriate zoning district (ie. R5 Mixed-Use) be undertaken.

Area 3 – Southeast Corner of Rt. 22 and Rt. 21:

(Current) Land Use Recommendation: Corridor Commercial “This planning area has been placed within the “Corridor Commercial” land use classification in recognition of its location along a major traffic intersection and to supplement the mixed-use commercial development forecasted for Critical Area 4 (Downtown, Northeast corner of Rt. 22 & 21). Due to the environmental constraints, land size and accessibility limitations of this planning area, a Commercial planned unit development (PUD) typical of Village Green, etc. cannot be expected for this area. However, any retail development should be complimentary to the development qualities and character of the Village Core. Creative site planning and design is necessary to ensure that any development of this area is not executed hastily in order to avoid the occurrence of a traditional commercial retail “strip” center at this highly visible intersection.”

Staff Comments – Staff recommends consideration of additional uses on this corner. Limited accessibility may continue to limit the commercial possibilities for this parcel. Per IDOT's current position, there would be no opportunity for full-access driveways to this site on either Rt. 22 or Rt. 21. This significantly reduces the possibility for the type of commercial uses the Village would like to see at this high-profile location. A restrictive land use recommendation tied only to

commercial uses could produce only marginal commercial uses that don't meet the Village's vision for this intersection.

Area 4 – North Sedgebrook property:

(Current) Land Use Recommendation: Attached Residential “While there are approximately 26 acres remaining for development in the approved retirement community site development plans, this area could generate additional land use interests that are consistent with the “Attached Residential” land use classification, but are not compatible with the adjacent Sedgebrook development land use. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for this planning area. Any deviations should not be permitted in order to prevent incompatible land uses that could jeopardize the existing Sedgebrook Retirement Community.”

Staff Comments – As the Zoning Board may be aware, Sedgebrook recently subdivided their property, resulting in a new 20-acre lot at their northern limits, along Riverside Road. The property was subdivided in anticipation of selling the 20-acre parcel and developing only the remaining 70 acres to the south. During Village Board Consideration of this subdivision, the subject of permissible land uses was discussed. It was determined the zoning should remain R4, Single-Family Attached Residence, same as the Sedgebrook Retirement Community, in order to provide the Village maximum control over any proposed use. The Comprehensive Plan designation and zoning are consistent with a Sedgebrook type facility, and limited to such a use. However, it is clear the parcel will not develop as an attached-unit retirement community, nor is it likely the preferred use. Staff recommends the Zoning Board and Village Board take the opportunity to clearly define the permissible land use for this parcel, in order to provide clear direction to interested developers. Uses from commercial to multi-family to a mixed-use development with commercial along Milwaukee Avenue and multi-family behind the commercial have been discussed.

Recommendation:

Consideration and discussion of proposed amendments to the 2012 Update of the Comprehensive Plan, and placement on the September Zoning Board for Public Hearing.

Reports and Documents Attached:

- Focus Area's Location Map, prepared by Staff.

Meeting History	
COW Discussion & Referral	June 23, 2014
Current Zoning Board Discussion	August 12, 2014

- Excerpts from the 2012 Update to the Comprehensive Plan.



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, August 12, 2014, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Kalina, Leider and Bichkoff.

ALSO PRESENT: Steve McNellis, Director of Community and Economic Development, and Stephen Robles, Village Planner.

ABSENT: Trustee Liaison Brandt and Member Van de Kerckhove.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 p.m.

1.0 ROLL CALL

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

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held Tuesday, July 8, 2014.

Member Kalina moved and **Member Bichkoff** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board held Tuesday, July 8, 2014, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

3.1 PUBLIC HEARING regarding proposed Text Amendments to Title 6, Zoning, of the Lincolnshire Village Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses (Village of Lincolnshire).

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

Village Planner Robles presented Staff's memorandum and noted the Compassionate Use of Medical Cannabis Pilot Program Act was signed into law in August 2013 and became effective on January 1st. As the Zoning Board was aware, the new Act does not permit communities to prohibit these uses through zoning. As a result, the Zoning Board held workshops in June and July to discuss reasonable zoning regulations on the establishment of such uses in the Village.

Village Planner Robles then provided a brief summary of the Draft Code. Two new definitions had been created based on the same terminology used by the State Act for consistency purposes. From the past workshops, the Zoning Board determined the Office/Industrial District is best suited for dispensing organization operations. Dispensaries would be a Special Use specifically in the O/Id subdistrict, subject to twelve regulations. The majority of the regulations follow the State Act and were carried over into the Zoning Code for Staff unfamiliar with the entirety of the State Act. **Village Planner Robles** further explained Staff made sure to include specific lot requirements

and off-street parking specifications for dispensaries in the Draft Code as a result of the new special use.

There being no public comment, **Chairman Manion** closed the Public Hearing and reconvened the Zoning Board meeting.

Member Leider questioned if the proposed regulations had been reviewed to uncover any potential conflicts. **Village Planner Robles** indicated both Staff and the Village Attorney have conducted multiple reviews of the draft code, with the provided draft as a result of such reviews.

There was a consensus among the members in support of this request and the following motion was read:

***Member Leider** moved and **Member Kalina** seconded a motion, to recommend approval to the Village Board, based on facts covered in a Public Hearing held on August 12, 2014, of amendments to Title 6 of the Lincolnshire Zoning Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses, as presented in Staff's memorandum.*

The motion passed unanimously by voice vote.

- 3.2 PUBLIC HEARING regarding proposed Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 of the Lincolnshire Village Code to revise the Permitted Uses and Special Uses permitted within the Village's commercial and office zoning districts (Village of Lincolnshire).

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

Village Planner Robles presented that in June, Staff approached the Village Board regarding challenges Lincolnshire's commercial sector faced in maintaining and growing a steady commercial tenant mix throughout the Village. As a result, Staff was authorized to review the current permitted and special uses in the commercial zoning districts to sustain and encourage commercial development within the Village's centers.

Village Planner Robles started with the R5 Mixed Use General Residence District, which he explained was intended for mixed-uses incorporating multi-family residential uses adjacent to commercial districts and also accommodated a limited mix of selected retail uses. He explained the permitted uses list only permitted single-family attached and community residential homes, which was contrary to the mixed-use intent of the District. Conversely, the special uses list more closely resembled the true intent of the R5, which created conflicts in achieving the purpose of the R5 District. The Permitted and Special Uses list had been updated to more accurately reflect the current development of this District and included an expanded list of commercial uses.

There was a consensus amongst the Zoning Board of the proposed text amendments.

Village Planner Robles continued with the B1 and B2 commercial retail districts and explained the current code limited ground floor uses occupied by non-sales tax generating uses to a maximum of 25% of gross floor area, except for buildings constructed prior to January 1, 1995. That limitation was to ensure retention of sales tax

generating uses on the ground floor in commercial districts. The current 25% restriction was rather limiting and Staff proposed a moderate increase in the restriction to 33% or 1/3 of the of the gross floor area. He explained the proposed increase was based on the trend of development where service/office uses were more frequently being incorporated into commercial centers.

Chairman Manion questioned if the proposed increase to 33% was speculative or a studied number. **Director McNellis** explained the increase was based on observations of current market trends. He cited a past request from Baceline, the current management company of the Village Green Retail Center, who was then restrained by a TIF development agreement, which also included a similar ground floor restriction, and sought to increase the percentage of non-sales tax generating uses allowed. Baceline ultimately determined it made more financial sense to forego the remaining TIF increment, in order to eliminate the ground floor sales tax limitation. **Member Leider** inquired if the proposed increase was enough or should be further increased. **Chairman Manion** expressed his willingness to increase the limitation to 50%. **Member Lieder** commented his instinct was an overall increase to 40% and agreed 25% to 35% was not enough to make an impact. **Director McNellis** noted that Lincolnshire is a small community, with a small share of commercial uses. Therefore, a reduction in commercial space would result in less commercial sales tax generating uses in the Village, which could have a real impact. **Chairman Manion** countered that additional office occupancies could create ancillary increases in customers within the commercial centers.

Following discussion on this matter, the Zoning Board requested Staff conduct additional research on the impacts on limiting non-sales tax generating uses on the ground floor.

Village Planner Robles continued with Staff's presentation, and explained the permitted uses list is an exhaustive list of all permitted commercial uses within the B1 & B2 Districts, which contained outdated terminology and redundancy of similar uses. As a result, the permitted uses list had been streamlined to include the classification of "general retail and services uses", as well as updated and common terms, and inclusion of additional desired uses. He further explained the Special Uses section outlined uses with unique characteristics that required additional Village review. Some of the uses no longer posed as great an impact as previously thought and had been relocated to the Permitted Uses. Additional uses had also been added to stay relevant with current trends.

There was a consensus amongst the Zoning Board supporting the proposed text amendments to the permitted and special uses list.

Village Planner Robles moved on to the E Small Scale Office District, explaining the District contained two subdistricts, Ea and Eb, which were intended to accommodate low density office uses. Although the District contained two subdistricts, the permitted and special uses list applied to both subdistricts, which Staff questioned the need for such. Staff had also updated the categories of uses and reduced redundancy, along with the removal of incompatible land uses.

There was a consensus amongst the Zoning Board supporting the proposed text amendments.

Village Planner Robles continued to explain the bulk regulation Sections, which defined the minimum and maximum bulk regulations for both the Ea and Eb Districts. Since Staff recommended one overall E District, he explained further Staff analysis of these Sections was necessary to determine appropriate merging of these regulations.

Village Planner Robles proceeded with the Office/Industrial District, which contained four subdistricts. The O/Ia subdistrict accommodated professional offices and corporate headquarters, with no industrial activities. He explained that the current permitted uses list generally aligned with the purpose of the zoning category and only minor revisions were necessary. The second subdistrict, O/Ib, consisted of office dominant uses, with restricted industrial uses. Uses permitted in the O/Ia subdistrict carried through to the O/Ib. Minor revisions occurred, with many items removed as they were already outlined in the preceding O/Ia subdistrict.

Village Planner Robles continued with the O/Ic subdistrict which permitted light industrial and warehousing uses, with limited affiliated office space. Uses of the O/Ia and O/Ib were also permitted in the subdistrict. Historically, the industrial/warehouse sector of the Village has been limited to individual use operations with no multi-tenancy, excluding buildings that consisted entirely for office uses. In 2009, Staff sought an amendment to permit multi-tenant uses in larger buildings in which it may be difficult to find a single user. Based on concerns regarding multiple smaller units within a single building, the outcome was buildings no less than 100,000 square feet could subdivide into spaces no smaller than 50,000 square feet. Since the amendment, no such subdivisions had occurred and Staff continues to receive periodic requests for multi-tenant uses smaller than the minimum. Staff once again questioned if consideration to reduce the multi-tenant requirements would be appropriate.

Chairman Manion questioned what was the perceived problem with multi-tenant uses in industrial buildings. **Director McNellis** commented that such restriction could have been a carry-over from the 1980's, where the Village did not prefer the appearance of small spaces with multiple uses, signage, etc. **Chairman Manion** expressed the Office/Industrial zoned parcels were not located near residential areas and hidden from public view, which he felt it was better to fill-up the vacancies.

Discussion ensued regarding the merits of the current multi-tenant limitations of the O/Ic District. At the conclusion of the discussion, the Zoning Board directed Staff to research the potential in decreasing the minimum size for multi-tenant spaces.

Village Planner Robles proceeded with the O/IId subdistrict which permitted the most intense uses of light manufacturing, industrial and warehouse uses. Another purpose of the O/IId is uses requiring railroad service from the adjoining rail line, which had yet to occur. Beyond that, Staff was uncertain if rail access would even be provided by the rail line authority. Staff questioned if regulations related to rail access were warranted now or in the foreseeable future, and if they should be simply removed from the Code.

Minor discussion ensued regarding the benefits of retaining the current code regulations for rail service. At the conclusion of discussion, the Zoning Board directed Staff to decide if the railroad service should remain.

There being no public comment, **Chairman Manion** closed the Public Hearing and reconvened the Zoning Board meeting.

The Zoning Board unanimously agreed to continue the Public Hearing to allow Staff to conduct additional research based on the direction provided by the Zoning Board and allow for additional public comment.

3.3 Consideration and discussion of Amendments to the 2012 Update to the Comprehensive Plan (Village of Lincolnshire).

Director McNellis presented Staff's memorandum and discussed the previous 2012 Comprehensive Plan Update process. He noted some areas of the Village were essentially designated placeholders, since some uses were not appropriate to be placed in the Comprehensive Plan, but could be considered if they were deemed appropriate, on a case by case basis.

Director McNellis began summarizing Focus Area #1, stating the Zoning Board and Staff initially supported commercial uses on this property, but ultimately the Village Board determined it was most appropriate to consider this parcel as primarily office so as to protect the Village against inappropriate commercial uses we may not consider unless specific circumstances were met.

The problem with this direction is the development community doesn't know the Village is open to other uses, so when they look at the Comprehensive Plan, they believe that is the vision for the community.

Staff believes it is good to revisit these focus areas. This analysis and discussion is a result of a recent discussion Staff had with the Village Board on commercial challenges and opportunities. We are concerned that we are raising red flags in the development community which aren't allowing commercial businesses to be as successful as they should be. As part of this discussion with the Village Board Staff noted four geographic areas in the Comp Plan that may not speak to the vision the community has.

Director McNellis went on to note Focus Area #1 is under development pressure, with Bidders for the property out there. **Chairman Manion** inquired if the whole property is up for redevelopment, to which Director McNellis answered yes and noted the current campus is almost entirely vacant.

Director McNellis read from the Comprehensive Plan: (Current) Land Use Recommendation: Professional Office. "The planning area's proximity to the nearby Tri-State International Office Center and adjacent Interstate Tollway 94 could foster future development pressure for commercial support services based on the high visibility and traffic generated by the surrounds. However, the "Professional Office" land use classification has been designated for this Critical Area to reinforce that professional office uses remain as the most appropriate land use classification for this planning area."

Staff believes the most appropriate use for this property is actually mixed-use. It is highly likely the current buildings on-site will be removed over time as they have obsolete floor plates. **Chairman Manion** inquired if we say its Mixed-Use and a developer wants to do a Corporate HQ is that still ok, to which Director McNellis stated yes, that designating it as Mixed Use only says the Village is encouraging it and leaving an ability for it. **Member Leider** noted the Willow Road-Astellas development as one that was successful and Mixed-Use. Director McNellis noted it incorporates commercial, office and apartments. He further noted that multi-family helps support both commercial and office nearby and

should be considered in Focus Area #1. **Chairman Manion** noted he'd been saying for years multi-family housing should be supporting these uses.

Director McNellis noted that the Village Board does not, in general, support apartments, but they may find other multi-family, such as townhouses, with an ownership interest, appropriate. He also noted that the discussion of commercial here is predicated on it being clear that we're not talking about run of the mill commercial. Because we want to make sure we don't "rob" from the commercial corridor the Village has put so much effort into on Milwaukee Avenue. So, it is important that any commercial in Focus Area #1 be either unique or be of a smaller size that supports the surrounding residential and office at the Tollway intersection. Hotel is also an appropriate use here.

Director Mcnellis stated Staff suggests amending the plan to support more uses, and in fact encourage more uses. **Member Leider** stated he supports this line of thinking but his concern is if the multi-family is large it could negatively impact schools. He would like to make sure any change in Comp Plan language consider those impacts and limits them. He wants to be sure we don't shoot ourselves in the foot.

Chairman Manion stated in full disclosure he finances apartment complexes for a living. He noted apartments don't generate kids as they are generally too expensive now and people with kids don't rent there. **Director McNellis** clarified that we're not proposing zeroing in on apartments versus townhomes, but he agrees its good to put in language that limits the acreage of multi-family.

Member Leider noted he moved to Lincolnshire for schools and wouldn't want to see this property full of multi-family. He supports the mixed-use idea but wants to limit multi-family. Director McNellis promised Staff would develop language that talks about that limitation.

Member Bichkoff inquired if there is any indication of what developers are considering for this property. Director McNellis noted several are proposing some multi-family, mostly townhomes, but others want office only. Staff is also hearing commercial on Rt. 22. Staff has noted to developers that the Village is not looking for strip commercial development along Rt. 22. Rather, we want to see unique or small commercial. **Chairman Manion** noted multi-family is very hot right now with empty-nesters even seeking out apartments.

Member Leider inquired as o any additional restrictions in backing up to Florsheim estate, to which Director McNellis stated No, but the general thinking is that larger office buildings would be up on the Tollway with lower height and density back toward Florsheim. **Member Kalina** asked if this would cause a bottleneck on Rt. 22 at rush hour, to which Staff noted traffic could easily go on and off the adjacent Tollway. **Member Leider** noted some would say this is our last crown jewel.

Chairman Manion noted he was all for the mixed-use approach, to which there was general consensus. Director McNellis noted Staff would like to add in language stating this is a gateway to the community and we need something special. When people pick up our "visioning document", the Comp Plan they should understand we wont accept a cookie-cutter development here. **Member Leider** agreed.

Director Mcnellis next turned to Focus Area #2, described past proposals on the site and noted the Comp Plan designation - (Current) Land Use Recommendation: Planned Commercial Development "is recommended for this area to highlight the feasibility of the

highest and best land use for this critical area. Any such commercial development must be executed in a unified manner with unique architectural character and detail to complement the commercial character outlined for Critical Area 4.”

Director McNellis further noted that the Village took a leap in 2012 when changing the designation of this parcel from corporate office to commercial as a possibility. Staff's main issue is the Comp Plan doesn't do enough to highlight commercial or Mixed-Use. There is an opportunity to really embrace mixed-use, possibly including hotel, multi-family, etc. Staff believes we should make it clear we are willing to look at uses other than straight office or just a shopping center. Since a lot of young people work nearby, multi-family may be appropriate. **Member Kalina** noted the previous proposal on this property a few years back, which had multi-use elements, was exciting and he would support that. He liked the urban feel of it and suggested when you move from the city to suburbs you hope for that.

Director McNellis noted that at the National ICSC show many brokers noted Lincolnshire is a “Tweener”, located between Vernon Hills, Deer Park and Northbrook, which is a detriment to us in attracting National retailers. Since shopping malls are becoming more desirable again and lifestyle centers somewhat less so, Lincolnshire is not as desirable as we once were. So, we need to do things to make this property more attractive for commercial, including permitting housing and hotel. Not hotels to compete with what we have, but a different kind of product we don't have.

Member Leider inquired as to whether or not we should differentiate between Focus Area 1 and Area 2. He further noted he would be more restrictive in Area 1 than 2. Director McNellis noted we are already doing that by saying a gateway development with unique commercial is most appropriate for area 1. Member Leider noted he simply wanted to be sure we don't misrepresent our position on lot 1. **Member Bichkoff** agreed.

Director McNellis next turned to Focus Area #3 and noted the Comp Plan designation - (Current) Land Use Recommendation: Corridor Commercial “This planning area has been placed within the “Corridor Commercial” land use classification in recognition of its location along a major traffic intersection and to supplement the mixed-use commercial development forecasted for Critical Area 4 (Downtown, Northeast corner of Rt. 22 & 21). Due to the environmental constraints, land size and accessibility limitations of this planning area, a Commercial planned unit development (PUD) typical of Village Green, etc. cannot be expected for this area. However, any retail development should be complimentary to the development qualities and character of the Village Core. Creative site planning and design is necessary to ensure that any development of this area is not executed hastily in order to avoid the occurrence of a traditional commercial retail “strip” center at this highly visible intersection.”

Director McNellis noted Staff's concern is this corner is very limited by access. He discussed the IDOT-prescribed access and noted with such limited access it is highly unlikely you will get anything other than marginal commercial here. Staff's suggestion would be to open it up to other uses, perhaps even office buildings. Overall, Staff believes it is unlikely we would get an interesting commercial use here. **Chairman Manion** inquired if the property was being actively marketed, to which Director McNellis answered No. With environmental issues to the east and access issues on-site, Staff is simply asking if this should be commercial or something else.

Member Bichkoff inquired what a “marginal use” was, to which Director McNellis said it would certainly be a nice looking building due to aesthetic standards but Staff is not sure it would be a substantial use. Director McNellis further noted that staff does feel in some way perhaps the existing designation on this land should remain, as it has restricted value currently. Member Bichkoff suggested maybe this is a property where we reach out to see if Developers are interested in this property and if so, what do they see developing here. Director McNellis noted Staff could get more feedback, but ultimately no decision needs to be made on this matter tonight.

