



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, September 9, 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: Stephen Robles, Village Planner.

ABSENT: Trustee Liaison Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:02 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 Items 3.1 and 3.2 of the Zoning Board Meeting held on Tuesday, August 12, 2014.

Member Van de Kerckhove moved and **Member Bichkoff** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board related to Items 3.1 and 3.2 held Tuesday, August 12, 2014, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

3.1 CONTINUED 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 Staff's memorandum and noted at last month's Zoning Board meeting, Staff introduced proposed code amendments to the current permitted and special uses in the Village's commercial, office, and industrial zoning districts. Following discussion at the August meeting, the public hearing was continued to further consider and discuss proposed code changes.

Village Planner Robles provided a recap of areas discussed at the August meeting and the changes incorporated into the Draft Code Language. He continued, noting the R5 Mixed Use General Residence District was intended for mixed-uses incorporating multiple-family residential uses adjacent to commercial districts, and also included a limited mix of selected retail uses. Staff noted, however, the permitted uses only

permitted single-family attached and community residential homes, which was contrary to the mixed-use intent of the R5 District. The Zoning Board had agreed with the proposed list of permitted and special uses presented at the August meeting. In addition to updating permitted uses, Staff found the narrative regarding the Intent of the R5 District required updating, which was reflected in the revised Draft Code. The Lot Sizes and Yard requirements were also revised based on the changes to the permitted and special uses lists. However, **Village Planner Robles** explained the existing lot area and width requirements were no longer applicable. Staff proposed to carry-over the lot area and width of similar B1 uses since similar pedestrian-scale development was desired in the R5 District. Additionally, the minimum setbacks had been reduced to encourage greater street presence and pedestrian-oriented buildings.

Village Planner Robles continued with the B1 and B2 Districts, where the Zoning Board favored increasing the current 25% ground floor area restriction for non-sales tax generating uses, but requested additional information. He noted, this was the subject of a 2010 Northwest Municipal Conference Survey, where 6 of 23 participating communities impose a limitation on non-sales tax generating uses. Given the differences on limiting non-sales tax uses, Staff continued to recommend a moderate increase in the restriction to 33% and sought Zoning Board feedback.

Member Van de Kerckhove questioned why the non-sales tax restriction was in place. **Village Planner Robles** provided a brief explanation stating the code restriction was to ensure ground floor tenant spaces remained as tax-generating uses for the Village. **Chairman Manion** expressed the Staff-proposed 33% may be the best approach given the inconsistent methods used by other communities. **Member Leider** concurred.

Chairman Manion questioned if “clubs, lounges, fraternal organizations, etc.” could permit an adult business based on any loopholes. **Village Planner Robles** responded much would depend on how each of the terms is defined in the Zoning Code. **Village Planner Robles** questioned if such social clubs/lounges are appropriate in the B2 District. **Member Bichkoff** expressed such uses were not logical in the Village’s general commercial district. **Chairman Manion** concurred.

Village Planner Robles continued, the Lot Sizes and Yard requirements which define the minimum bulk regulations in the B1 and B2 Districts has also been revised, taking into account the change in permitted uses. In the E Small-Scale Office District, Staff combined the two subdistricts to establish one overall E District. The minimum and maximum bulk regulations were also merged; using the less restrictive requirements to ensure existing properties within this district remained compliant.

Chairman Manion requested Staff review the “private recreational clubs” use to ensure an adult-oriented business would not be able to exploit any loopholes based on the term.

Village Planner Robles continued his presentation summary of the Office/Industrial Districts. He noted the Zoning Board agreed to pursue further reductions in the current multi-tenant restrictions. In response, Staff met with a major leasing agent within the Village’s corporate center about the smallest leasing spaces most commonly requested. The consistent trend was approximately 25,000 sq. ft. for standard office uses. For activity/recreation-type uses (gymnastics, volleyball, personal fitness training, etc.) within industrial-warehouse buildings, the number dropped to 5,000 - 10,000 sq. ft. Staff also reviewed zoning codes of surrounding communities for any similar limitations, and did not find any restrictions on multi-tenancy in office and industrial zoning districts. Based

on the research, Staff reduced the maximum floor area for an individual business entity to 25,000 sq. ft. of gross floor area.

Chairman Manion expressed his support for the variance process to permit any business seeking a decrease in the in the 25,000 sq. ft. (proposed) limitation. **Member Van de Kerckhove** questioned if the Village should be more liberal in permitting multi-tenancy in the O/I Districts. **Member Bichkoff** recounted **Community & Economic Director McNellis'** explanation from the August meeting where another concern of permitting multi-tenant uses is the compromised aesthetics, like signage. **Member Kalina** expressed the Village's office/industrial area is not part of the Village residents look to when moving to Lincolnshire. The area in question consists of intense uses, and it did not make sense to prohibit multi-tenancy as traffic wouldn't affect residents. He continued, the Village needed to be competitive with surrounding communities. **Member Bichkoff** inquired why not allow occupancy of large vacant buildings (by permitting further division of space). **Chairman Manion** concurred and stated the Village needed to be competitive with area communities. The Zoning Board directed Staff to remove any floor area restriction for multi-tenant uses in the O/I Districts, with the understanding zoning, building, and life safety regulations would prevent extreme subdivision of buildings.

Village Planner Robles summarized by noting Staff kept the permissibility of rail service in the O/Id, in the event a future request is presented to the Village.

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, with the additional revisions requested by the Zoning Board, and the following motion was read:

***Member Kalina** moved and **Member Van de Kerckhove** seconded a motion, to recommend approval to the Village Board, based on facts covered in a Public Hearing held on August 12, 2014, and continued to September 9, 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 Permitted Uses and Special Uses within the Village's commercial zoning districts, as presented in Staff's memorandum, and further subject to: 1) eliminating the prohibition of only one business entity permitted to operate in an individual building in the O/Ic and O/Id subdistricts, and 2) refining the definition of "club, private" to prevent sexually-oriented business from exploiting any loopholes related to this term.*

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 Van de Kerckhove** seconded the motion to adjourn. The meeting adjourned at 8:04 p.m.

Minutes Submitted by Stephen Robles, Village Planner.