Member Leider asked if the Zoning Board should just leave this property alone? **Member Kalina** stated he was ok opening it up so someone can develop it.

Director McNellis stated he was arguing against himself but if the Zoning Board revised this section to direct the land use to be multi-family residential and someone wanted to do commercial there, most developers probably wouldn't even try suggesting such a change in intensity. However, if the land use designation remains commercial and a developer wanted to build office or multi-family residential they may still take a run at it, because those would be less intensive uses than the designation. So, maybe leaving the Comp Plan designation the way it is won't be a detriment to development.

Chairman Manion noted his position that if the Zoning Board wants to open up the options on this property, he doesn't see a problem. **Member Leider** furthered if you want to open it up to encourage activity, maybe that's fine. **Director McNellis** noted when Focus Area 2 develops and the Village Downtown develops, and the result is limited developable parcels remaining, then development pressure may build so much the value of this property will rise, despite the limited access. **Chairman Manion** stated this may be the last parcel to develop in Lincolnshire, and even that could have a 20-year horizon.

Director McNellis next turned to Focus Area #4 and noted the recent discussions and approval of a subdivided lot. He also noted the Comp Plan designation - (Current) Land Use Recommendation: Attached Residential “While there are approximately 26 acres remaining for development in the approved retirement community site development plans, this area could generate additional land use interests that are consistent with the “Attached Residential” land use classification, but are not compatible with the adjacent Sedgebrook development land use. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for this planning area. Any deviations should not be permitted in order to prevent incompatible land uses that could jeopardize the existing Sedgebrook Retirement Community.”

Director McNellis further noted this property is currently zoned only as a Continuing Care retirement Community (CCRC), which was established to protect the Village. However, Staff is concerned developers don't know what the Village wants to see there. A number of different uses have been discussed for this parcel by the Village Board. Staff believes it is appropriate for the Village to take a stance on this property now, as we are already getting a lot of inquiries from developers.

Chairman Manion inquired as to the proposed build-out of Sedgebrook. He stated he believes there will never be a demand for more senior housing on the north 20 acres of Sedgebrook. He is open to other types of housing on this property as it seems as though it should have residential on it.

Director McNellis noted there are two arguments: One is that Housing is best because the surrounding property on the east side of Milwaukee Avenue is all residential. The Village has already set the tone for that parcel. The second argument is that Milwaukee Avenue is a commercial corridor, the Village has limited available space for future development, and long-term it is important for the Village to build revenues to be able to maintain our infrastructure. This is a commercial corridor and its important to have sales tax here. **Chairman Manion** noted there are already vacancies on Milwaukee Avenue and he doesn't believe the property is compatible with a use other than residential. He further inquired if a condo building went here, how many stories would we allow? **Planner Robles** stated up to five stories would be permitted, but three stories is all that was approved in this location in the original Sedgebrook plan.

Director McNellis further discussed the surrounding property uses. **Member Leider** asked where access would be to this property? **Director McNellis** stated that whoever develops this property would have to rebuild part of Tower Parkway and construct a four-way intersection at the traffic light. That would represent access to this site. **Chairman Manion** stated he believes this parcel is more conducive to Housing. He inquired if Staff was looking for guidance, to which Staff answered Yes.

Member Leider asked if all four focus areas we have discussed tonight develop at once, what can the Village handle? He noted the Village should focus on properties that have higher priority. **Director McNellis** noted outside of Focus Area #3, there is development pressure on all parcels. **Chairman Manion** stated he is worried the Village cannot, economically, handle all parcels being developed with commercial. He believes there would be commercial on Focus Area #'s 1 and 2, so why should the Zoning Board push to have anything other than residential on Area #4. **Member Leider** agreed. **Director McNellis** noted ultimately the Village wants to send the right message about our vision. If the Zoning Board thinks commercial is the most appropriate on Focus Area #4, then leaving it as a CCRC designation doesn't demonstrate that vision.

Member Bichkoff stated he believes this parcel is one of two (including Focus Area #2) that would develop. **Chairman Manion** then noted he could be open to other land use development opportunities on Focus Area #4.

Director McNellis noted that if the Zoning Board wanted to see changes in the Comp Plan for Focus Area #'s 1 and 2, but leave Areas 3 and 4 as they are currently written, then he doesn't believe the Village would be biting off too much, when it comes to development. As far as Focus Area #4, he stated that if the wording of the Comp Plan remained essentially the same, he doesn't believe making the leap to a multi-family residential development is a big leap.

Member Leider feels the Zoning Board is doing the right thing here. He believes changing all four focus areas might be too much. He would support moving forward with the direction the Zoning Board provided on Area #'s 1 and 2, and sitting on any changes to Area #'s 3 and 4 and see what comes up. **Chairman Manion** stated he believes that's the right thing to do. **Director McNellis** noted with regard to Focus Area #'s 1 and 2, if there is housing proposed on either, it would undoubtedly be multi-family. **Member Bichkoff** asked if this would cause an impact on the schools, to which Director McNellis noted that whatever direction these properties go with regard to housing, knowing the school impact will be very important.

Director McNellis stated Staff has enough feedback to make revisions and come back for a Public Hearing. He suggested Staff return without addressing Focus Area #3, which most members don't seem interested in revising, and perhaps even eliminating Focus Area #4. If the Zoning Board decided not to revise these two focus areas Staff would simply note to the Village Board that the Zoning Board had discussed Area's 3 and 4 and decided to leave the wording of the Comp Plan for the reasons that have been discussed in tonight's meeting.

Chairman Manion said he believes Focus Area #'s 1 and 2 are clearly better suited to mixed-use, while Area 4 could be commercial or residential. **Director McNellis** noted Staff will bring back revised language for Area 4, in addition to Areas #'s 1 and 2 for Zoning Board consideration.

- 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 9.21 p.m.

Minutes Submitted by Stephen Robles, Village Planner.



UNAPPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, October 15, 2014, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

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

ALSO PRESENT: Steve McNellis, Director of Community & Economic Development

ABSENT: Trustee Liaison Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 p.m.

1.0 ROLL CALL

The roll was called by **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 Zoning Board Meeting held on Tuesday, August 12, 2014.

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

Approval of the Minutes related to the Zoning Board meeting held on Tuesday, September 9, 2014.

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

3.0 ITEMS OF GENERAL BUSINESS:

3.1 PUBLIC HEARING regarding consideration of amendments to Land Use recommendations for three focus areas in the Lincolnshire Comprehensive Plan (Village of Lincolnshire).

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

Director McNellis presented Staff's memorandum and noted specific Focus Areas of the Comprehensive Plan that were to be discussed. He noted that this discussion about amending the Comprehensive Plan began with a June Workshop the Board had with Staff. At the September Zoning Board meeting, the areas for discussion regarding amendments were discussed. There were four Focus Areas discussed then, and it was noted most of them have development pressure on them.

Director McNellis went on to note that at the August Zoning Board meeting, the Board determined that Focus Area #3, located at the southeast corner of Rt.'s 22 and 21 did not require amending. This was due to several reasons, including; no clear direction to alter the currently-proposed land use; no development pressure on the site; and a desire to limit the number of Focus Areas to insure a more balanced development pattern moving forward. Director McNellis went on to describe the three remaining Focus Areas, and the basic concepts incorporated since the last meeting.

Director McNellis began by stating Staff had added and defined a new Land Use Classification, called Arterial Mixed Use. This was necessary due to the fact that the Mixed-Use land use recommendations for Focus Areas 1 and 2 could not be accommodated with the existing Mixed Use Village Core classification. Director McNellis read the new definition for the Zoning Board. He noted that this classification is proposed only for Focus Areas 1 and 2. **Member Kalina** inquired if the Zoning Board had decided in August that these areas needed to be Mixed Use? Director McNellis noted the idea is to select a general Land Use classification for each Focus Area and then drill down to the details of the appropriate land use details for each specific Focus Area. The Zoning Board expressed their satisfaction with the proposed language, as presented, with no further revisions.

Director McNellis began with Focus Area #1 (aka Critical Area #4 in the East Sector). This is the 20+ acre Aon-Hewitt Tollway campus location. He presented the revisions Staff had made and included an update on the current status of the property. He further noted the Recommended Land Use had been revised from Professional office to Arterial Mixed Use, and subsequently read the Future land Use recommendation.

Member Kalina stated he is comfortable with the recommended revisions, as written. **Member Bichkoff** noted it is consistent with what was discussed in August. **Director McNellis** inquired if the Zoning Board is in agreement that if rather than a mixed use designation only one land use were to be considered for the whole property, it should be Professional office. **Member Leider** stated he thought the Zoning Board would be open to suggestions. However, in reality, given the property size there would likely be other uses.

Member Van de Kerckhove asked what if someone wants to build multi-family only? To which Director McNellis noted that would go against our Comprehensive Plan and would need further vetting by the Village Board. However, he noted its highly unlikely the Village Board or residents would want to see all multi-family there. **Chairman Manion** inquired as to whether or not it could be all apartments. To which Director McNellis stated Staff is proposing a broader description of multi-family than that. Staff's position at this time is to let Developers know the Village Board's current position is they don't want apartments. **Member Van de Kerckhove** asked what if someone wants to build a retirement complex? **Member Leider** stated that ultimately we want to see this large property diversified in its uses when developed, but we also want to ensure the density wouldn't be problematic to schools.

Director McNellis stated if there is a unique commercial use that doesn't take away from Milwaukee Avenue and preserves trees, perhaps the Zoning Board would like to preserve the ability to have that unique use. He further noted that any commercial on this property that is not unique, should then be limited to a supporting commercial use that serves only the immediate Tollway intersection area.

Member Leider asked if the Zoning Board felt it best to leave in the last sentence in the proposed revised language regarding if there were only one use, it should be office. **Chairman Manion** stated he believes it should stay. Besides, it is what likely would end up there anyway. **Director McNellis** inquired if the Zoning Board believes the Land Use Recommendation requires any other statements to make it clear a specific use is embraced or not embraced? To which the Zoning Board responded No. **Director McNellis** finished by stating tree preservation along Rt. 22 and the Tollway is important. Removing trees for some visibility is ok, but major tree stands should remain.

Director McNellis moved on to Focus Area #2 (aka Critical Area #6 in the Village Core Sector). This is the southwest corner of Rt. 22 and Milwaukee Avenue. He presented the revisions Staff had made and included an update on the current status of the property. He further noted the Recommended Land Use had been revised from Planned Commercial Development to Arterial Mixed Use, and subsequently read the Future land Use recommendation. He further noted this Focus Area was previously discussed only as commercial, however, Staff believes it should incorporate other potential uses such as office and multi-family. He also noted that past and recent proposals on this site generally have had multiple uses in their plan.

Chairman Manion stated he felt the Zoning Board should leave this recommendation more open, in terms of uses, than the recommendation for Focus Area #1. **Director McNellis** stated Staff is not talking about a specific type of housing product when we speak about multi-family. I could be all types, such as townhouses, apartments, condos, etc. he further noted leaving it this broad is helpful given the Comprehensive Plan is in place for a long time and that as time passes, preferences may change. However, at this time, Staff's understanding is the Board does not find apartments acceptable, but perhaps townhomes would be if there are no major impacts on the schools. **Chairman Manion** noted apartments today are not what people have thought of as a bad use in the past. He also noted renters today are renters by choice. **Member Leider** stated if someone wants to build high-end apartments, in a reasonable and balanced size, maybe some consideration should be given.

Chairman Manion noted multi-family is the hottest commercial real estate out there at the moment. Millennials are most interested in renting. He noted the Astellas campus in Glenview as an example of an apartment building boom. **Member Kalina** asked Chairman Manion how long is the multi-family boom cycle expected to last. To which Chairman Manion responded there used to be 7-8 year cycles, but this could be even longer.

Director McNellis moved on to the third Focus Area, known as Focus Area #4 (aka Critical Area #5 in the South Sector). This is the 20 acres at the north end of Sedgebrook, with Milwaukee Avenue access. He presented the revisions Staff had made and included an update on the current status of the property. He further noted the original Sedgebrook property had been subdivided into two lots in the past year. He further noted the Recommended Land Use remained Attached Residential, but the requirement that this be a Continuing Care Retirement Community (CCRC) is proposed to be removed. **Chairman Manion** inquired if access to the site would only be by the current Riverside Road realigned to make a four-way intersection with Tower Parkway. To which Director McNellis responded affirmatively and noted the idea is to maintain very few curb cuts in this area. **Chairman Manion** noted that is why this area would be perfect for townhouses.

Director McNellis noted there are two land use recommendations presented for the Zoning Board to consider here. He further noted a number of options were discussed at the last Zoning Board meeting, and at that meeting some thought perhaps the possibility of commercial uses should be retained here as an accessory use. Staff would propose that the Attached Residential designation, with or without commercial, should not be age-restricted and that the recommendation should be for a continuation of purpose-built owner-occupied homes, given the surrounding land uses to the north and south.

Chairman Manion suggested he was more supportive of an all Attached-residential designation, and that a townhouse project here is not a bad idea.

Member Kalina noted there is another option for this Focus Area, and he was wondering if the Zoning Board should pick one. To which Director McNellis stated Yes, and clarified that the second option also permitted commercial as a secondary use in the Focus Area. **Director McNellis** went on to note Staff's only concern is that on a 20-acre piece of land, with a reasonable-sized residential townhouse community, you would only have about 5 acres of marginal commercial area at most, with the berm having to be removed and probably ending up with a small strip commercial center.

Member Kalina noted that when he thought of that part of the Village, he thinks residential. **Chairman Manion** noted its really perfect for housing. **Director McNellis** stated Staff believes it is best to concentrate new commercial in areas where we currently have vacant spaces in buildings. **Member Kalina** agreed it should be residential only. **Director McNellis** also noted if an appropriate development that's not residential were to come up, the Village Board could go against the Comprehensive Plan, as it is a vision for the community, and not binding. Besides, times change and different uses may be appropriate in the future. **Member Leider** stated he is comfortable moving ahead. **Members Van de Kerckhove and Bichkoff** agreed. **Chairman Manion** asked if anyone objected to any of what had been discussed, to which the consensus was there were no objections.

Chairman Manion asked if there were any public comment for the record. Chairman manion noted there was no one in the audience. There being no public comment, **Chairman Manion** closed the Public Hearing and reconvened the Zoning Board meeting.

There was a consensus among the members in support of this request, and the following motion was read:

***Member Bichkoff** moved and **Member Leider** seconded a motion, to recommend approval to the Village Board, based on facts covered in a Public Hearing held on October 15, 2014, of amendments to Land Use recommendations for three Focus Areas in the Lincolnshire Comprehensive Plan, as presented in Staff's memorandum dated October 15, 2014, and further subject to the recommended language for Focus Area #4 (aka Critical Area #5 in the South Sector) be the Residential-Only option.*

The motion passed unanimously by voice vote.

- 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 Leider** seconded the motion to adjourn. The meeting adjourned at 7:44 p.m.

Minutes Submitted by Steve McNellis, Director of Community & Economic Development

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion of 2015 Village Calendar and Meeting Schedule (Village of Lincolnshire)

Action Requested: Consideration of Proposed Calendar and Meeting Schedule and Direct Placement on Consent Agenda for Approval

Originated By/Contact: Brad Burke, Village Manager

Referred To: Village Board

Summary / Background:

Attached is a copy of the proposed Village meeting calendar for 2015. The following are a list of dates identifying Village Board meetings. A majority of dates fall on the regularly scheduled second and fourth Mondays of the month. However, those dates noted with the “*” reflect a date shift due to a holiday falling on that date. An explanation of the reason for the shift is listed below.

January 12, 2015	January 26, 2015
February 9, 2015	February 23, 2015
March 9, 2015	March 23, 2015
April 13, 2015	April 27, 2015
May 11, 2015	May 26, 2015*
June 8, 2015	June 22, 2015
July 13, 2015	July 27, 2015
August 10, 2015	August 24, 2015
September 15, 2015**	September 28, 2015
October 13, 2015***	October 26, 2015
November 9, 2015	November 23, 2015
December 14, 2015****	

*Changed to Tuesday due to Memorial Day

**Changed to Tuesday due to Rosh Hashanah

***Changed to Tuesday due to Columbus Day

****There will only be one meeting in December due to Christmas holiday

Budget Impact: Not Applicable.

Service Delivery Impact: Not Applicable.

Recommendation:

Consideration and discussion of proposed meeting calendar.

Reports and Documents Attached:

- Proposed meeting calendar listing standing meetings of all Village Boards.

Meeting History	
Initial Referral to Village Board (COW):	11/24/2015
Regular Village Board Meeting:	12/8/2015

January 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 <i>New Year's Day - Village Offices Closed</i>	2	3
4	5	6	7	8	9	10
11	12 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	13 <i>Zoning Board Meeting- 7:00 p.m.</i>	14	15	16	17
18	19 <i>Martin Luther King Day</i>	20 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	21 <i>Park Board Meeting - 7:30 p.m.</i> <i>Lincolnshire Council of Presidents Meeting - 7:30</i>	22	23	24
25	26 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	27	28	29	30	31

February 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	10 <i>Zoning Board Meeting- 7:00 p.m.</i>	11	12	13	14 <i>Valentine's Day</i>
15	16 <i>Presidents' Day</i>	17 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	18 <i>Park Board Meeting - 7:30 p.m.</i>	19	20	21
22	23 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	24	25	26	27	28

March 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8 <i>Daylights Savings - Spring Ahead</i>	9 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	10 <i>Zoning Board Meeting- 7:00 p.m.</i>	11	12	13	14
15	16 <i>Park Board Meeting - 7:30 p.m.</i>	17 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	18 <i>Lincolnshire Council of Presidents Meeting - 7:30 p.m.</i>	19	20	21
22	23 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	24	25	26	27	28
29	30	31				

April 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3 <i>Good Friday</i> <i>Passover Begins</i>	4
5 <i>Easter Sunday</i>	6	7	8	9	10	11 <i>Last day of Passover</i>
12	13 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	14 <i>Zoning Board Meeting- 7:00 p.m.</i>	15	16	17	18
19	20 <i>Park Board Meeting - 7:30 p.m.</i>	21 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	22	23	24	25
26	27 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	28	29	30		

May 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10 <i>Mothers' Day</i>	11 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	12 <i>Zoning Board Meeting- 7:00 p.m.</i>	13	14	15	16
17	18 <i>Park Board Meeting - 7:30 p.m.</i>	19 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	20 <i>Lincolnshire Council of Presidents Meeting - 7:30 p.m.</i>	21	22	23
24	25 <i>Memorial Day - Village Offices Closed</i>	26 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	27	28	29	30
31						

June 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	9 <i>Zoning Board Meeting- 7:00 p.m.</i>	10	11	12	13
14	15 <i>Park Board Meeting - 7:30 p.m.</i>	16 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	17	18	19	20
21 <i>Fathers' Day</i>	22 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	23	24	25	26	27
28	29	30				

July 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3 <i>4th of July Holiday Observed - Village Offices Closed</i>	4 <i>4th of July Holiday</i>
5	6	7	8	9	10	11
12	13 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	14 <i>Zoning Board Meeting- 7:00 p.m.</i>	15	16	17	18
19	20 <i>Park Board Meeting - 7:30 p.m.</i>	21 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	22	23	24	25
26	27 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	28	29	30	31	

August 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	11 <i>Zoning Board Meeting- 7:00 p.m.</i>	12	13	14	15
16	17 <i>Park Board Meeting - 7:30 p.m.</i>	18 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	19	20	21	22
23	24 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	25	26	27	28	29
30	31					

September 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7 <i>Labor Day - Village Offices Closed</i>	8 <i>Zoning Board Meeting- 7:00 p.m.</i>	9	10	11	12
13	14 <i>Rosh Hashanah</i>	15 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	16 <i>Architectural Review Board Meeting - 7:00 p.m.</i> <i>Lincolnshire Council of Presidents Meeting - 7:30</i>	17	18	19
20	21 <i>Park Board Meeting - 7:30 p.m.</i>	22 <i>Yom Kippur</i>	23	24	25	26
27	28 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	29	30			

October 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12 <i>Columbus Day</i>	13 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	14 <i>Zoning Board Meeting- 7:00 p.m.</i>	15	16	17
18	19 <i>Park Board Meeting - 7:30 p.m.</i>	20 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	21	22	23	24
25	26 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	27	28	29	30	31 <i>Halloween</i>

November 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 <i>Daylight Savings Time - Fall Back</i>	2	3	4	5	6	7
8	9 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	10 <i>Zoning Board Meeting- 7:00 p.m.</i>	11 <i>Veterans Day</i>	12	13	14
15	16 <i>Park Board Meeting - 7:30 p.m.</i>	17 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	18 <i>Lincolnshire Council of Presidents Meeting - 7:30 p.m.</i>	19	20	21
22	23 <i>RVB/Committee of the Whole - 7:00 p.m.</i>	24	25	26 <i>Thanksgiving - Village Offices Closed</i>	27 <i>Thanksgiving Holiday - Village Offices Closed</i>	28
29	30					

December 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6 <i>Hanukkah Begins</i>	7	8 <i>Zoning Board Meeting- 7:00 p.m.</i>	9	10	11	12
13	14 <i>RVB/Committee of the Whole - 7:00 p.m.</i> <i>Last Day of Hanukkah</i>	15 <i>Architectural Review Board Meeting - 7:00 p.m.</i>	16	17	18	19
20	21 <i>Park Board Meeting - 7:30 p.m.</i>	22	23	24 <i>Christmas Eve– Village Offices Closed</i>	25 <i>Christmas - Village Offices Closed</i>	26
27	28	29	30	31 <i>New Year's Eve</i>		

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion of Final Changes to the Proposed Budget for Fiscal Year 2015 Budget

Action Requested: Consideration of Final Changes to Fiscal Year 2015 Proposed Budget

Originated By/Contact: Michael Peterson, Finance Director
Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

The Village Board met several times in October to discuss various parts of the proposed budget for Fiscal Year 2015. As a result of Board feedback and direction and staff's continued work on the proposed budget, several changes have been identified. Attached is a detailed spreadsheet highlighting those changes to the Fiscal Year 2015 proposed budget. Many of the proposed changes reflect a refinement in the proposed budget numbers as more information has become known since the draft budget was released in early October.

The following is a summary of several of the major budget revisions proposed:

- **Administration Additional Goal** – Complete full analysis and review of water and sewer rates and provide recommendation on rate setting method and approach for consideration by Village Board during the 2016 Budget process.
- **Regular Salaries & Part-Time Salaries** – Various line items have been adjusted to more accurately reflect projected salary increase based upon changes in compensation that have occurred since the presentation of the draft budget. Additionally, several line items have also been revised to reflect more accurately the split in shared salary expenses between the General Fund and Water & Sewer Fund. For example, the Part-Time Finance Clerk salary was originally budgeted 100% to the Water & Sewer Fund; however, with the change in automated meter reading, this position has started to take on all responsibilities related to accounts payable. Therefore, the salary split for this position have been revised to more accurately reflect the split in work between the two funds.
- **Economic Development Initiatives** – This line item has been increased \$10,000 to reflect the total amount to be expended in 2015 related to the Village's marketing/branding initiative should the Village Board agree to move forward with this project.
- **Public Works Administration – Memberships** – This line item has been increased \$1,850 related to the Village's membership in the Des Plaines River Watershed Working Group. Village membership in this new group was discussed by the Village Board back in June and the membership fee for 2015 was inadvertently omitted from the draft budget.

- **Water & Sewer Improvements – Revenue** – This line item has been reduced by \$371,000 to reflect a reduction in the amount of transfer in from the General Fund to the Water & Sewer Improvement Fund for Fiscal Year 2015.
- **General Capital Fund – Baseball Foul Ball Netting** – This line item has been reduced by \$100,000. The capital sheet included in the budget reflected an estimated cost for the project in the amount of \$180,000, and the proposed number should have been only \$80,000.
- **Contract Service – Park Landscape Maintenance** – The draft budget did not include expenditures related to outsourcing Village park maintenance to an outside contractor. Should the Village Board agree to this change in the approach to park maintenance for 2015, staff would revised the 2015 Budget to reflect an increase in landscape maintenance services in the amount of \$24,000.
- **Compensation Plan – In Range Adjustment / Top of Range - Merit Bonus** – Pending the outcome of the Village Board’s discussion of the proposed Compensation Plan, there may be an adjustment to various salary line items to reflect progress adjustments for employees greater than the maximum merit available to facilitate movement to the midpoint of the salary range and possible merit bonuses for those employees at the top of range who demonstrate above average employment. The total budget impact of these changes would not exceed \$20,000 across all budget salary line items.

Staff will be available at Monday’s meeting to answer any questions the Board may have regarding the final revisions to the proposed budget for Fiscal Year 2015.

Recommendation:

Staff recommends incorporating these final changes into the proposed budget for Fiscal Year 2015 and direct placement of the budget for approval on the December 8, 2014 consent agenda.

Reports and Documents Attached:

- Spreadsheet Detailing Changes to Proposed Budget from Initial Draft

Meeting History	
Initial Referral to Village Board (COW):	November 24, 2014
Regular Village Board Meeting:	December 8, 2014

VILLAGE OF LINCOLNSHIRE

Account #	Account Description		ORIGINAL Budget 2015	REVISED Budget 2015	Difference
General Fund - Administration- Expenses					
01-01-60-1000	Regular Salaries	E	221,000	235,000	14,000
01-01-63-2000	Vehicle Allowance	E	3,840	4,800	960
General Fund - Finance - Expenses					
01-02-60-1500	Part Time Wages	E	0	11,750	11,750
General Fund - Comm Econ Dev - Expenses					
01-08-63-9003	Economic Dev Initiatives	E	35,000	45,000	10,000
General Fund - Insurance & Common - Expenses					
01-12-61-8801	Workers Comp	E	115,700	118,950	3,250
General Fund - PW Administration - Expenses					
01-20-63-1000	Membership	E	600	2,450	1,850
General Fund - PW Parks & Open Spaces- Expenses					
01-22-63-9000	Business Expenses	E	500	2,400	1,900
W&S Operations Fund - W/S Administration - Expenses					
02-01-60-1000	Regular Salaries	E	176,250	180,000	3,750
02-01-60-1500	Part Time Wages	E	23,500	11,750	-11,750
02-01-61-8801	Workers Comp	E	51,620	53,070	1,450
02-01-63-2000	Vehicle Allowance	E	3,210	3,450	240
Police Pension Fund- Revenue					
05-00-70-4070	Property Tax	R	692,500	623,300	-69,200
Police Pension Fund- Expenses					
05-01-70-9510	Retirement & Reserves	E	1,164,500	1,095,300	-69,200
Retirement Fund - Revenues					
06-00-70-4070	Property Tax- IMRF	R	428,600	581,800	153,200
06-00-70-4071	Property Tax- FICA	R	228,800	216,000	-12,800
Retirement Fund - Expenses					
06-01-70-9101	IMRF	E	550,025	689,105	139,080
Water & Sewer Improvements- Revenue					
07-00-98-0126	Transfer In- General Fund	R	1,087,300	716,300	-371,000
Vehicle Maintenance Fund					
12-00-98-0100	Transfer In: General Fund	R	498,375	498350	-25
12-00-98-0202	Transfer In: WS Oper Fund	R	55,375	55400	25
12-01-61-8801	Workers Comp	E	10,680	10,980	300
General Capital Fund - Expenses					
22 PW Parks & Open Spaces					
51-22-86-1401	Baseball Netting Foulballs	E	180,000	80,000	-100,000

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion of Supplemental Appropriation Ordinance of the Village of Lincolnshire, Illinois for the Fiscal Year Beginning January 1, 2014 and Ending December 31, 2014 (Village of Lincolnshire)

Action Requested: Consideration of Ordinance and Direct Placement on the December 8, 2014 Consent Agenda

Originated Michael Peterson, Finance Director
By/Contact: Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

In accordance with State law, the Village Board approved the annual appropriations ordinance for the Village of Lincolnshire for Fiscal Year 2014 on February 24, 2014. The Annual Appropriation Ordinance represents the legal spending limit available to fund items included in the 2014 Village of Lincolnshire Budget. The 2014 approved Appropriation Ordinance reflects expenditures at the Department/operating level. In previous years, the Appropriation Ordinance mirrored identically each line item in the approved budget. The approved 2014 Appropriation Ordinance delineates the spending authority of the Village at the Departmental level to provide flexibility in the allocation of expenditures among the line items as long as the total spending authorized in the original Appropriation for the specific department was not exceeded. Essentially, the budget document is the spending plan for the Village, and the Appropriation Ordinance provides the formal spending authority which provides some flexibility to meet unplanned expenditures that may arise throughout the year.

In November and December of each year, staff provides the Village Board with a recommendation for any supplemental appropriation necessary. Attached is the proposed Supplemental Appropriation Ordinance for Fiscal Year 2014 for the Village of Lincolnshire. The proposed ordinance identifies those line item expenditures expected to exceed the original appropriation amount and recommends an adjustment to the original appropriation where needed. The following is a summary of those expenditures staff recommends addressing in the supplemental appropriation and a brief explanation why the expenditure exceeds the original appropriation.

The below amendments to the original appropriation ordinance address an estimated amount of unobligated General Fund Reserves to be transferred to the General Capital Fund to fund future capital needs. The transfer of these funds was discussed by the Village Board during the recent budget workshops for the 2015 Budget. The total amount of the planned transfer is significantly more than what was contemplated in the original appropriation for Fiscal Year 2014.

The second supplemental appropriation allocates funds to cover expenses related to the Eagle Scout project at Whytegate Park that took place this past year. The approved budget and Appropriation Ordinance for 2014 did not contemplate the expenditure of any funds from the Park Development Fund, and the Whytegate Project was an unplanned expenditure in this fund that arose earlier this year.

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>New Appropriation</u>	<u>Changes</u>
<u>GENERAL CORPORATE FUND:</u>			
<u>DEBT & TRANSFERS</u>			
01-26-98-5100 Transfer Out- General Cap	3,020,000	5,820,000	\$2,800,000
<u>PARK DEVELOPMENT FUND</u>			
18-01-86-9901 Misc. Park Improvements	0	25,000	\$25,000

The approved Appropriation Ordinance for Fiscal Year 2014 appropriated an amount 10% higher than what was included in the approved Fiscal Year 2014 Budget. The additional increment was to provide flexibility to address unexpected expenditures that may arise during the course of the year. When the Appropriation Ordinance was considered for approval in February, some Trustees queried the appropriateness of authorizing expenditures in an amount higher than the approved budget. Staff is pleased to report there is only one Department where expenditures for the fiscal year are projected to exceed the approved budget. The total Public Works Streets Budget for Fiscal Year 2014 was \$950,100 and the projected year end is expected to be \$962,800. This overage is largely due to the increased amount of overtime expenses related to snow events that occurred in early 2014. While the projected year-end expenses for the Public Works Streets budget is expected to exceed the original budget, the total expenditures for this operating area will not exceed the approved appropriation. Therefore, no supplemental appropriation is needed to address this Department's expenditures. All other operating areas/departments of the Village are expected to close out the year better than the approved budget and appropriation.

Budget Impact:

There are times during the fiscal year that unanticipated events occur requiring additional expenditures resulting in appropriation line item(s) exceeding the approved budgets and original appropriation. A supplemental appropriation addresses these expenditures. ***The projected year end expenditures for the total budget are not expected to exceed the total approved budget or original Appropriation Ordinance.***

Service Delivery Impact:

N/A

Recommendation:

Staff recommends approval of Supplemental Appropriation Ordinance.

Reports and Documents Attached:

- Ordinance of Supplemental Appropriation Ordinance of the Village of Lincolnshire, Illinois for the Fiscal Year Beginning January 1, 2014 and Ending December 31, 2014

Meeting History	
Initial Referral to Village Board (COW):	11/24/2014
Regular Village Board Meeting:	12/8/2014

ORDINANCE NO. _____

**SUPPLEMENTAL APPROPRIATION ORDINANCE
OF THE VILLAGE OF LINCOLNSHIRE, ILLINOIS FOR THE FISCAL YEAR
BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.**

WHEREAS, the Mayor and Board of Trustees of the Village of Lincolnshire, Lake County Illinois did on the 24th of February, 2014, pass the Annual Appropriation Ordinance #14-3317-43 for said municipality for the fiscal year ending December 31, 2014, in the amount of which is ascertained to be in the aggregate sum of \$27,737,200 (Twenty seven million Seven hundred thirty seven thousand two hundred dollars) which said Appropriation Ordinance was duly published in pamphlet form on the 29th day of January, 2014; and

WHEREAS, the Village, through its Mayor and Board of Trustees, has determined that it is in the best interests of the Village to increase the appropriation of funds to various line items in order to make provision for the payment of certain obligations: and

WHEREAS, it has been deemed necessary to adopt an ordinance making a supplemental appropriation to defray the expenses, designated the "Supplemental Appropriation Ordinance" for the fiscal year commencing January 1, 2014, and ending December 31, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

Section 1: That the following increases be made in the following line items:

<u>Line Item</u>	<u>Previous Appropriation</u>	<u>New Appropriation</u>	<u>Changes</u>
<u>GENERAL CORPORATE FUND:</u>			
<u>DEBT & TRANSFERS</u>			
01-26-98-5100 Transfer Out- General Cap	3,020,000	5,820,000	\$2,800,000
<u>PARK DEVELOPMENT FUND</u>			
18-01-86-9901 Misc. Park Improvements	0	25,000	\$25,000

Section 2: This Appropriation Ordinance is adopted pursuant to procedures set forth in the Illinois Municipal Code, provided, however, that any limitations in the Illinois Municipal Code in conflict with the provisions of this Ordinance shall not be applicable to this Ordinance pursuant to Section 6 of the Article VII of the Constitution of the State of Illinois. This Ordinance is enacted pursuant to the home rule powers of the Village of Illinois.

Section 3: That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form;

Section 4: That the ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Passed by the board of Trustees of the Village of Lincolnshire this ____day of _____, 2014 by a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor of the Village of Lincolnshire on this ____day of _____, 2014;

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

REQUEST FOR BOARD ACTION

Subject: Public Hearing and Consideration and Discussion of an Ordinance Levying Taxes for Corporate Purposes of the Village of Lincolnshire, Lake County, Illinois for the Fiscal Year Beginning the first day of January, 2015 and Ending December 31, 2015 (Village of Lincolnshire)

Action Requested: Consider Proposed Tax Levy Ordinance and Direct Placement on the December 8, 2014 Consent Agenda

Originated Michael Peterson, Finance Director
By/Contact: Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

Attached for consideration and discussion by the Mayor and Board of Trustees is the Ordinance levying taxes for Corporate Purposes of the Village of Lincolnshire, Lake County, Illinois to be collected in the fiscal year beginning the first day of January 1, 2015 and ending December 31, 2015. The proposed levy is intended to raise the required funds to contribute to the Village's Police Pension Fund and Retirement Fund.

Pursuant to State statute, the Village Board previously declared its estimated levy at the November 10, 2014 Committee of the Whole meeting. The Truth-In-Taxation Act requires that for any increase in the "aggregate levy"¹ more than 105% of the previous year's tax extension, the Village to publish a legal notice making known the size of the tax levy and announce a Public Hearing to be held prior to the adoption of the levy Ordinance. Given this year's levy is less than 105% of the previous year's tax extension, a public hearing and publication is not required.

The 2014 estimated property tax levy to be collected in Fiscal Year 2015 is \$1,421,100. The property tax revenue reflected in the Proposed 2015 Budget will be used to fund pension contributions for the Retirement Fund (Illinois Municipal Retirement Fund and Social Security) (\$797,800) and Police Pension Fund (\$623,300). The total proposed levy is exclusive of election costs and debt retirement, which is equivalent to last year's contributions.

A comparison with the previous fiscal year's tax extension and this year's tax levy is supplied for your information.

¹ For Lincolnshire's purpose, "aggregate levy" is defined as corporate and pension levies, but excludes debt service



**Agenda Item
3.24**

	FY 2013 Extension ¹	FY 2014 Levy	Percent Change
Police Pension Fund	\$590,000	\$623,300	5.6%
Retirement Fund	\$764,000	\$797,800	4.4%
TOTAL	\$1,353,760	\$1,421,100	4.97%

The Village Board as a matter of policy abates the portion of the tax levy that pertains to the debt service.

Budget Impact:

Prior to the County Clerk establishing the extension for the 2014 levy, staff plans to request the rate not to exceed .241 which is the total tax extension for the most recent year.

Service Delivery Impact:

N/A

Recommendation:

Staff recommends the Village Board consider the draft ordinance for inclusion on the December 8, 2014 Committee of the Whole meeting agenda for approval.

Reports and Documents Attached:

- Tax Levy Ordinance

Meeting History	
Tax Levy Estimated (COW):	11/10/2014
Initial Referral to Village Board (COW):	11/24/2014
Regular Village Board Meeting:	12/8/2014

¹ Lake County Certificate of Rates and Extension

ORDINANCE NO.XX-XXXX-XX

AN ORDINANCE LEVYING TAXES FOR CORPORATE PURPOSES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING THE 1ST DAY OF JANUARY 2014 AND ENDING DECEMBER 31, 2014

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lincolnshire, Lake County, Illinois, as follows:

WHEREAS, the Mayor and Board of Trustees of the Village of Lincolnshire, Lake County Illinois did on the 24th of February, 2014, pass the Annual Appropriation Ordinance #14-3317-43 for said municipality for the fiscal year ending December 31, 2014, in the amount of which is ascertained to be in the aggregate sum of \$27,737,200 (twenty seven million seven hundred thirty seven thousand two hundred dollars) which said Appropriation Ordinance was duly published in pamphlet form on the 24th day of February, 2014; and

WHEREAS, in order to finance in part expenditures authorized pursuant to the Annual Appropriation Ordinance, and pursuant to the authority granted under Section 6 of Article VII of the Constitution of the State of Illinois, the Mayor and the Board of Trustees hereby deem it necessary and appropriate to levy ad valorem taxes for extension upon all taxable real property in the Village so hereinafter set forth; and

WHEREAS, a proposed or tentative Tax Levy Ordinance for said municipality for the aforesaid fiscal year, upon which said Tax Levy Ordinance was based, had been duly prepared and made conveniently available on November 10, 2014 for public inspection by said Corporate Authorities of this municipality continuously for at least twenty days prior to the adoption of said Tax Levy Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, COUNTY OF LAKE AND STATE OF ILLINOIS, as follows:

SECTION 1: Finding of Facts. The Corporate Authorities of this municipality hereby find all facts all of the matters hereinabove recited in the "whereas" clauses hereof.

SECTION 2: General Corporate. That there be and hereby is levied upon all taxable property within the corporate limits of said Village for the Fiscal Year 2014 the total sum of Zero dollars (\$0).

SECTION 3: Special Levies. That there be and is hereby levied upon all taxable property within the corporate limits of said Village for the Fiscal Year 2014 in addition to the maximum of the taxes authorized for general purposes the total sum of One million, five hundred forty seven thousand one hundred dollars (\$1,421,100), for the following special purposes set forth in said Appropriation Ordinance in the respective sums as follows, to wit:

	<u>AMOUNT APPROPRIATED</u>	<u>AMOUNT LEVIED</u>
<u>RETIREMENT FUND</u>		
FICA Payments	\$293,500	\$216,000
IMRF Payments	\$949,300	\$581,800
<u>POLICE PENSION FUND</u>		
Retirement Payments	\$1,133,000	\$623,300
TOTAL TAXES LEVIED FOR SPECIAL PURPOSES		\$1,421,100

SECTION 4: That the following is a summary of the items herein before levied:

General Corporate	0
Retirement Fund	\$797,800
Police Pension Fund	<u>\$623,300</u>
TOTAL LEVIED	\$1,421,100

SECTION 5: Filing with the County Clerk. The Village Manager is authorized and directed to file a certified copy of this Ordinance with the County Clerk, Lake County, Illinois.

SECTION 6: Partial Invalidity. If any item or portion of this Ordinance is for any reason held invalid, such decision shall not affect the validity of remaining portions of this Ordinance.

SECTION 7: This Tax Levy Ordinance is adopted pursuant to procedures set forth in the Illinois Municipal Code, provided, however, any limitations in the Illinois Municipal Code in conflict with the provisions of this Ordinance shall not be applicable to this Ordinance pursuant to Section 6 of Article VII of the Constitution of the State of Illinois. This Ordinance is enacted pursuant to the home rule powers of the Village of Lincolnshire.

SECTION 8: That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form.

SECTION 9: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED by the Board of Trustees of the Village of Lincolnshire on this _____ day of _____, 2014 by a roll call vote as follows:

AYES:
NAYS:
ABSENT:

APPROVED by the Mayor of the Village of Lincolnshire on this _____ day of _____, 2014.

Brett Blomberg, Village Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

CERTIFICATE

I, Brett Blomberg, President of the Village of Lincolnshire, hereby certify that I am the presiding officer of the Village of Lincolnshire, and as such presiding officer, I hereby certify that the Levy Ordinance, a copy of which is appended hereto, was adopted pursuant to, and in all respects in compliance with, the provisions of Section 4 through 7 of the so-called "The Truth in Taxation Act".

Specifics: For tax year 2014 the Village's tax levy did not exceed 5% of the 2013 tax year levy extended and therefore was not required to publish a notice. On November 10, 2014, as prescribed by the Truth in Taxation Act, the Village Board "did determine how many dollars in aggregate property tax extensions will be necessary" during its regular meeting, which was not less than 20 days before the Tax Levy Ordinance's passage on _____, 2014. A certified copy of the November 10, 2014 minutes are appended hereto attached.

Dated: _____, 2014

Brett Blomberg, President
Village of Lincolnshire, Illinois

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion of an Ordinance Abating the Tax Heretofore Levied for the Year 2014 to Pay Debt Service on Several of the Notes of the Village of Lincolnshire, Lake County, Illinois (Village of Lincolnshire)

Action Requested: Consideration of Ordinance and Direct Placement on the December 8, 2014 Consent Agenda

Originated Michael Peterson, Finance Director
By/Contact: Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

As part of the annual tax levy the Village is required to levy a property tax to fund the principle and interest payments required by the Village's two loans. However, the Village has the right to abate the taxes associated with these loans in whole, or in part, in any or all years when the Village Board determines that there are sufficient funds on hand to pay in full the principle and interest due that year on the notes.

Every fiscal year since FY1996-97, the Village has abated the portion of the property tax related to its debt obligation. The Village Board for Fiscal Year 2015 has elected to abate that portion of the property tax that would finance the debt on the two loans that currently exist.¹

Budget Impact:

None. The budget document includes funds for debt service without the use of property taxes.

Service Delivery Impact:

N/A

Recommendation:

Staff recommends consideration of the proposed Tax Levy Abatement Ordinance and direct placement on the consent agenda for approval at the December 8, 2014 Village Board meeting.

Reports and Documents Attached:

- Abatement Ordinance

¹The Village refinanced and consolidated its four loans (North Park land, Schelter Road, Rte. 22 Utility Line, and TIF land) into two loans.



**Agenda Item
3.25 COW**

Meeting History	
Initial Referral to Village Board (COW):	11/24/2014
Regular Village Board Meeting:	12/8/2014

ORDINANCE NO. 14-xxxx-xx

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2014 TO PAY DEBT SERVICE ON SEVERAL OF THE NOTES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY ILLINOIS.

WHEREAS, the Village Board (the "*Board*") of the Village of Lincolnshire, Lake County, Illinois (the "*Village*"), by Ordinance 11-3184-06, adopted on the 24th of January 2011, did provide for the issue of \$4,250,000 Corporate Purpose Notes, Series 2011A, of the Village of Lincolnshire, Lake County, Illinois (the "*2011A Note*") and the levy of a direct annual tax sufficient to pay principal and interest on the 2011A Notes; and

WHEREAS, the Board of the Village, by Ordinance 11-3185-07, adopted on the 24th day of January 2011, did provide for the issue of \$2,675,000 Corporate Purpose Notes, Series 2011B, of the Village of Lincolnshire, Lake County, Illinois (the "*2011B Note*"), and the levy of a direct annual tax sufficient to pay principal and interest on the 2011B Notes; and

WHEREAS, the 2011A Notes and 2011B Notes, are collectively referred to as the "Notes," and each of the ordinances authorizing the Notes are collectively referred to as the "Ordinances";

WHEREAS, the Village has deposited sufficient revenues in the several Note Funds (as each is defined in the Ordinances) for the purpose of paying the debt service due on the Notes during the next succeeding year; and

WHEREAS, it is necessary and in the best interests of the Village that the taxes heretofore levied for the year 2014 to pay debt service on the Notes be abated.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED By the Village Board of the Village of Lincolnshire, Lake County, Illinois, in exercise of its home rule authority, as follows:

Section 1. Abatement of Tax. The taxes heretofore levied for the 2014 in the Ordinances for each of the 2011A Notes and 2011B Notes, are hereby abated in their entirety so that the taxes to be extended to pay principal and interest therefore shall be Zero Dollars (\$0.00).

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Lake County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2014 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect upon its adoption.

PASSED by the Board of Trustees of the Village of Lincolnshire on this _____ day of _____, 2014 by a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor of the Village of Lincolnshire on this _____ day of _____, 2014.

Brett Blomberg, Village Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

(Seal)

REQUEST FOR BOARD ACTION

Subject: Consideration of an Ordinance Abating and Reducing Certain Taxes Heretofore Levied to Pay Debt Service on Special Service Area (SSA) Bonds of the Village of Lincolnshire, Lake County, Illinois. (Sedgebrook Special Service Area No. 1 Special Tax Bonds)

Action Requested: Consideration of Ordinance and Direct Placement on the December 8, 2014 Consent Agenda

Originated By/Contact: Michael Peterson, Finance Director
Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

In November of 2004 the Village signed an agreement with Erickson Retirement Communities calling for the establishment of a Special Service Area (SSA) and the authorization of the sale of \$15 million of SSA bonds. The major portion of the bond proceeds (\$11.5 million) was used for the construction of the infrastructure (roads, water retention ponds, and utilities) that would serve the Sedgebrook community.

A levy is required each year until the bonds are retired. The bond agreement states that each year a pre-determined maximum property tax is to be levied. This amount will then be adjusted downward based on the actual amount of taxes required to service the debt.

Budget Impact:

N/A

Service Delivery Impact:

N/A

Recommendation:

Staff recommends consideration and discussion of the proposed SSA No.1 (Sedgebrook) Tax Levy Abatement Ordinance and direct placement on the consent agenda for the December 8, 2014 Village Board meeting.

Reports and Documents Attached:

- SSA No.1 Abatement Ordinance

Meeting History	
Initial Referral to Village Board (COW):	11/24/2014
Regular Village Board Meeting:	12/8/2014

ORDINANCE NO. 14-xxxx-xx

**AN ORDINANCE ABATING AND REDUCING CERTAIN TAXES
HERETOFORE LEVIED TO PAY DEBT SERVICE ON SPECIAL SERVICE AREA
(SSA) BONDS OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS.**

(SEDGEBROOK SPECIAL SERVICE AREA NO. 1 SPECIAL TAX BONDS)

WHEREAS, the Village of Lincolnshire, Lake County, Illinois (the "Village") has heretofore issued \$15,000,000 Special Service Area Number 1 Special Tax Bonds, Series 2004 (Sedgebrook Project) (the "Bonds"); and

WHEREAS, the Village adopted an Ordinance on September 27, 2004 (the "Bond Ordinance"), which authorized the Bonds and levied the taxes to pay debt service on the Bonds; and

WHEREAS, pursuant to Section 10 of the Bond Ordinance, the Special Tax Requirement of the Bonds (as defined in the Rate and Method of Apportionment of Special Tax prepared for the Special Service Area of the Village) has been calculated and is hereby approved, and the Village desires to abate the taxes previously levied for 2014 for those Bonds and establish the new levy for 2014;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Taxes. The taxes in the following amounts heretofore levied for the Bonds are hereby partially abated:

<u>For the Year</u>	<u>Original Levy</u>	<u>Current Abatement</u>	<u>New Levy</u>
2014	\$1,625,000.00	\$465,312.50	\$1,159,687.50

Section 2. Filing of Ordinance. Following adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Lake County, Illinois, and it shall be the duty of said County Clerk to abate and reduce the taxes heretofore levied as provided in Section 1 hereof.

Section 3. Effective Date. This Ordinance shall be in full force and effect forthwith upon its adoption.

ADOPTED this _____ day of _____, 2014 by a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2014.

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

REQUEST FOR BOARD ACTION

Subject:	Consideration and Discussion of an Ordinance Abating Certain Taxes Heretofore Levied for the Westminster Way Transportation Special Service Area Number 1A (Village of Lincolnshire)
Action Requested:	Consideration of Proposed Abatement Ordinance and Direct Placement on the December 8, 2014 Consent Agenda for Approval
Originated	Michael Peterson, Finance Director
By/Contact:	Brad Burke, Village Manager
Referred To:	Mayor and Board of Trustees

Summary / Background:

The Westminster Way Transportation Special Service Area (SSA) was established for the initial construction and annual maintenance of a traffic control signal system located at the intersection of Route 22 and Westminster Way. The costs related to the traffic signal system are shared by three property owners and the Village of Lincolnshire. Revenues received by the fund initially came from an annual property tax levy. At the conclusion of the construction of the signalized intersection, the Illinois Department of Transportation (IDOT) paid the full cost of construction of the new signal.

The creation of the SSA was intended to cover the initial cost related to construction and ongoing annual maintenance expenses; the largest component of costs being the initial installation. Since these costs did not have to be borne by the SSA, the only costs remaining are the relatively minimal annual maintenance expenses. There is an existing fund balance in this SSA Fund; therefore, the Village does not plan to levy a tax for the SSA. Existing money in the SSA No. 1A Fund will be used to cover annual operating expenses continuing until all money in the fund is depleted which is expected to occur in September of 2016. At that time the Village will take necessary action to eliminate the SSA.

The Village has the authority to abate taxes associated with the Special Service area in whole or in part in any and all years when the Village Board determines there are sufficient funds available to pay the costs associated with the maintenance of the traffic signal.

Budget Impact:

There will be not tax levy to fund the SSA in Fiscal Year 2015. Available funds in the Westminster Way Transportation Special Service Area will be used to pay for annual maintenance costs in 2015.

Recommendation:

Staff recommends consideration and discussion of the attached ordinance and direct placement on the consent agenda for approval at the December 8, 2014 Regular Village Board Meeting.

Reports and Documents Attached:

- An Ordinance Abating Certain Special Taxes Levied For The Westminster Way Transportation Special Service Area Number 1A

Meeting History	
Initial Referral to Village Board (COW):	11/24/2014
Regular Village Board Meeting:	12/8/2014

ORDINANCE NO. 14-xxx-xx

**AN ORDINANCE ABATING CERTAIN SPECIAL TAXES LEVIED
FOR THE WESTMINSTER WAY TRANSPORTATION
SPECIAL SERVICE AREA NUMBER 1A**

WHEREAS, the Village adopted Ordinance 11-3227-49 on December 12, 2011 (Establishing Ordinance), which established the Westminster Way Transportation Special Service Area Number 1A (the "SSA"); and

WHEREAS, pursuant to Section 5 of the Establishing Ordinance, a Special Tax Roll was prepared and a Maximum Annual Tax was levied against all taxable property located within the Area according to the Rate and Method, as defined in the Establishing Ordinance;

WHEREAS, the actual amount to be collected annually for the Village of Lincolnshire Westminster Way Transportation Special Service Area Number One based upon the Special Tax Roll is to be determined annually based upon the estimated budget for the costs and expenses connected with the financing, including the principal and interest on the Note, and maintenance of the Improvements within the Area and the administration of the Area for the forthcoming year; and

WHEREAS, the Village has estimated the amount necessary for the 2014 tax year for the purposes described in the Establishing Ordinance and determined it necessary to abate the Maximum Annual Tax levied therein in its entirety.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, ACTING IN THE EXERCISE OF THEIR HOME RULE POWERS:

SECTION 1. ABATEMENT OF TAXES. The taxes in the following amounts heretofore levied for the Bonds are hereby partially abated:

Common Address	PIN	Maximum Annual Tax	Amount to be Abated	Amount to be Levied
10 Westminster Way	15-13-403-039	\$1,428.63	\$1,428.63	\$0
	15-13-403-016	\$1,451.67	\$1,451.67	\$0
90 Hewitt	15-13-400-045	\$1,287.63	\$1,287.63	\$0
98 Hewitt, 100 Hewitt	15-13-400-043	\$7,019.44	\$7,019.44	\$0
25 Tri-State, 75 Tri-State, 100 Tri-State, 200 Tri-State. 300 Tri-State	15-24-209-018	\$13,560.85	\$13,560.85	\$0
TOTAL		\$24,748.22	\$24,748.22	\$ 0.00

SECTION 2. FILING OF ORDINANCE. Following adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Lake County, Illinois, and it shall be the duty of said County Clerk to abate and reduce the taxes heretofore levied as provided in Section 1 hereof.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

ADOPTED this _____ day of _____, 2014 by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2014.

ATTEST:

Brett Blomberg, Mayor

Barbara Mastandrea, Village Clerk



REQUEST FOR BOARD ACTION

Subject: An Ordinance Amending Chapter 15 of Title 1 – Comprehensive Fee Schedule of the Lincolnshire Village Code Related to the Establishment of Fees and Charges for Service (Water and Sewer Connection Charges and Water Rates)

Action Requested: Consideration of Proposed Ordinance and Direct Placement on the December 8, 2014 Consent Agenda for Approval

Originated By/Contact: Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

Staff annually reviews the Comprehensive Fee schedule and recommends modifications. These changes are discussed by the Mayor and Board of Trustees during the discussions of the budget for the coming fiscal year.

<u>WATER & SEWER CONNECTION CHARGES</u>	<u>AMOUNT OF FEE</u>	<u>CODE SECTION</u>
Water Fees – Water Connection Charge, per EDU	<u>\$2,242</u> \$2,255.00	5-3-4(C)
Water Fees Outside – Water connection Charge, outside corporate limits, per EDU	<u>\$3,923</u> \$3,945.00	5-3-4(C)
Sewer Fees – Sewer Connection Charge, per EDU	<u>\$1,115</u> \$1,123.00	5-3-4(D)
Sewer Fees Outside – Sewer Connection Charge, outside corporate limits, per EDU	<u>\$1,951</u> \$1,946.00	5-3-4(D)

1-15-8: PUBLIC WAYS AND PROPERTY (TITLE 8)		
<u>WATER AND SEWER RATES</u>	<u>AMOUNT OF FEE</u>	<u>CODE SECTION</u>
Water rate, per 1,000 gallons	<u>\$4.68</u> \$4.50	8-2A-2
Sewer rate, per 1,000 gallons of water usage	\$5.27	8-2A-2
Water rate, Out-of-Village, per 1,000 gallons of water usage	<u>\$5.17</u> \$4.97	8-2A-2
Sewer rate, Out-of-Village, per 1,000 gallons of water usage	\$5.80	8-2A-2

Recommendation:

Staff recommends approval of this ordinance as part of the December 8, 2014 consent agenda.

Reports and Documents Attached:

- An Ordinance Amending Chapter 15 Of Title 1 – Comprehensive Fee Schedule Related To The Establishment Of Fees Of The Lincolnshire Village Code

Meeting History	
Initial Referral to Village Board (COW):	November 24, 2014
Regular Village Board Meeting:	December 8, 2014

ORDINANCE NO. 14-xxx-xx

AN ORDINANCE AMENDING CHAPTER 15 OF TITLE 1 – COMPREHENSIVE FEE SCHEDULE OF THE LINCOLNSHIRE VILLAGE CODE RELATED TO THE ESTABLISHMENT OF FEES AND CHARGES FOR SERVICE (Water and Sewer Connection Charges and Rates)

WHEREAS, from time to time the Village reviews its codes and regulations of public ways and facilities to ensure users fees are established at an amount to cover the cost of providing services as intended by the Village; and

WHEREAS, as part of the development of the budget for Fiscal Year 2015, Village Staff recently undertook a review of Water and Sewer Connection Charges and Water and Sewer Rates to ensure such charges for service are set at amount to cover the costs of said services and the Village Staff has recommended to the Mayor and Board of Trustees of the Village of Lincolnshire that it revise Connection Fees and Water & Sewer Rates; and

WHEREAS, the Mayor and Board of Trustees have reviewed and considered the recommendations of the Village Staff and have considered all the facts and circumstances related to the proposed Municipal Code amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, ACTING IN THE EXERCISE OF THEIR HOME RULE POWERS:

SECTION ONE: The foregoing recitals are incorporated into this Ordinance as findings of the Mayor and Board of Trustees.

SECTION TWO: Section 1-15 of the Village Code of the Village of Lincolnshire, under the title “Comprehensive Fee Schedule”, shall be revised as follows [added text **bolded and double underlined**; deleted text ~~struck through~~]:

A. Water and Sewer Connection Charges – Utilities (Section 5-3-4)

<u>WATER & SEWER CONNECTION CHARGES</u>	<u>AMOUNT OF FEE</u>	<u>CODE SECTION</u>
Water Fees – Water Connection Charge, per EDU	<u>\$2,242</u> \$2,255.00	5-3-4(C)
Water Fees Outside – Water connection Charge, outside corporate limits, per EDU	<u>\$3,923</u> \$3,945.00	5-3-4(C)
Sewer Fees – Sewer Connection Charge, per EDU	<u>\$1,115</u> \$1,123.00	5-3-4(D)
Sewer Fees Outside – Sewer Connection Charge, outside corporate limits, per EDU	<u>\$1,951</u> \$1,946.00	5-3-4(D)

B. Public Ways and Property - Water and Sewer Rates – Utilities
(Section 8-2A-2)

1-15-8: PUBLIC WAYS AND PROPERTY (TITLE 8)		
WATER AND SEWER RATES	AMOUNT OF FEE	CODE SECTION
Water rate, per 1,000 gallons	\$4.68 \$4.50	8-2A-2
Sewer rate, per 1,000 gallons of water usage	\$5.27	8-2A-2
Water rate, Out-of-Village, per 1,000 gallons of water usage	\$5.17 \$4.97	8-2A-2
Sewer rate, Out-of-Village, per 1,000 gallons of water usage	\$5.80	8-2A-2

SECTION THREE: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form.

PASSED this _____ of _____, **2014** by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, **2014**.

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea
Village Clerk

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion of an Ordinance Authorizing the Sale and Disposal of Surplus Property

Action Requested: Consideration and Direct Placement on the December 8, 2014 Consent Agenda for Approval

Originated By/Contact: Youssef Shoukry, Management Analyst

Referred To: Village Board

Summary / Background:

Several departments are in possession of surplus or non-operational equipment requiring sale or disposal. This includes surplus vehicles, office, and computer equipment. Equipment will be donated, auctioned, or recycled.

Budget Impact:

To be determined as a result of sale of surplus property

Service Delivery Impact:

All equipment in question has been replaced or become non-functional or obsolete; staff does not foresee any issues of service delivery impact.

Recommendation:

An ordinance is required by Chapter 65, Section 5/11-76-4 of the Illinois Compiled Statutes authorizing the Village Manager to dispose of surplus equipment is required. Staff recommends directing placement of the draft ordinance on the December 8, 2014 meeting agenda for approval.

Reports and Documents Attached:

- Draft Ordinance
- Exhibit A containing all equipment to be disposed

Meeting History	
Initial Referral to Village Board (COW):	November 24, 2014
Regular Village Board Meeting:	December 8, 2014

ORDINANCE NO: 14-xxxx-xx

**AN ORDINANCE
AUTHORIZING THE SALE
OF SURPLUS PROPERTY**

WHEREAS, the President and Board of Trustees may designate property no longer needed by the Village of Lincolnshire to provide services or that does not otherwise benefit the Village as surplus property; and

WHEREAS, pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4, the President and Board of Trustees may authorize the sale and disposal of surplus property; and

WHEREAS, the President and Board of Trustees have determined it is no longer necessary or useful, or in the best interests of the Village of Lincolnshire, to retain items listed on Exhibit A attached to this ordinance, currently owned by the Village ("Surplus Property"); and

WHEREAS, the President and Village Board of Trustees have determined it is in the best interest of the Village of Lincolnshire to dispose of the Surplus Property;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: The foregoing recitals are incorporated in this Ordinance as the findings of the President and Board of Trustees.

SECTION TWO: Pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4, the Mayor and Board of Trustees of the Village of Lincolnshire find that the Surplus Property described in the attached Exhibit A, now owned by said jurisdiction, is no longer necessary or useful to the jurisdiction and the best interests of the jurisdiction would be best served by its disposal.

SECTION THREE: The Village Manager is hereby authorized and directed to dispose of the aforementioned Surplus Property. Surplus Property identified on Exhibit A as having a minimum bid shall be sold to the highest bidder following a public auction. Surplus Property identified on Exhibit A as having no value shall be disposed of in such a manner deemed appropriate.

SECTION FOUR: The Village Manager is hereby authorized to and may direct North West Municipal Conference (“NWMC”) to advertise the sale of the aforementioned Surplus Property prior to said public auction.

SECTION FIVE: The Village Manager is hereby authorized to direct NWMC to enter into an agreement for the sale of said Surplus Property whereby said property may be sold at a public auction.

SECTION SIX: Upon payment of the full auction price for the aforesaid items of Surplus Property, the Village Manager is authorized to direct NWMC to convey and transfer the title and ownership of said Surplus Property, to the successful bidder.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, by a vote of at least three-fourths of the corporate authorities, and approval in the manner provided by law.

PASSED this _____ day of _____, 2014, by the Corporate Authorities of the village of Lincolnshire, on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2014.

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

Disposal Inventory Form

EXHIBIT A

Your Name: Youssef Shoukry, Management Analyst
 Agency Name: Village of Lincolnshire
 Agency Address: One Olde Half Day Road
 Lincolnshire, IL 60069
 Agency Phone: (847) 913-2332

Model	Description	Make	Comments
Vehicles			
2005 K3500	Pick up truck	GMC	Chassis only, to be auctioned for \$2,500 min bid
2005 8500	Tandem axle dump truck	GMC	To be traded in or auctioned for \$5,000 min bid
1992 Dyna Pac Roller Model CC101	Compaction machine	Dynapac	To be auctioned for \$500 min bid
2008 ODB SLM800TM25	25yd. self-contained leaf machine	ODB	To be auctioned for \$1,500 min bid
2002 Silt-seeder	Seeding Machine	Befco	To be auctioned for \$500 min bid
2007 Crown Victoria	Police Squad Car	Ford	To be auctioned for \$500 min bid
2009 Expedition	Police Squad Car	Ford	To be auctioned for \$1,000 min bid
2003 Outlander	Seizure vehicle	Mitsubishi	To be auctioned
Office Equipment			
Laser Class 2050	Fax machine	Canon	To be Recycled
Laser Class 510	Fax machine	Canon	To be Recycled
Shredmaster GLX1942	Paper shredder	GBC	To be Recycled
Office Chairs (4)	-	Misc	To be Recycled
Misc Office Equipment (Binders, Boxes, Etc.)	-	Misc	To be Recycled or Donated
DC600	Desktop Computer	Hewlett Packard	To be Recycled or Donated
DC7800 (8)	Desktop Computer	Hewlett Packard	To be Recycled or Donated
DC7900 (2)	Desktop Computer	Hewlett Packard	To be Recycled or Donated
DC7700 (2)	Desktop Computer	Hewlett Packard	To be Recycled or Donated
LaserJet 4250n	Laser printer	Hewlett Packard	To be Recycled or Donated
LaserJet 4200n	Laser printer	Hewlett Packard	To be Recycled or Donated
LaserJet 4100n	Laser printer	Hewlett Packard	To be Recycled or Donated
LaserJet P4015n (2)	Laser printer	Hewlett Packard	To be Recycled or Donated
SDM-HS75	LCD Monitor	Sony	To be Recycled
VG930M-3 (2)	LCD Monitor	Viewsonic	To be Recycled
PL1910M-BK	LCD Monitor	Planer	To be Recycled
Police Equipment			
Pro1000 (3)	Rader unit	Kuston Signals	To be auctioned
Talon I	Rader unit	Kuston Signals	To be auctioned
Talon II (3)	Rader unit	Kuston Signals	To be auctioned
Emergency Light Bar	Light bar	Sound Off	To be auctioned
Other			
Welch Allyn MRL Lifequest AED-20 (8)	Defibrillators	Welch Allyn	To be Donated
Kenmore 25370152990	Refrigerator	Kenmore	To be Recycled

REQUEST FOR BOARD ACTION

Subject: Consideration and Discussion Regarding Funding Policy for Illinois Municipal Retirement Fund (IMRF) and Police Pension Fund

Action Requested: Consideration of Proposed Funding Policies and Direct Placement on the December 8, 2014 Consent Agenda

Originated By/Contact: Michael Peterson, Finance Director
Brad Burke, Village Manager

Referred To: Mayor and Village Board of Trustees

Summary / Background:

Per Village Board direction during the October budget workshops, staff drafted two policies formally addressing the funding practices for the Village's IMRF and Police Pension Funds. The draft policies reflect the Board's discussion and direction on creating a policy outlining the various assumptions built into the funding formula for both the Police Pension Fund and IMRF. Staff recommends Village Board consideration and seeks feedback on the draft policies. Once finalized staff plans to insert the funding policy for both retirement funds into the final budget document to be reviewed on an annual basis to assess proper funding levels and methods. Adopting these two policies and incorporating them into the formal budget document, approved annually, will create a process to assess the status of both pension funds, possible changes in funding methods, and facilitate decision making regarding contributions to the two funds.

Recommendation:

Staff recommends incorporating the proposed fiscal policy language into the budget for Fiscal Year 2015.

Reports and Documents Attached:

- Proposed Illinois Municipal Retirement Fund Policy
- Proposed Police Pension Fund Policy

Meeting History	
Initial Referral to Village Board (COW):	November 24, 2014
Regular Village Board Meeting:	December 8, 2014



Village of Lincolnshire Funding Policy for Illinois Municipal Retirement Fund

I. INTRODUCTION

The purpose of this policy statement is to define the manner in which the Village of Lincolnshire funds long-term cost of benefits promised to Illinois Municipal Retirement Fund (IMRF) plan participants.

The ultimate goal of this policy is to ensure pension benefits can be paid, employer costs can be managed, and the plan to fund pensions is clear.

II. GENERAL FUNDING POLICY OBJECTIVES

The fundamental financial objective of a public employee defined benefit pension plan is to fund the long-term cost of benefits provided to the plan participants. To assure the plan remains sustainable, the plan should accumulate adequate resources for future benefit payments in a systematic and disciplined manner during the active service life of the benefitting employees.

- Actuarially Determined Contributions
- Funding Discipline
- Intergenerational Equity
- Contributions as a Stable Percentage of Payroll
- Accountability and Transparency

A. ACTUARIALLY DETERMINED CONTRIBUTIONS

A pension funding plan should be based upon an actuarially determined contribution (ADC) incorporating both the cost of benefits in the current year and the amortization of the plan's unfunded actuarial accrued liability.

SPECIFIC POLICY ASSUMPTIONS

The Village does not obtain a separate actuarial report for IMRF and instead relies on the information provided by IMRF. IMRF costs are allocated to the budget activities in which the related salary expenditures are recorded. Most IMRF costs are funded by the Village's IMRF property tax levy. Other Village funds (ex., Water/Sewer Operating Fund and Vehicle Maintenance Fund) pay their IMRF costs from revenues dedicated to those funds.



B. FUNDING DISCIPLINE

A commitment to make timely, actuarially determined contributions to the retirement system is needed to ensure sufficient assets are available for all current and future retirees.

SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

1. As required by State Statute, the Village will, at a minimum, fund the Illinois Municipal Retirement Fund (IMRF) in the amounts determined by IMRF. The Village will consider funding IMRF at higher levels when anticipated property tax revenue exceeds actual contributions to the fund.
2. EMPLOYER CONTRIBUTIONS - Property Tax Receipts will be electronically deposited to IMRF on a bi-weekly basis.
3. EMPLOYEE CONTRIBUTIONS - Employee contributions obtained through payroll deduction Receipts will be electronically deposited to IMRF on a bi-weekly basis.

C. INTERGENERATIONAL EQUITY

Annual contributions should be reasonably related to the expected and actual cost of each year of service so the cost of employee benefits is paid by the generation of taxpayers who receives services from those employees.

SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

Fully funding pension benefits, over the average future service period of employee reasonably aligns the cost of the benefits of the public services with the taxpayers who benefit from those services.

D. CONTRIBUTIONS AS A STABLE PERCENTAGE OF PAYROLL

Contributions should be managed so employer costs remain consistent as a percentage of payroll over time.

E. ACCOUNTABILITY AND TRANSPARENCY

Clear reporting of pension funding should include an assessment of whether, how, and when the plan sponsor will ensure sufficient assets are available for all current and future retirees.



SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

1. The Village's Annual Financial Report shall be published on its website; uploaded to the State of Illinois Comptroller's Office; and hard copies will be available at Village Hall, Lake County Clerk's Office, and Vernon Area Public Library. This report includes various financial reports related to the Lincolnshire's Retirement Fund and the Village's annual contribution to the Pension Fund.
2. The Village's Annual Budget shall be published on its website; hard copies will be available at Village Hall, Lake County Clerk's Office, and Vernon Area Public Library. The Budget shall include the Village's contribution to the Lincolnshire's IMRF account as well as this Funding Policy.

III. REVIEW OF FUNDING POLICY

Funding a defined benefit pension plan requires a long-term horizon. Assumptions and inputs into the policy should focus on long-term trends, not year-to-year shifts in the economic or noneconomic environments. Generally, assumptions or inputs should be evaluated and changed if long-term economic or non-economic inputs have fundamentally changed or are no longer reasonable. As such, the Village will review this policy at least every three years to determine if changes to this policy are needed to ensure adequate resources are being accumulated in Lincolnshire's IMRF account. The Village reserves the right to make changes to this policy at any time if it is deemed appropriate.

Mayor



Village of Lincolnshire Funding Policy for Lincolnshire Police Pension Fund

I. INTRODUCTION

The purpose of this policy statement is to define the manner in which the Village of Lincolnshire funds long-term cost of benefits promised to plan participants and defines the calculation of Lincolnshire's "actuarially determined contribution" (ADC) to the Police Pension.

The ultimate goal of this policy is to ensure that pension benefits can be paid, employer costs can be managed, and the plan to fund pensions is clear.

II. GENERAL FUNDING POLICY OBJECTIVES

The fundamental financial objective of a public employee defined benefit pension plan is to fund the long-term cost of benefits provided to the plan participants. To assure the plan remains sustainable, the plan should accumulate adequate resources for future benefit payments in a systematic and disciplined manner during the active service life of the benefitting employees.

- Actuarially Determined Contributions
- Funding Discipline
- Intergenerational Equity
- Contributions as a Stable Percentage of Payroll
- Accountability and Transparency

A. ACTUARIALLY DETERMINED CONTRIBUTIONS

A pension funding plan should be based upon an actuarially determined contribution (ADC) incorporating both the cost of benefits in the current year and the amortization of the plan's unfunded actuarial accrued liability.

SPECIFIC POLICY ASSUMPTIONS

- | | |
|---|--|
| 1. ACTUARIAL COST METHOD | Entry Age Cost Method |
| 2. MEASUREMENT OF THE ACTUARIAL VALUE OF ASSETS | Future gains and losses will be based on a 5-year smoothed market method as prescribed by Statute. |
| 3. FUNDING POLICY TARGET | 100% |



4. FUNDING METHODOLOGY	Level Dollar Amount
5. INFLATION	2.50% per year
6. PERIOD	Closed for Tax Years 2014-2025, Open 15 Year for Tax Year 2026 and thereafter
7. RATE OF RETURN	6.5%
8. PAYROLL GROWTH	4.50% per year.
9. MORTALITY	RP-2000 Combined Healthy Mortality Table (male) with Blue Collar adjustments.
10. ASSET GAINS AND LOSSES	Asset gains and losses will be spread over a 5-year period.
11. MARITAL STATUS	85% of police officers are assumed to be married.
12. SPOUSE'S AGE	Wives are assumed to be 3 years younger than their husbands.
13. COST OF LIVING ADJUSTMENTS	2.50% per year

DISCUSSION

- At this point in time, these rates are applied to all participants without regard to tier. It is anticipated once experience is developed; the retirement rates for tier 2 employees may be modified.
- Adequacy: Lincolnshire strives to fund the obligation for benefits using assumptions that are estimated to be realizable 50% of the time.
- Measurement of the actuarial value of assets: In a 5-year smoothed market method, the current market value of assets is reduced (increased) for the current year and each of three succeeding years, by a portion of the gain/(loss) in market value during the prior year. Such gain/(loss) is determined as the excess/(deficit) of the current market value of assets over the market value of assets as of the prior year, increased to reflect interest at the actuarial rate and adjusted to reflect contributions and benefit payments during the prior year. The portion of such gain/(loss) by which the current market value of assets is reduced (increased) shall be 80% in the current year, 60% in the first succeeding year, 40% in the second succeeding year and 20% in the third succeeding year. Additionally, in accordance with government accounting standards, the actuarial value of assets excludes any contributions receivable on the reporting date.
- The Mortality Table with blue collar adjustment for "Active Lives" will further factor a 200% load for participants under age 50 and 125% for participants age 50 and over. Five percent (5%) of deaths amongst active police officers are assumed to be in the performance of their duty. The Mortality Table with blue collar adjustment for "Non-



Active Lives” will further factor 200% load for participants under age 50 and 125% for participants age 50 and over.

5. The Date of the actuarial valuation used to determine the total pension liability information amount changes in assumptions or other inputs/benefits basis for determining employer contributions. Lincolnshire Police Pension Fund’s Actuarial Valuation shall be stated as of January 1 of the current fiscal year (i.e.: Actuarial Valuation as of January 1, 2014 for Fiscal Year Ending December 31, 2014).

B. FUNDING DISCIPLINE

A commitment to make timely, actuarially determined contributions to the retirement system is needed to ensure sufficient assets are available for all current and future retirees.

SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

1. EMPLOYER CONTRIBUTIONS - Property Tax Receipts will be direct deposited from the Lake County Treasurers Office to the Lincolnshire Police Pension Fund.
2. EMPLOYEE CONTRIBUTIONS - Employee contributions obtained through payroll deduction will be electronically transferred to the Police Pension Fund no later than the employee check date.

C. INTERGENERATIONAL EQUITY

Annual contributions should be reasonably related to the expected and actual cost of each year of service so the cost of employee benefits is paid by the generation of taxpayers who receives services from those employees.

SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

Fully funding pension benefits over the average future service period of employee reasonably aligns the cost of the benefits of the public services with the taxpayers who benefit from those services.

D. CONTRIBUTIONS AS A STABLE PERCENTAGE OF PAYROLL

Contributions should be managed so employer costs remain consistent as a percentage of payroll over time.



E. ACCOUNTABILITY AND TRANSPARENCY

Clear reporting of pension funding should include an assessment of whether, how, and when the plan sponsor will ensure sufficient assets are available for all current and future retirees.

SPECIFIC POLICY OBJECTIVES AND CONSIDERATIONS

1. A copy of the annual actuarial valuation for the Lincolnshire Police Pension Fund shall be made available to the Pension Board and Village Board per 40 ILCS 5/3-143.
2. The Village's Annual Financial Report shall be published on its website; uploaded to the State of Illinois Comptroller's Office; and hard copies will be available at Village Hall, Lake County Clerk's Office, and Vernon Area Public Library. This report includes various financial reports related to the Lincolnshire Police Pension Fund and the Village's annual contribution to the Pension Fund.
3. The Village's Annual Budget shall be published on its website; hard copies will be available at Village Hall, Lake County Clerk's Office, and Vernon Area Public Library. The Budget shall include the Village's contribution to the Lincolnshire Police Pension Fund as well as this Funding Policy.

III. REVIEW OF FUNDING POLICY

Funding a defined benefit pension plan requires a long-term horizon. Assumptions and inputs into the policy should focus on long-term trends, not year-to-year shifts in the economic or noneconomic environments. Generally, assumptions or inputs should be evaluated and changed if long-term economic or non-economic inputs have fundamentally changed or are no longer reasonable. As such, the Village will review this policy at least every three years to determine if changes to this policy are needed to ensure adequate resources are being accumulated in the Lincolnshire Police Pension Fund. The Village reserves the right to make changes to this policy at any time if it is deemed appropriate.

Mayor

REQUEST FOR BOARD ACTION

Subject: Discussion of Proposed Village of Lincolnshire Compensation Plan

Action Requested: Consideration and Discussion of Proposed Compensation Plan

**Originated
By/Contact:** Village Manager

Referred To: Village Board

Summary / Background:

Attached for Village Board consideration and discussion is a draft Village of Lincolnshire Pay Plan. The plan was developed by the Village Manager with input from Department Managers and is intended to provide guidance to how employees move through the range for each position. The proposed plan retains a purely merit based system for pay; however, for new employees, the plan provides a target that new employees who meet/exceed performance objectives will reach the midpoint in their salary range within five years of starting with the Village. Of the Village's full-time employees, there are 11 employees who have not reached the midpoint of the salary range for their position. Five of these employees have served in their position for less than five years; however, 6 employees have been with the Village more than five years and have yet to reach the midpoint of the salary range. In fact, there are 3 maintenance employees in the Public Works Department who have served the Village for more than 10 years but have not yet reached the salary midpoint for their respective position.

The proposed compensation plan facilitates movement of new employees, who meet or exceed expectations, movement toward the midpoint for their respective pay range within five years of service to the Village. By setting a target for employees to achieve the midpoint for their respective salary within four years of employment (given satisfactory performance) the pay plan for non-union Village employees would more closely align with the progress of Police Officers in their pay range. Implementing the proposed pay plan would bring increased parity between the treatment of union and non-union personnel in how employees progress through their respective salary ranges.

The proposed five-year schedule would result in a new employee, depending upon performance, having the ability to achieve an approximate 3% progress adjustment annually, in addition to their merit increase, to facilitate the employee's movement toward the midpoint of the pay range. To illustrate the cost of implementing the proposed pay plan, if all 11 employees, currently situated below the midpoint in their pay range, were moved to the midpoint at one time, the total budget impact would be approximately \$80,000. Given five employees are relatively new in their position and would have 2 to 4 years to reach the midpoint, the anticipated budget impact for Fiscal Year 2015, to implement the proposed compensation plan is expected to be approximately \$20,000. The \$20,000 in additional compensation would facilitate

moving those employees with more than five years of service to the midpoint of their pay range while also making progress adjustments available to those employees with less than five years of service.

Currently, the same merit increase is available to all non-union employees annually regardless of where the employee falls within a specific pay range. Under this current plan, with annual merit increases available totaling 3% or less in recent years, pay for newer employees tends to hold steady in the bottom quartile of the pay range. Additionally, if the pay range is adjusted for a specific position, a new employee may actually slide backward in the range even if the full merit adjustment is awarded in a particular year. The proposed plan is intended to recognize those employees meeting or exceeding performance objectives by giving them an opportunity to progress to the midpoint within five years of the date of hire. Once the employee reaches the midpoint of the range, any increase above the midpoint in the range is based upon merit and available to employees when they exceed performance expectations.

The proposed pay plan is to be effective January 1, 2015.

Overall Pay Philosophy

It is the Village's goal to pay competitive compensation based on the following key factors:

- Individual employee job performance
- Maintaining parity with union and non-union employees
- Pay for comparable positions in comparable communities
- Having sufficient revenue resources to make compensation adjustments while sustaining a balanced operating budget and not drawing upon Village reserves

Each of these is described further below:

- **Individual employee job performance:** Shall be based upon reviews conducted by the respective Supervisor in each operating department for their respective areas of responsibility. The reviews for the Village Manager shall be conducted by the Village Board of Trustees. All performance reviews shall include consideration of performance against specific objectives/goals established, both quantitative and qualitative and any special or unusual issues arising which may merit consideration.
- **Maintaining parity between union and non-union employees:** Members of the Police Union are paid in accordance with a contractually specified step schedule where increases are provided annually upon the officer's anniversary date. Police Officers reach the midpoint in the pay plan between the fourth and fifth years of service. Officers reach the maximum salary for their position after 8 years of service. Police Officer salaries can increase more than 45% from start date to their 8th anniversary with the Village. For non-union employees, the maximum merit increase for the last 8 years would have been less than 24%. Annually the pay range for Police Officers is increased as defined in the union contract.

Under the proposed compensation plan for non-represented employees, new employees who meet expectations should reach the midpoint in the pay range within the first five years of employment. There is no specified time or target upon which an employee will reach the maximum salary. The proposed plan would attempt to bring some parity in compensation between union and non-union personnel by facilitating new employee movement through the pay range.

- Pay for comparable positions in comparable communities: The proposed Village of Lincolnshire Pay Plan identifies a list of comparable positions in comparable communities, taking into account such issues as geographic location, population, number of homes, material differences in services provided, and financial conditions similar to the Village.
- Sufficient Lincolnshire revenue resources: All decisions regarding compensation and funding pay in each fiscal year will be based upon Lincolnshire Village staff and Village Board maintaining a sustainable balanced operating budget. This requires managing the Village services in a manner that results in generating sufficient revenue through property taxes, fees for services, and other tax revenues to cover all annual operating costs, including pay and benefit (including pension) increases without use of accumulated reserves.

Budgeting Pay Increases

Preparation of the annual Village Budget will include funds for any and all prospective increases in compensation during the ensuing fiscal year. It is the objective of the proposed plan to have a single category of pay adjustment, based on performance, for all Village positions other than Police Officers covered by an existing Collective Bargaining Agreement. Pay adjustments based upon performance may be handled as a pay increase built into base pay, or as a one-time lump sum merit payment or some combination of both.

Annually, as part of the review of comparable community compensation, the Village Board will receive a recommendation from staff on any needed adjustment in the respective pay ranges for all positions in the Village except that of Police Officer. Irrespective of the category of pay adjustments, the Village will budget an approved amount at the beginning of the fiscal year which must cover all pay adjustments.

Summary / Conclusion

Staff requests members of the Village Board review the proposed Village of Lincolnshire Pay Plan with changes made pertaining to the time to get to midpoint for employees meeting expectations and consider a possible formal approval. Once the compensation policy is approved by the Board of Trustees, staff will use this document to administer the compensation plan for Fiscal Year 2015 budget. Staff supports the need for a written policy that provides a formal framework pertaining to compensation for Village employees. The attached plan document formalizes the process of evaluating compensation for all positions on an annual basis and how employees are expected to progress through the pay range.

Once the formal policy is in place, the specific ranges for each position may need to be adjusted over time to achieve the long-term objectives of the Village. These adjustments will be brought to the Village Board as part of the annual budget process.

Formal Board consideration and direction regarding the proposed policy attached is requested. In subsequent years, this plan will be used in the development of each annual Village budget and as a guide for the Village Board and staff in applying its compensation philosophy in a fair, performance based and transparent manner. Staff will be available at Monday's meeting to answer any questions the Village Board may have.

Budget Impact: Should the Village Board agree to this approach, staff recommends increasing the proposed 2015 Budget for various salary line items by \$20,000 to address progress adjustments needed for those employees who have not yet reached the midpoint for their salary range.

Service Delivery Impact: None.

Recommendation: Consideration and discussion proposed pay plan.

Reports and Documents Attached:

- Village of Lincolnshire Personnel Policies Manual - Chapter 6 Compensation
- Proposed Village of Lincolnshire Pay Plan
- Proposed FY 2015 - Classification & Compensation Schedule – Full – Time Positions

Meeting History	
Initial Referral to Village Board (COW):	11/24/2014
Committee of the Whole	12/08/2014

COMPENSATION

Chapter 6

6.1 AUTHORITY TO ESTABLISH SALARIES

The Corporate Authorities shall establish pay ranges for employees under the jurisdiction of the Village Manager.

6.2 PURPOSE

The objective of the Village of Lincolnshire's Pay Plan is to attract, retain and provide positive motivation for employees while controlling Village costs.

6.3 STANDARDS FOR DETERMINATION OF PAY RANGES

Pay ranges shall be directly related to the Classification Plan and shall be determined with due consideration to the relative difficulty and responsibility of work in the several classes, the recruiting experience of the Village, prevailing rates of pay for similar employment in private and other public jurisdictions in the area, employee turnover, cost of living factors, and the financial policies and economic condition of the Village. The minimum and maximum rates of pay established shall be those which most nearly reflect these factors.

6.4 AMENDMENT OF THE PAY PLAN

The Village Manager, or his designee, shall make such comparative salary studies as he deems necessary, or is instructed by the Corporate Authorities to make, concerning factors affecting the levels of salaries in the municipal service. On the basis of the information derived from such salary studies, the Village Manager shall recommend to the Corporate Authorities such changes in the pay plan pertinent to the fairness and adequacy of the overall compensation plan.

Recommendations made by the Village Manager for the amendment of the pay plan shall be submitted to the Corporate Authorities. When approved by the Corporate Authorities, these amendments shall become part of the pay plan and shall become the official salary schedule applicable to the respective classes of positions, and shall be used by all departments in connection with all payroll, budget estimates, and official records and reports relating to positions in the Village.

6.5 COMPENSATION FOR EMPLOYEES

Part-time employees shall be compensated on the basis of the equivalent hourly rate paid for full-time employment and shall be paid for only those hours actually worked.

6.6 BEGINNING SALARY

When a budgeted position is to be filled and a new employee is appointed, the salary level is normally set at the Pay Classification minimum for that position. Appointments above the minimum rate may be approved by the Village Manager. The employee is considered a probationary employee.

6.7 PERFORMANCE EVALUATION/MERIT REVIEWS

Full-time Probationary Employees, Part-time Probationary **Employees**, and Non-seasonal Probationary Employees will be reviewed six months after hire. ~~and will be eligible for a salary increase based upon the employee's score in a written performance evaluation completed by his Supervisor.~~ Employees will be reviewed 12 months after hire and **they will be eligible for a salary increase based on the employee's score in a written performance evaluation completed by their Supervisor.** They may attain Regular Employee Status at that time. Employees are reviewed again ~~18 months after hire and~~ yearly after that and are eligible for a salary increase based upon his score in a written performance evaluation completed by his Supervisor.

6.8 PAY RANGES

An employee's salary level moves through the Pay Range as a result of annual performance evaluations and merit increases. According to the Village of Lincolnshire Pay Plan, adjustments to Pay Ranges do not result in automatic pay increases. If a Pay Range adjustment leaves an employee outside his Pay Range, adjustments of that employee's salary will be determined on a case by case basis by the Mayor and Board of Trustees.



Village of Lincolnshire Pay Plan

Scope

The Village of Lincolnshire Pay Plan establishes the authority for and the guidelines by which the Mayor and Village Board of Trustees shall approve pay adjustments for all Village employees.

Policies

The Village Manager, as the Chief Administrative Officer of the Village, shall be responsible to the Village Board of Trustees for the administration of the Village of Lincolnshire Pay Plan. In this capacity the Village Manager may appoint, promote, evaluate and recommend pay adjustments for all employees of the Village unless otherwise approved by the Village Board and in accordance with the Village Code of the Village of Lincolnshire.

The provisions of this Pay Plan are not intended to, and should not be construed to create contractual obligations of any kind or a contract of employment between the Village and any of its employees. All Village employees are employees at will, and the Village reserves the right to terminate the employment relationship at any time, with or without cause and without advance notice. The provisions of this Pay Plan may be revised, supplemented, or rescinded at any time, at the Village's sole discretion.

The provisions of this Pay Plan supersede all existing policies and practices in conflict herewith and no policy or practice in conflict with the provisions of this Pay Plan shall be valid or shall be relied on by any employee, unless such policy or practice has been approved and published by the Village Board. This Pay Plan does not apply to Police Officers covered by an existing Collective Bargaining Agreement.

Administration of the Village of Lincolnshire Pay Plan

The Village Manager, as the Chief Administrative Officer of the Village, shall be responsible to the Village Board for the administration of the Village of Lincolnshire Pay Plan and shall set the pay for all employees within the limits of the approved budget. The Village Manager shall review with the Village Board annually the appropriateness of Village pay levels and recommend pay adjustments, taking into consideration changes in the pay levels of comparable positions in comparable communities, the job performance levels of Village employees, the Village budget, and other appropriate factors. The pay adjustments recommended by the Village Manager will take into account recommendations of Department Managers who shall certify as to each employee's eligibility and qualifications for such pay adjustment. The Village Manager shall ensure the establishment and administration of an employee performance evaluation and development program to be used to determine employee job, performance, and individual employee professional development.



Pay Grade and Pay Range Structure

For all employees except Police Officers covered by an existing Collective Bargaining Agreement, the Village of Lincolnshire Pay Plan establishes a pay grade and pay range structure for Village positions that balances internal equity as determined by the application of internal job related factors with external equity as determined by the pay levels of comparable jobs in comparable communities. All Village employees, other than Police Officers in the Lincolnshire Police Department covered by an existing Collective Bargaining Agreement, are assigned to a specific pay grade and pay range based on the internal evaluation of their position/title. Progression through the pay range for all Village employees other than Police Officers is based on individual ability, exhibited job performance and the Village's financial performance. Police Officers in the Police Department shall progress through the range for their respective position in accordance with the approved step schedule outlined in the existing Collective Bargaining Agreement with the Fraternal Order of Police.

The Village recognizes it is important to provide the opportunity to employees to attain, within a reasonable period following employment, a pay level appropriate to their position and skills exhibited, based on their performance. The schedule of approved pay ranges for all is attached as Exhibit A.

Starting Pay and On Going Pay Guidelines

Typically starting pay shall be between the pay range minimum and the pay range midpoint of the position, based on the degree of experience and job knowledge the individual brings to the job. All starting pay offers must be approved by the Village Manager. It is the objective of the Village of Lincolnshire Pay Plan that an employee whose job performance meets or exceeds the expectations of their position should be paid at least at the midpoint of their pay range within five years, subject to approval by the Department Manager and the Village Manager and the financial status of the Village. The Village financial situation and employee job performance shall be the primary basis for setting the level of pay within the employee's assigned pay range.

New employees may be eligible for a pay increase upon satisfactory completion of a probationary period and recommendation for a pay adjustment by the Department Manager. Probationary periods shall normally cover the initial twelve (12) months of employment; however, such periods may be extended, not to exceed six (6) months if, in the opinion of the Department Manager and Village Manager, an extended period is necessary to fully evaluate the employee for regular appointment. No employee shall be considered for regular employee appointment or a pay increase if the employee is determined not to satisfactorily perform duties of the position to which the employee is assigned.

Following completion of the probationary period, employees shall be evaluated annually on or before their anniversary date for demonstrated job performance and consideration of a pay adjustment.



Pay Range Structure and Pay Adjustment Guidelines

Pay ranges should be established and maintained to attract and retain qualified and high performing, productive employees. Pay range levels should be at or above the average of those in the competitive market. In unique circumstances, it is recognized additional factors may be utilized to determine an appropriate pay level for a position.

As of the date of adoption of this policy, the comparable job market for Village positions consists of the communities of Deerfield, Glencoe, Gurnee, Lake Bluff, Lake Forest, Libertyville, Lincolnwood, Northfield, Vernon Hills, Wilmette, and Winnetka. The selection and composition of communities for benchmarking shall be reviewed and may be adjusted to ensure comparability in terms of scope and scale of Village positions related to community positions.

The positions to be surveyed are those included in the Village of Lincolnshire Pay Plan, most likely to have comparable matches in the above referenced communities. Pay levels to be surveyed will be for the most recent fiscal year. Each position will be surveyed by matching, as much as possible, like duties and responsibilities.

1. Recommendations for pay increases shall consider the requirement to have sufficient Lincolnshire revenue sources to fund increases, while sustaining a balanced operating budget and not drawing down the Village reserves.
2. During preparation of a fiscal year's budget, the Village Manager shall present to the Village Board a proposed plan for increases for review and approval by the Village Board of Trustees. The Village Board shall review and approve any budgeted increase to be adopted by the Village in conjunction with the Annual Budget.

Following approval of the budget by the Village Board, regular, full time employees with satisfactory performance will be eligible for pay increase consideration within their assigned pay range, dependent upon their performance evaluation, the recommendation of the supervising Department Manager, and the approval of the Village Manager.

Part-Time and Temporary Employees

Certain job functions are performed only on a part-time, temporary, or seasonal basis. Such positions are unclassified in the Village of Lincolnshire Pay Plan and are authorized to be filled and paid within established pay levels, as recommended by the Village Manager and approved by the Mayor and Village Board. The pay ranges for such part-time positions are included on the schedule of approved pay ranges found in Appendix B. Following completion of the probationary period, employees shall be evaluated annually on or before their anniversary date for demonstrated job performance and consideration of a pay adjustment.



Merit Pay Program Guidelines

To encourage and reward exceptional performance to the Village by its employees, the Village may grant qualifying employees a lump sum merit award for service that significantly exceeds job performance.

1. The award is for an action or a series of actions resulting in a significant cost savings, revenue enhancement, system improvement, and/or improved services to the community.
2. The award must be recommended for approval by the employee's Department Manager, and approved by the Village Manager.
3. The total for all awards in a year must be within the compensation amount budgeted in the Village's fiscal year and/or not compromise achievement of the approved balanced or surplus budgeted for Lincolnshire for the year. Individual awards shall not exceed \$5,000 for any one year.

Merit Plan Implementation

1. Village budget may include an amount to be awarded as a merit bonus to individual employees based upon performance.
2. A Village employee (full or part time) performs an act or series of acts that meet the significant cost savings and/or improved service to the Village.
3. The Department Manager may submit nominations to the Village Manager, between September 15 and October 1 for award by December 31. Actions taking place after September 15 will be considered for award during the following year.

The Village Manager reviews any nominations and makes a final determination regarding the number and amount of the awards, if any, to be made that fiscal year. There is no obligation on the part of the Village to make merit awards, even though an amount is budgeted for this purpose and nominations are made. Because this program is designed to commend truly significant contributions to the Village's operating efficiency, the Village Manager will only consider awards in circumstances which are truly merit-worthy and meet the program goal, policy and guidelines. All awards shall be made through the Village's payroll system and all appropriate tax requirements shall apply.

Classification & Compensation Schedule - Full-Time Positions

Salary Range	Position	Exempt / Non-Exempt	Minimum	Midpoint		Maximum	
24.5	Police Chief	Exempt	\$ 105,400 \$ 109,616	\$ 125,440	19%	\$ 145,480 \$ 151,299	Current 4%
24.5	Public Works Director	Exempt	\$ 105,400 \$ 109,616	\$ 125,440	19%	\$ 145,480 \$ 151,299	Current 4%
24.0	Finance Director	Exempt	\$ 104,825 \$ 109,018	\$ 124,758	19%	\$ 144,690 \$ 150,478	Current 4%
23.5	Community & Economic Development Director	Exempt	\$ 99,350	\$ 118,238	19%	\$ 137,125	Current No Change
21.0	Deputy Police Chief	Exempt	\$ 88,670 \$ 92,217	\$ 105,525	19%	\$ 122,380 \$ 127,275	Current 4%
18.5	Operations Superintendent		\$ 79,130 \$ 81,504	\$ 94,165	19%	\$ 109,200 \$ 112,476	Current 3%
18.5	Utilities Superintendent		\$ 79,130 \$ 81,504	\$ 94,165	19%	\$ 109,200 \$ 112,476	Current 3%
17.5	Sergeant		\$ 74,600 \$ 76,838	\$ 88,800	19%	\$ 103,000 \$ 106,090	Current 3%
16.0	Fleet Maintenance Supervisor		\$ 67,252 \$ 68,597	\$ 80,038	19%	\$ 92,824 \$ 94,680	Current 2%
15.0	Engineering Supervisor		\$ 64,001	\$ 76,176	19%	\$ 88,351	Current No Change
13.5	Building Official	Exempt	\$ 57,991 \$ 62,050	\$ 69,017	19%	\$ 80,042 \$ 85,645	Current 7%
13.5	Facilities Supervisor		\$ 57,991 \$ 59,731	\$ 69,017	19%	\$ 80,042 \$ 82,443	Current 3%
13.5	Village Planner	Exempt	\$ 57,991 \$ 60,311	\$ 69,017	19%	\$ 80,042 \$ 83,244	Current 4%
13.5	Economic Development Coordinator	Exempt	\$ 57,991 \$ 60,311	\$ 69,017	19%	\$ 80,042 \$ 83,244	Current 4%
13.5	Senior Accountant	Exempt	\$ 57,991 \$ 57,991	\$ 69,017	19%	\$ 80,042 \$ 84,044	Current 5%
10.5	General Maintenance Utilities		\$ 51,256 \$ 52,281	\$ 61,001	19%	\$ 70,745 \$ 72,160	Current 2%
10.5	General Maintenance Open Space		\$ 51,256 \$ 52,281	\$ 61,001	19%	\$ 70,745 \$ 72,160	Current 2%
10.0	General Maintenance Streets/Parks		\$ 50,006 \$ 52,281	\$ 59,513	19%	\$ 69,020 \$ 72,160	Current 5%
10.0	Automotive Servicer		\$ 52,500 \$ 54,600	\$ 62,485	19%	\$ 72,470 \$ 75,369	Current 4%
8.0	Administrative Assistant II		\$ 47,570 \$ 48,997	\$ 56,613	19%	\$ 65,655 \$ 67,625	Current 3%
8.0	Community Service Officer		\$ 45,303	\$ 53,916	19%	\$ 62,529	Current No Change
7.5	Administrative Assistant I		\$ 44,198 \$ 45,524	\$ 52,601	19%	\$ 61,003 \$ 62,833	Current 3%
7.5	Management Analyst	Exempt	\$ 44,198 \$ 50,828	\$ 52,601	19%	\$ 61,003 \$ 70,153	Current 15%
7.0	Clerk/Receptionist		\$ 43,120	\$ 51,318	19%	\$ 59,516	Current No Change
7.0	Records Clerk		\$ 43,120	\$ 51,318	19%	\$ 59,516	Current No Change

REQUEST FOR BOARD ACTION
November 24, 2014 Committee of the Whole Meeting

Subject: Consideration, Discussion and Approval of Rejection of Bid from Trees "R" Us, Inc., Wauconda, Illinois and Award of Contract to Davey Tree Expert Company, Kent, Ohio for Contractual Dead, Emergency and Hazardous Tree Removal for Fiscal Year 2015 (Village of Lincolnshire)

Action Requested: Rejection of Low Bid and Acceptance of Second Bid

Originated By: D. Scott Pippen, Operations Superintendent

Referred To: Village Board

Summary / Background:

On November 6, 2014, Staff solicited bids for a professional service contract for the Dead, Hazardous and Emergency Tree Removal in 2015. Eight contractors were sent the bid document, and two bids were received. The low bid received was from Trees "R" Us of Wauconda Illinois.

Typically, staff recommends the contract be awarded to the low bidder, and the Village Board approves the contract with the lowest bid price during the coming year's budget discussions. In this instance Staff is unable to recommend the Tree "R" Us, and recommends the Village Board to reject the low bidder, and award the contract to the next responsible bidder; Davey Tree of Kent, Ohio.

In 2011, Trees "R" Us was the contractor for the Dead Emergency and Hazardous Tree Removal for the Village. During the heavy storm events in 2011, even though the Village Contract required contractor minimum response time, Trees "R" Us did not respond when needed, and in fact, explained they would get to the Village's tree removal needs when they had time. As a result of this response, Staff obtained additional tree services to assist the Village with emergency removals. These additional companies were equally as busy at that time; however, they worked to get to the Village emergencies as soon as possible. These supplementary firms reached all of the emergency areas in all but one or two instances before Trees "R" Us.

Staff has concerns regarding the performance of tree removal work by Trees "R" Us. Past issues with Trees "R" Us include careless regard for Village and private property; damage to park landscaping, pathways and resident property; dropping large trees across Village streets resulting in impassable roadways without notification; and confrontational behavior with Village Staff when held accountable for these service concerns.

As a result of the recent bid results, Staff contacted the Trees "R" Us references which consisted of generally mixed reviews. The overall consensus of the listed references was that they chose to accept the contractor's price in lieu of high quality work. However, each reference spoke of instances involving damage to property including breaking of concrete sidewalk squares; damage to a private property including fences and newly seal-coated driveway; and

leaving logs in resident's yards for extended periods. Two references also said that they were non-responsive when called in to respond to specific incidents. A Better Business Bureau (BBB) check of Trees "R" Us found them to have a D rating on a scale of A to F, primarily due to the number of complaints filed with the BBB over the past year.

The second bidder, Davey Tree Expert Company of Kent, Ohio (local office Park City, Illinois), has been the Village's primary contractor for this service the past three years. They have a record of outstanding performance during a challenging time when the Village has faced significant tree loss due to the Emerald Ash Borer. During this contract term, Davey removed hundreds of trees without incident. They have been very responsive to both the Village's and resident's needs.

Budget Impact:

Village Staff recommended \$100,000.00 be included in the operating budget for 2015 for this service. Davey's bid contains no increase for 2015, and a 3% increase in 2016 and 2017. Staff is confident that all of the required work can be completed at Davey's price point.

Recommendation:

Because of the unfavorable and challenging experience back in 2011, Staff recommends rejection of the lowest bidder, Trees "R" Us of Wauconda, Illinois, for the contract for Dead, Emergency and Hazardous Tree Removal. Staff recommends the Village Board accept the bid from Davey Tree Experts of Kent Ohio based on their performance and no increase in their price for 2015 from the previous contract.

Reports and Documents Attached:

- Copy of November 13th, 2014 bid results

Meeting History	
Committee of the Whole Meeting	November 24, 2014
Regular Village Board Meeting	December 8, 2014

Bid Tabulation
 Dead, Hazardous and Emergency Tree Removal Services
 Bid Opening November 13, 2014

	Trees "R" Us of Wauconda, Illinois			Davey Tree Expert Co of Kent, Ohio		
Year One - 2015						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$6.30	\$5.25	\$3.15	\$30.00	\$5.00	\$8.00
6.1" to 12" dbh	\$7.60	\$6.30	\$4.20	\$40.00	\$5.00	\$8.00
12.1" to 24" dbh	\$16.80	\$8.40	\$4.20	\$50.00	\$5.00	\$8.00
24.1" to 36" dbh	\$24.15	\$10.50	\$4.20	\$60.00	\$5.00	\$8.00
36.1" +	\$26.25	\$10.50	\$4.20	\$60.00	\$5.00	\$8.00
Year Two - 2016						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$6.43	\$5.36	\$3.21	\$31.00	\$5.15	\$8.25
6.1" to 12" dbh	\$7.77	\$6.43	\$4.28	\$41.25	\$5.15	\$8.25
12.1" to 24" dbh	\$17.14	\$8.57	\$4.28	\$51.50	\$5.15	\$8.25
24.1" to 36" dbh	\$24.63	\$10.71	\$4.28	\$62.00	\$5.15	\$8.25
36.1" +	\$26.77	\$10.71	\$4.28	\$62.00	\$5.15	\$8.25
Year Three - 2017						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$6.55	\$5.46	\$3.28	\$32.00	\$5.30	\$8.50
6.1" to 12" dbh	\$7.93	\$6.55	\$4.37	\$42.50	\$5.30	\$8.50
12.1" to 24" dbh	\$17.48	\$8.74	\$4.37	\$53.00	\$5.30	\$8.50
24.1" to 36" dbh	\$25.12	\$10.92	\$4.37	\$64.00	\$5.30	\$8.50
36.1" +	\$27.30	\$10.92	\$4.37	\$64.00	\$5.30	\$8.50
ADD ALTERNATE UNIT PRICING						
Year One - 2015						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$12.60	\$10.50	\$6.30			
6.1" to 12" dbh	\$15.23	\$12.60	\$8.40		NO BID	
12.1" to 24" dbh	\$33.60	\$16.80	\$8.40			
24.1" to 36" dbh	\$48.30	\$21.00	\$8.40			
36.1" +	\$52.50	\$21.00	\$8.40			
Year Two - 2016						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$13.23	\$11.03	\$6.62			
6.1" to 12" dbh	\$16.00	\$13.23	\$8.82		NO BID	
12.1" to 24" dbh	\$35.28	\$17.64	\$8.82			
24.1" to 36" dbh	\$50.72	\$22.05	\$8.82			
36.1" +	\$55.13	\$22.05	\$8.82			
Year Three - 2017						
Size Class	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore	Unit Cost-Remove	Unit Cost-Stump	Unit Cost-Restore
0" to 6" dbh	\$14.55	\$12.13	\$7.28			
6.1" to 12" dbh	\$17.80	\$14.55	\$9.70		NO BID	
12.1" to 24" dbh	\$38.80	\$19.40	\$9.70			
24.1" to 36" dbh	\$55.79	\$24.25	\$9.70			
36.1" +	\$60.64	\$24.25	\$9.70			

REQUEST FOR BOARD ACTION
November 24, 2014 Committee of the Whole Meeting

Subject: Consideration, Discussion and Approval of a Professional Service Agreement with Twin Oaks Landscaping, Oswego, Illinois for Contractual Parks Mowing for Fiscal Year 2015 (Village of Lincolnshire)

Action Requested: Consideration, Discussion and Placement on the December 8, 2014 Consent Agenda for Approval

Originated By: Bradford H. Woodbury, Public Works Director

Referred To: Village Board

Summary / Background:

Historically, the Public Works Department has performed the majority of the maintenance of the community's nine parks with other Village staff. This has led to high level of maintenance provided at a significant cost to the Village. In recent years, Staff has been made aware of some shortfalls in maintaining appearance of Village parks and open space due to current staffing levels not meeting maintenance demands. Areas where staff has received concerns regarding maintenance include the care of North Park as a whole and general upkeep of the various nature preserves in the Village. Staff identified a possible solution that may assist with meeting the challenge of improving maintenance of the Village's public ways is to seek contractual mowing assistance for all parks except North Park. Contracting the parks and right of way mowing adjacent to the parks would free up approximately 1,300 staff-hours for use in higher level maintenance activities in the parks, right-of-ways, and for all other Public Works operations.

Budget Impact:

Currently, the Village spends approximately \$56,000.00 annually on in-house landscape maintenance throughout the Village. These approximate costs include employee salaries at \$50,000.00, equipment depreciation at \$3,000.00, fuel at \$1,000.00, and maintenance and repair time and parts for the equipment at \$2,000.00.

The bid received from Twin Oaks Landscaping of Oswego, IL was for a total bid of \$21,448.00 for a 28 week growing season. Green Acres Landscaping Inc. of Ingleside provided a base bid of \$39,200.00 for a 28 week season. Even when factoring in the cost of staff oversight of this contract, both bids is significantly less than what the Village currently spends to provide this service.

If parks mowing were to be contracted out, it would eliminate the need to continue to replace mowers and other landscape equipment leading to a savings of approximately \$56,000.00 over the next 10 years; based upon the 10-Year Capital Plan. The only mowers that would need replacement and maintenance would be the North Park equipment. Staff would advocate keeping the mowing in-house at North Park to avoid bringing in weeds,

diseases, and insects from mowers used at other facilities onto the Village's premier athletic fields.

Staff sought competitive bids for parks mowing and maintenance and received 2 bids. Bids were sent out to Greenhaven Landscaping, Fisher Burton Company, Green Acres Landscaping, Landscape Concepts Inc., Chalet Landscaping, Acres Group and James Martin and Associates.

Staff also investigated the opportunity to partner through the Municipal Partnering Consortium and discovered there is currently not a joint bid for landscaping services at this time. Additionally, Staff reached out to Bannockburn to see if there was a possible partnering opportunity. Bannockburn currently does not bid out their landscape maintenance contract. They do have a contract with Guy Scopelliti Landscaping Inc. for \$24,840 per year for 30 weeks of weekly maintenance which is comparable to the \$21,448 for 28 weeks that our low bidder Twin Oaks Landscaping has proposed.

Service Delivery Impact:

In order to maintain the high level of service our Village residents expect, Village Staff wanted assurance that the contractors bidding on this contract were qualified in that they possessed the proper equipment and personnel necessary to fulfill the terms of the contract. Therefore, Staff checked the references of Twin Oaks Landscaping, Inc. and received extremely positive input from the Municipalities they had listed in their proposed bid.

Staff believes contracting parks mowing and maintenance will free up staff to perform more high level maintenance activities. These activities include providing support at North Park for athletic field maintenance to assist with mowing, field set-up, field painting, building maintenance and other tasks. Additional Staff would also be freed up to assist with infrastructure maintenance as well as natural area and open space maintenance including brush mowing, invasive weed removal, buckthorn removal, prescribed burning, path restoration and in-house hazardous tree removals.

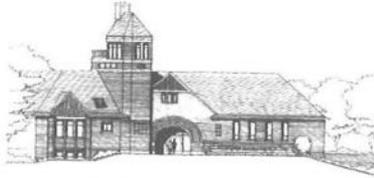
Recommendation:

Staff recommends the Village enter into a Professional Service Agreement with Twin Oaks Landscaping, Inc. for 2015 for contractual mowing services in the amount of \$766.00 per week.

Reports and Documents Attached:

- Bid Report
- Contractual Parks Mowing Bid Document

Meeting History	
Committee of the Whole Meeting	November 24, 2014
Regular Village Board Meeting	December 8, 2014



One Olde Half Day Road
 Lincolnshire, IL 60069-3035
 847•883•8600
 847•883•8608 (FAX)



**Village of Lincolnshire
 Bid Report**

Project: Contractual Mowing Services

Bid Opening Date: October 16, 2014

Time: 10:00am

Place: Lincolnshire Village Hall

Two sealed bid proposals were received for this project.

Site:	Twin Oaks Landscaping Oswego, IL			Green Acres Landscaping Ingleside, IL		
	2015 Unit price	2016 Unit price	2017 Unit price	2015 Unit price	2016 Unit price	2017 Unit price
Public Works Facility	\$ 63.00	\$ 63.00	\$ 63.00	\$ 140.00	\$ 140.00	\$ 145.00
Spring Lake Park	\$ 136.00	\$ 136.00	\$ 136.00	\$ 140.00	\$ 140.00	\$ 145.00
Linc Dr Outlot	\$ 30.00	\$ 30.00	\$ 30.00	\$ 84.00	\$ 84.00	\$ 89.00
Bicentennial Pk	\$ 98.00	\$ 98.00	\$ 98.00	\$ 168.00	\$ 168.00	\$ 173.00
Buckingham median	\$ 30.00	\$ 30.00	\$ 30.00	\$ 56.00	\$ 56.00	\$ 56.00
Balzer Pk	\$ 60.00	\$ 60.00	\$ 60.00	\$ 84.00	\$ 84.00	\$ 84.00
Memorial Pk	\$ 30.00	\$ 30.00	\$ 30.00	\$ 168.00	\$ 168.00	\$ 175.00
Old Mill Pk	\$ 84.00	\$ 84.00	\$ 84.00	\$ 140.00	\$ 140.00	\$ 145.00
Whytegate Park	\$ 78.00	\$ 78.00	\$ 78.00	\$ 140.00	\$ 140.00	\$ 145.00
Whytegate historical site	\$ 30.00	\$ 30.00	\$ 30.00	\$ 112.00	\$ 112.00	\$ 113.00
Farrington ROW	\$ 30.00	\$ 30.00	\$ 30.00	\$ 56.00	\$ 56.00	\$ 60.00
Whitmore/Brampton bems	\$ 67.00	\$ 67.00	\$ 67.00	\$ 56.00	\$ 56.00	\$ 60.00
Surrey Berm	\$ 30.00	\$ 30.00	\$ 30.00	\$ 56.00	\$ 56.00	\$ 60.00
TOTAL	\$ 766.00	\$ 766.00	\$ 766.00	\$1,400.00	\$ 1,400.00	\$ 1,450.00
Extra service hourly rate	\$ 42.00	\$ 42.00	\$ 42.00	\$ 28.00	\$ 28.00	\$ 29.00

VILLAGE OF LINCOLNSHIRE

NOTICE TO BIDDERS

CONTRACTUAL MOWING SERVICES

The Village of Lincolnshire will receive sealed proposals until 10:00 a.m. local time on October 16, 2014, at the Lincolnshire Village Hall, located at One Olde Half Day Road, Lincolnshire, Illinois 60069-3035, at which time and place the bids will be publicly opened.

The proposed project consists of weekly mowing of the Village's Parks

Proposal specifications will be made available free of charge at the Village Hall of the Village of Lincolnshire, Lake County, One Olde Half Day Road, Lincolnshire, Illinois beginning October 2, 2014.

All Contracts for the Construction of Public Works are subject to the Illinois Prevailing Wage Act (820 ILCS 130/1-12) and the Employment of Illinois Workers on Public Works Act (30 ILCS 570).

The Village of Lincolnshire reserves the right to defer the acceptance of a proposal for a period not to exceed 45 calendar days after the date proposals are to be received and to accept or reject any and all proposals and to waive technicalities and to accept the proposal which best meets the needs and requirements of the Village.

Village of Lincolnshire

Scott Pippen
Superintendent of Administration, Fleet Services, and Facilities

Village of Lincolnshire

**Proposal for
Mowing of Village Parks and Open Spaces**

TO: Mayor and Board of Trustees
Village of Lincolnshire
One Olde Half Day Road
Lincolnshire, Illinois 60069

FROM: _____
Company

Address

City State Zip

(_____) _____
Telephone

Dear Mayor and Trustees:

We, the undersigned, hereby propose to furnish all labor, materials, tools and services required for the Mowing of Village Parks and Open Spaces for the Village of Lincolnshire, Illinois, in accordance with the Plans and Specifications, Notice to Bidders, Instructions to Bidders, and forms of Contract and bid bond.

The undersigned declares that we have examined said Plans and Specifications and acknowledges that the same are accurate and complete and are approved by the undersigned.

The undersigned agrees that the contract shall be for a one year period, but shall provide that it can be extended, on an annual basis, at the option of the Village of Lincolnshire in its sole and absolute discretion, for up to two additional years, on the terms in the bid document submitted in response to the request for proposal.

The undersigned agrees to commence work not later than 10 calendar days of the notice to proceed from the Village, and to complete the project within the time frame specified in the Terms and Conditions.

The undersigned understands that a contract to purchase the product and/or work shall be formed based upon the terms of the RFP upon acceptance of Contractor's proposal

by the Village and that the Village will not execute any form of contract submitted by the Contractor. No substitutes will be permitted unless specified by the Contractor in the proposal and approved by the Village.

The undersigned submits the following Schedule of Unit Prices for the work to be performed as shown on the Plans and Specifications, and agrees that the items of work not specifically mentioned in the Schedule which are necessary and required to complete the work intended shall be done incidental to and as part of the items of work for which a unit price is given, and understands that no additional payment will be made for such incidental work. The Contractor shall be responsible for identifying any and all costs to complete the project on time and in order to create a functional and operational system in accordance with the Plans and Specifications.

Each pay item should have a unit price and a total price. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.

Any errors or omissions in mathematics shall inure to the benefit of the Village of Lincolnshire.

A bid may be declared unacceptable if neither a unit price nor a total price is shown.

The undersigned has received and considered in this proposal the following:

Addendum # _____
Addendum # _____
Addendum # _____

If no addenda were received, mark not applicable.

The prices stated in this proposal are guaranteed for 45 days from the date hereof, and if awarded the work within that period, we agree to complete the work covered by this Proposal at said prices.

Dated this _____ day of _____ 20_____.

Respectfully submitted,

Company (Typed)

By _____
Name (Signature)

Name (Typed)

Title (Typed)

PREVAILING WAGE ACT NOTIFICATION TO CONTRACTORS

Pursuant to P.A. 96-0437, effective January 1, 2010, a public body that fails to provide written notice to its public works contractors that a project is subject to Illinois prevailing wage requirements is, itself, liable for interest, penalties and fines as stated under Section 4(a-3) of the Act. Failure by the public body to provide written notice does not relieve the contractor of the duty to comply with the prevailing wage rate, nor of the obligation to pay any back wages, to the extent applicable under the Act. This notice is being provided for the mutual benefit of you and the Village.

This contract may call for the performance or delivery of a “public work,” within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. (“the Act”). The Act requires contractors and subcontractors, to the extent that the Act applies, to pay laborers, workers and mechanics performing services on public works projects no less than the “prevailing rate of wages” (hourly cash wages plus fringe benefits) in the county where the work is performed. Related to the Act, the Substance Abuse Prevention on Public Works Projects Act, 820 ILCS 265/1, et seq., requires contractors and subcontractors performing services on public works to have in place a written substance abuse program, which meets or exceeds the program requirements in this Act, on file with the Village.

As the prevailing rate of wages are revised by the Department of Labor and are available on the Department’s official website, the revised prevailing rate of wages shall apply to this contract and the cost therefore shall be borne solely by the contractor.

To the extent that the Act applies, all contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage, notice and record keeping and submittal duties, including the Substance Abuse Prevention on Public Works Act. If the contractor determines that the Act does not apply to it, contractor shall—in lieu of certified payrolls—submit a letter stating that the Act does not apply to it and setting forth the reasons therefor.

**Schedule of Unit Prices
2015-2017**

SITE	LOCATION	APPROXIMATE ACREAGE	2015 UNIT PRICE*	2016 UNIT PRICE*	2017 UNIT PRICE*
Public Works Facility	205 Schelter Road	1.80	\$	\$	\$
Spring Lake Park	49 Oxford Drive	3.91	\$	\$	\$
Lincolnshire Drive Outlot	East of 53 Lincolnshire Drive	0.14	\$	\$	\$
Bicentennial Park	37 Fox Trail	2.80	\$	\$	\$
Buckingham Median	Buckingham Place at Riverwoods Road	0.57	\$	\$	\$
Balzer Park	30 Windsor Drive	1.70	\$	\$	\$
Memorial Park	47 Half Day Road	0.48	\$	\$	\$
Old Mill Park	100 Fallstone Drive	2.40	\$	\$	\$
Whytegate Park	299 Whytegate Circle	2.60	\$	\$	\$
Whytegate Historical Site	280 Riverwoods Road	0.28	\$	\$	\$
Farrington Right of Way	East of 434 Farrington Drive	0.24	\$	\$	\$
Whitmore/Brampton Berms	Whitmore/Brampton Lanes at Riverwoods Road	1.90	\$	\$	\$
Surrey Berm	1 Pembroke-106 Surrey along Riverwoods Road	0.29	\$	\$	\$
TOTAL		19.11	\$	\$	\$

*Price per cut (occurrence)

	2015	2016	2017
Extra Service Hourly Rate	\$	\$	\$

CONTRACTOR'S CERTIFICATION

_____, of _____,
Illinois, as part of its bid on a contract for _____
_____ for the Village of Lincolnshire,
hereby certifies that said contractor is not barred from bidding on the aforementioned
contract as a result of a violation of either Section 5/33E-3 or 5/33E-4 of Article 33E of
Chapter 720 of the Illinois Compiled Statutes, 1994.

_____, having submitted a bid/proposal for
_____ to the Village of Lincolnshire, hereby certifies that
said contractor has a written sexual harassment policy in place in full compliance with
Chapter 775 ILCS 5/2-105(A), 1994.

I, _____ duly authorized agent for _____,
having been first duly sworn depose and state as follows:

1. The above-named company is not delinquent in payment of any tax administered by the Illinois Department of Revenue or if it is:
2.
 - a. It has previously filed the appropriate document contesting its liability for the tax or the amount of tax in accordance with procedures established by the appropriate revenue Act; or
 - b. It has entered into an agreement with the Department of Revenue for payment of all its taxes due and is in compliance with that agreement.

By: _____
Signature

Name, printed
Authorized Agent of Contractor

Subscribed and sworn to
before me this ____ day
of _____, 20__.

Notary Public
SEAL

INSTRUCTIONS TO BIDDERS

GENERAL CONDITIONS

1. Examination of Plans, Specifications and Site of Work: The bidder shall carefully examine the site of the proposed work and the plans, specifications, and forms of proposal, and contract before submitting his bid for the work contemplated. The submission of a proposal shall be considered conclusive evidence that the bidder has investigated and is satisfied as to all conditions to be encountered in performing the work, and is fully informed as to the character, quality, quantities and costs of work to be performed and materials to be furnished, and to the requirements of the Plans, Specifications, Notice to Contractors, Instructions to Bidders, Proposal, and Contract. If his bid is accepted, the bidder will be responsible for all errors in his proposal resulting from his failure or neglect to comply with these instructions, and for any anticipated profits resulting from such failure or neglect.

2. Preparation of Proposal: The bidder shall submit his proposal on forms furnished by the Village. All writing shall be in ink or typewriter, except the signature of the bidder shall be written with ink. A proposal made by an individual shall be signed by the bidder or his duly authorized agent. A proposal made by a partnership shall be signed by one partner or by a duly authorized agent thereof. A proposal made by a corporation shall be signed by an authorized officer or duly authorized agent of such corporation.

3. Bidder's Statement of Competency: The bidder shall submit with his proposal a satisfactory statement of his competency to perform the work contemplated in the form of a signed letter addressed to the Village. The bidder's statement of competency shall consist of a complete report of his equipment, prior experience including the project names, locations, dates of completion and contact name with telephone number of at least (3) similar projects completed within the last 18 months, and any other pertinent or material facts.

4. Delivery of Proposal: The proposal shall be placed in a sealed envelope plainly marked to indicate its contents and the bidder's name and address. Proposals shall be delivered prior to the time and at the place designated in the Notice to Contractors. When delivered by mail, the sealed proposal marked as specified above shall be enclosed in an additional envelope addressed to the Village and preferably sent by registered or certified mail. If the proposal is received after the opening of bids, it will be returned to the bidder unopened. Proposals may not be submitted by email or facsimile.

5. Opening of Proposals: Proposals will be opened and read publicly at the time and place designated in the Notice to Contractors. Bidders, their authorized agents, and other interested parties are invited to be present.

6. Rejection of Proposals: The Village reserves the right to reject a bidder's proposal

for any of the following causes:

6.1 Developments subsequent to the bid opening which in the Owner's opinion would reasonably be construed as affecting the competency or responsibility of the bidder.

6.2 Conviction of a violation of State or Federal law, or rule or regulation of a State or Federal agency, relating to or reflecting on the competency of the bidder for performing the work contemplated.

6.3 More than one proposal for the same work from an individual, partnership, or corporation under the same or different names, or evidence of collusion among bidders.

6.4 Proposal contains omissions, erasures, alterations, unauthorized additions, conditional or alternate bids, or irregularities of any kind which tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.

6.5 Proposal form is other than furnished by the Village.

6.6 Proposal is not accompanied by a proper bidder's statement of competency.

6.7 Lack of qualifications as revealed by the bidder's statement of competency.

6.8 Uncompleted work which in the judgment of the Village might hinder or prevent the prompt completion of additional work if awarded.

7. Award of Contract:

7.1 Unless all proposals are rejected for good cause, award of contract will be made to the lowest responsive, responsible bidder whose proposal complies with all specified requirements stated herein. The successful bidder will be notified by letter that his bid has been accepted and he has been awarded the contract by the Village.

7.2 Upon awarding of this contract the successful bidder shall provide to the Village a performance bond equal to 110% of the contract amount. The performance bond shall be valid for not less than three years from the date of awarding of this contract.

8. Insurance Requirements: The contractor shall secure and maintain such insurance from an insurance company authorized to write casualty insurance in the State of Illinois to protect against claims for bodily injury, death or property damage which may arise from the project. The contractor shall pay the premiums for such insurance in such amount and with such provisions as will protect the Village from contingent liability and a copy of such insurance policy or policies shall be delivered to the Village. The insurance policy shall name the Village as an additional insured, and shall submit a certificate of insurance or certified copy of the insurance policy with the Village.

The insurance shall cover:

- 8.1 General liability Insurance including general aggregate coverage, products aggregate coverage, personal and advertising injury, and each occurrence; a minimum limit two million dollars (\$2,000,000.00) for each item.
- 8.2 Automobile and truck public liability including bodily injury (per person), bodily injury (per accident) and property damage; a minimum combined single limit of two million dollars (\$2,000,000.00).
- 8.3 Excess liability umbrella coverage of two million dollars (\$2,000,000.00) for each occurrence and two million dollars (\$2,000,000.00) in aggregate.
- 8.4 Workmen's Compensation and Employer's Liability Insurance shall be secured and maintained as required by the State.

9. Failure to Execute Contract: Failure on the part of the successful bidder to execute a contract within fifteen (15) days after the date the contract was mailed or otherwise delivered to him, will be just cause for the annulment of the award. If the Village fails to execute the contract agreement within a reasonable time, not to exceed ninety (90) days after receiving the executed contract agreement from the successful bidder, the Contractor shall have the right to withdraw his proposal.

10. Indemnification

10.1 To the fullest extent permitted by law, the Contractor shall indemnify and hold harmless the Village and its officers, and agents and employees from and against claims, damages, losses, and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of the work, provided that such claim, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent acts or omissions of the Contractor, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to party or person described in this paragraph 10.

10.2 In claims against any person or entity indemnified under this paragraph by an employee of the Contractor, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, the indemnification obligation under this paragraph shall not be limited by a limitation or amount or type of damages, compensation or benefits payable by or for the Contractor or a Subcontractor under

worker's or workman's compensation acts, disability benefit acts or other employee benefit acts.

11. Tax Exempt The Village of Lincolnshire is a tax exempt body. All purchases of materials subject to a sales or use tax shall be coordinated with the Village of Lincolnshire in order to claim this tax exempt status.

12. Delays and Extensions of Time: If the Contractor is delayed at any time in progress of the work by an act or neglect of the Village, or of an employee of either, or of a separate contractor employed by the Village, or by changes ordered in the work, or by labor disputes, fire, unusual delay in deliveries, unavoidable casualties or other causes beyond the Contractor's control, or by delay authorized by the Village, at its sole discretion, pending arbitration, or by other causes which the Village, at its sole discretion, determines may justify delay, then the contract time shall be extended by change order for such reasonable time as the Village may determine at its sole discretion.

13. Payment and Holdback

13.1 Payment of invoices submitted before the 15 of the month will be submitted for Board approval and payment will be made by the 15th of the following month.

14. Substitutions: Any component may be substituted in accordance with the following conditions:

14.1 The column marked substitution shall be marked with an appropriate reference indicating a substitution. No substitutions shall be allowed unless the substitution column is marked on the proposal in accordance with this section.

14.2 All substitutions must be accompanied by catalog cuts and a text narrative clearly and explicitly detailing how and why the proposed substitution meets or exceeds the specified item.

14.3 Plans and drawings, as applicable, showing the connections and interrelationships to the system must accompany the proposal.

14.4 Any additional wiring, cabling and interconnection changes related to the substitution shall be considered incidental to and included in the price of the proposed substitution.

14.5 The Village, at its sole discretion, shall either accept or reject any item marked as a substitution prior to contract approval.

14.6 If the Village rejects an item marked as a substitution, an appropriate amount, based upon a pro-rated proportion of the total of item # N/A of Section N/A.

15. Subcontractor

If Contractor proposes to perform contract with Sub-contractor(s), then all qualifications, insurance requirements, and other applicable terms and conditions shall apply to each and every Sub-contractor. The proposal shall include such documentation for each Sub-contractor. Prior to any work being performed by the Sub-Contractor, the Contractor shall submit all the necessary information to the Village regarding Sub-contractor including company name, company address, certificate of insurance, licenses, years in business, bid certification, name of project contact person; and the Village, at its sole discretion, may require additional insurance, bonds, or deposits to assure faithful performance.

16. Discrepancies

16.1 Prior to the opening of bids, requests for clarification of the plans, specifications, or contract documents shall be submitted in writing to the Village. Clarifications will be issued at the discretion of the bidder. Only clarifications provided in writing shall be relied upon when preparing bids.

16.2 Upon execution of the Contract, any discrepancies between drawings and the plans and specifications shall be subject to interpretation by the Village of Lincolnshire as Owner, in its sole discretion. The Contractor shall immediately, upon finding any discrepancy, request an interpretation from the Village. The Village shall provide a written clarification within 5 working days or the Contractor shall use best judgment.

17. Drug-free Workplace Employees are required to be drug and alcohol free at all times that they are in the workplace. This means that no measurable amount of abuse drug or alcoholic beverage shall be present in the employee's system while on the job, either during the regularly scheduled workday or any overtime or emergency response. Employees must realize that many legal and illegal drugs used for recreational purposes may remain in the system for several days, and that residual amounts of legal and illegal drugs discovered in the system are included in this policy.

18. Smoke-free Workplace No smoking is allowed on the premises of any buildings in the Village of Lincolnshire.

**Mowing of Parks and Open Spaces
CONTRACT**

THIS AGREEMENT made this _____ day of _____, 20____, by and between the Village of Lincolnshire, County of Lake, State of Illinois, hereinafter called the "Village", and, _____, of _____ (address) hereinafter called "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The Contractor will furnish all materials, supplies, tools, equipment, labor and other services necessary to commence and complete the _____ PROJECT, in accordance with the conditions and prices stated in the Proposal, Notice to Contractors, Instructions to Bidders, Plans and Specifications, and Schedule of Unit Prices all of which are made a part hereof and herein called "Contract Documents."
2. All terms, conditions, representations, specifications, promises, and undertakings contained in the Bidders Proposal, the Instructions to Bidders, Specifications for _____, and Supplemental Special Provisions of this contract, form part and partial this contract as if they were fully set forth herein.
3. The owner will pay the Contractor in the amounts, manner and at times as set forth in the Contract Documents.
4. This agreement is binding upon the parties hereto and their respective heirs, executors, administrators, successors or assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement as of the day and year first above written.

Attest:

By _____
Signature
Barbara Mastandrea, Village Clerk

Village of Lincolnshire:

By _____
Signature
Brett Blomberg, Mayor

Attest:

Signature

Printed Name and Title

(Contractor)

Signature

Printed Name and Title

19. Mowing Maintenance Specifications

19.1 The Village of Lincolnshire, Illinois, desires to contract for professional mowing services of the parks and open spaces listed in the Schedule of Unit Prices. Initial term of the contract shall be for a one-year period, 2015. Years two and three are option years. The contract may be extended under the same terms and conditions as the base contract for each of these upon joint agreement between the Village of Lincolnshire and the contractor. If either party to the contract elects to not renew the contract for year two and/or year three, a written notice to that effect shall be mailed to the other party no less than one hundred twenty (120) days prior to December 31 of the year prior to cancellation.

19.2 The mowing season will be approximately between April 15 and October 31. Work under this contract shall include the furnishing of all labor, material, equipment, supervision, transportation and other services necessary to do the mowing maintenance at the designated areas as specified herein including but not limited to: mowing, edging, and trimming of lawns; removing trash, clippings and debris from the lawn areas and, the cleaning of hard surfaces at designated areas in the Village of Lincolnshire. The Contractor is to work with the Public Works Department in coordinating maintenance activities and reporting irregularities in the work areas.

19.3 The Contractor shall accomplish all lawn maintenance required under the contract during the hours allowed by the Village code which are 7:00 A.M. to 7:00 P.M. Monday through Friday and 8:00 A.M. to 6:00 P.M. on Saturday excluding observed holidays. Holidays shall be the legal holidays of New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and the day after Thanksgiving Day, Christmas Eve and Christmas Day. The Public Works Department may grant, on an individual basis, permission to perform contract maintenance at other hours. All work shall be completed in a continuous manner, whereby the mowing, edging, trimming, etc., be completed before leaving the job site.

19.4 The Contractor will adhere to a work schedule as directed by the Village. An authorized representative of the other party must approve any variations to that schedule, requested by either party, either verbally or in writing.

19.5 Litter Removal: At each visit to each site, remove trash and debris from the site area to be maintained. Proper disposal of collected trash and debris is a requirement of the Contractor. During each scheduled maintenance visit, cleaning of the entire grounds shall be performed as part of regular maintenance, including all of the following items: All paper, trash, leaves, twigs, branches, dead plants, trimmings, pruning and other objectionable materials shall be picked up and removed from all areas as well as adjacent playgrounds and sidewalks within the site limits. Remove all debris that is present on walkways, curbs, or other adjacent hard surfaces. All sand, gravel, and soils shall be thoroughly cleaned, swept or blown off of all pavements adjacent to maintenance areas and disposed of properly off site. Cigarette butts, loose paper and

other bits of small debris will be picked up after sweeping areas and disposed of properly. All litter and debris must be removed from lawn areas prior to mowing.

19.6 Extraordinary amounts of debris caused by severe storms, tornadoes, vandalism, special events or roadside dumping will not be the responsibility of the Contractor and may be requested by the Village as additional services. The Contractor should report such accumulations of debris, when encountered. Quotations for the extraordinary cleanup from the Contractor will be considered.

19.7 Turf Maintenance: All lawn areas shall be mown every week throughout the growing season, unless otherwise directed by the Village. Estimated number of occurrences per year is 28. Grass must be maintained at a height of three inches (3") with higher cutting heights to be used during dry conditions. At no time shall mowing remove more than 1/3 of the total leaf blade.

19.8 Lawn mower blades shall be clean and kept sharp and well-adjusted to provide a clean cut. Cutting grass too closely (scalping) shall be avoided. Mowing patterns shall be changed regularly to avoid rutting. Use small mowers for difficult or tight areas where larger commercial mowing units cannot maneuver. Mowing shall be done optimally when the grass is dry, however, mowing wet turf is acceptable. Bagging is not required, and grass clippings can be left on the grass providing no readily visible clumps remain on the grass surface after mowing. If clippings are excessive or diseased, they shall be removed after mowing to enhance overall turf appearance and to prevent matting, clumping and thatch buildup. In the case of fungal disease outbreaks, clippings will be collected and disposed off-site until the disease is controlled.

19.9 After each mowing, all sidewalks, paths, drives and roads shall be cleaned of all clippings. The Contractor will clean all clippings, dirt and debris from sidewalks, curbs, and roadways after mowing and/or edging. Mowers should not direct discharge into the street or landscape beds, unless unavoidable. Approved deflector chutes must be attached on the discharge points of the mower. Clippings, dirt, and debris will not be swept, blown or otherwise disposed of in any landscaped bed areas, roadways, sewer drains, catch basins, drain pipes, storm drains or open culverts of storm sewers.

19.10 The final appearance after mowing shall present a neat appearance. Care shall be taken with mowing equipment to avoid obstructions such as trees, shrubs, utility boxes, signage, buildings, etc., and the Contractor shall be responsible for damage caused by its operations.

19.11 Turf edging shall be performed with a blade at the same frequency as mowing and shall include walks, drives, curbs, planting bed perimeters and tree rings. String trimming is not to be performed against the base of any tree or shrub to avoid bark injury. Grass adjacent to structures, poles, etc. that cannot be serviced by standard mowing procedures, shall be regularly trimmed using a line trimmer to eliminate uneven edges.

19.12 Herbicides shall not be used as an "edger" adjacent to walks and curbs, but may be used around shrubs and trees by an Illinois Department of Agriculture certified applicator in accordance with the Illinois Pesticide Act with the written approval of the Village of Lincolnshire. If herbicide is used, the contractor must have the appropriate licenses on file with the Village.

20 Inspections

20.1 Each site should be checked for irregularities, such as irrigation leaks (if applicable), vehicle damage, dead turf or plant material, heavy insect infestations, vandalism, etc. that shall be reported to the Public Works Department within 24 hours after providing the service.

20.2 The Mowing Maintenance Contractor will assist the Village by reporting vandalism, graffiti, damage or need of repair/refurbishing of public and private property; for example, structures, site furnishings, monuments, fences, lighting, utilities and paving.

20.3 The Contractor will be responsive to special conditions or unexpected problems that may occur during the course of the maintenance agreement. The Village expects the full cooperation and prompt response by the Contractor.

20.4 The Contractor may be requested to provide additional services, for an additional cost to the Village of Lincolnshire. The Contractor will provide timely information, prices and delivery of these items.

21 Levels of Service

21.1 The specific level of service and scheduling will be coordinated between the Contractor and the Director of Public Works. Visits shall occur as designated by the Public Works Department. The Village reserves the right to increase or decrease the number of visits based on local conditions.

21.2 The Contractor shall notify the Director of Public Works either in person, phone or via email of site work completion. Upon receiving notification from the Contractor, the Village may inspect the serviced location by the end of the following business day. If, upon inspection, the work specified has not been completed, the Village shall contact the Contractor to indicate the necessary corrective measures. The Contractor will be given 48 hours from this notification to make appropriate corrections. If the work has been completed successfully then the Village will pay for services billed.

22 Special Conditions

22.1 Each location shall have been maintained in an equal manner prior to transferring maintenance responsibility to the Contractor. At the sole discretion of the Village, any location requiring immediate service to bring the landscape conditions to an acceptable

standard will be serviced by the Contractor at an additional charge to the Village per the hourly rate as provided by the contractor on the Schedule of Unit Prices .

22.2 All maintenance shall be performed in a good and workmanlike manner, consistent with trade practices and prevailing industry standards.

22.3 The Contractor shall be responsible for damage to any plant material or site feature caused by the Contractor or his/her employees. The Contractor shall be notified in writing of the specific nature of the damage and cost of repair. The Village shall, at its option, invoice the Contractor for the payment, or reduce payment by the amount of the repairs to the Contractor.

22.4 The Village reserves the right to delete a location from the Contract upon thirty days written notice. Payments for services by the vendor shall be adjusted accordingly based on the individual site costs submitted as a part of this agreement.

22.5 Occasionally circumstances (standing water, prolonged inclement weather, parked vehicles, etc.) may make all or portions of a location unserviceable during the regular schedule. The Contractor shall notify the Public Works Department of such occurrences, and shall schedule to perform the required maintenance to the locations as soon as the pertaining circumstances are relieved.

22.6 The Contractor or contractor's representative will meet with a representative of the Village at least once per month for a complete inspection of the maintained grounds.

22.7 The Village may request additional or fewer services based on the individual site costs submitted as a part of this agreement.

23 Qualifications of Contractors Bidding

23.1 Bidders shall certify to the Village that they possess all necessary equipment, facilities, personnel and work experience to fulfill the terms of the contract at the time of bid submission or that they will have the necessary equipment and personnel and be ready to proceed twenty-one days prior to the starting date for year one.

23.2 The Village attaches great importance to the ability of the Contractor to complete the work as specified. This concern is an acknowledgment of the Village's obligation to the residents of the Village. In order that this obligation be fulfilled, the Bidders must submit a completed CONTRACTOR'S INFORMATION REPORT. This report must demonstrate the following: Satisfactory evidence, as solely determined by the Village, that the Contractor will be able to operate a municipal mowing program of the types and to the extent as outlined in these specifications; Satisfactory evidence, as solely determined by the Village, that the Contractor owns or has made arrangements to acquire all necessary equipment before the start of work date as specified herein, with certification that such equipment is not obligated for other purposes within the scope of the Contractor's existing operations; Satisfactory evidence, as solely determined by the

Village, that the Contractor has adequate financial resources, experienced personnel, proper facilities, and an adequate work plan to complete the work as specified.

23.3 CONTRACTORS INFORMATION REPORT

The information provided herein is in conjunction with Contractor's bid for The Village of Lincolnshire Illinois' Park and Open Space Mowing. (Bidders: Use additional sheets to supply required information or list on the reverse side).

NAME OF BIDDER _____ TELEPHONE _____

ADDRESS _____ FACSIMILE _____

CITY, STATE

ZIP _____ CONTACT NAME _____

A. EQUIPMENT FACILITIES

1. Is your repair and maintenance facility at the above address? Yes ___ No ___

2. If not, state the address of your facility _____

Complete the following list of presently owned or leased mowing equipment now in use:

TURF MOWERS YEAR	MAKE MODEL	TYPE (REEL/ROTARY)
---------------------	---------------	-----------------------

1. _____

2. _____

3. _____

4. _____

BIDDER: _____

Contractor's Information Report (Continued)

OTHER RELATED EQUIPMENT

YEAR	MAKE MODEL	DESCRIPTION
1.	_____	_____
2.	_____	_____
3.	_____	_____

If your company is the successful bidder for The Village of Lincolnshire's Parks and Open Spaces Mowing contract, list the additional equipment you would need to purchase to execute the Contract. Indicate new (N) or used (U) equipment after model description.

YEAR	MAKE MODEL	APPROXIMATE COST
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

B. FINANCIAL INFORMATION

1. Are current quarterly financial statements available? Will such statements be provided to the Village upon request? YES_____ NO_____
2. Is audit performed by a certified public accountant available for your preceding fiscal year? YES_____ NO_____

BIDDER: _____
Contractor's Information Report (Continued)

C. MUNICIPAL AND STATE MOWING EXPERIENCE

1. State **completed** municipal and/or state mowing contracts your company completed since January 1, 2004.

CONTRACTING ENTITY	DATES OF SERVICE FROM TO	\$VALUE	DATE COMPLETED
--------------------	-----------------------------	---------	----------------

1. _____
CONTACT PERSON _____ Phone No. _____
2. _____
CONTACT PERSON _____ Phone No. _____
3. _____
CONTACT PERSON _____ Phone No. _____
4. _____
CONTACT PERSON _____ Phone No. _____

2. State **current** municipal and/or state mowing experience of the management personnel of your company who will be directly involved with the management and supervision of this contract.

CONTRACTING ENTITY	DATES OF SERVICE FROM TO	\$VALUE	DATE COMPLETED
--------------------	-----------------------------	---------	----------------

1. _____
CONTACT PERSON _____ Phone No. _____
2. _____
CONTACT PERSON _____ Phone No. _____
3. _____
CONTACT PERSON _____ Phone No. _____
4. _____
CONTACT PERSON _____ Phone No. _____

BIDDER: _____
Contractor's Information Report (Continued)

D. MANAGEMENT

List the names and a brief description of the mowing experience of the management personnel of your company who will be directly involved with the management and supervision of this contract.

NAME _____

NAME _____

NAME _____

