



AGENDA PACKET

VILLAGE OF LAKE ZURICH
Planning & Zoning Commission Special Meeting

Wednesday, December 20, 2017

VILLAGE OF LAKE ZURICH
Planning & Zoning Commission Special Meeting

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AGENDA

1. CALL TO ORDER AND ROLL CALL

Chairperson Orlando Stratman, Vice-Chair Kurt Baumann, Antonio Castillo, Ildiko Schultz, William Riley, Craig Dannegger, Joe Giannini, and Alternate Mike Muir.

2. CONSIDERATION OF MINUTES

Minutes of the Planning and Zoning Commission Meeting, November 15, 2017

Motion to approve the minutes (Voice Vote)

ATTACHMENT 1: [UNAPPROVED MINUTES](#)

3. PUBLIC COMMENT

(This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the Commission.)

4. PUBLIC HEARING

(This agenda item includes development proposals presented to the Planning & Zoning Commission for discussion and recommendation to the Village Board for final action)

A. 99 Quentin Road – Steil Plaza (PZC 2017-5)

The applicant has requested continuance of the application while feedback from Commissioners is incorporated into revisions. For more information, please refer to the attached continued applications Staff Report.

Applicant – Patrick Taylor, Central One LLC.

Attachment 1: [Continued Items](#)

B. 880 North Old Rand Road – Life Time Athletic (PZC 2017-11)

Public hearing to continue consideration of the request for A Map Amendment, Development Concept Plan Approval of a Planned Unit Development to construct a new physical fitness facility. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – Aaron Koehler, Life Time Athletic

Attachment 1: [Life Time](#)

C. 100 Oakwood Road Unit H – Brazilian Jiu Jitsu Studio (PZC 2017-12)

Public hearing to consider the request for a Special Use Permit in order to operate a physical fitness facility within the I Industrial Zoning District. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – David Downs, Brabo LLC

Attachment 1: [Jiu Jitsu](#)

D. 1399 Louise Court (PZC 2017-13)

Applicant no longer intends to move forward with the project at this time, and has elected to withdraw his application. No staff report is attached.

Applicant – Aditya Singh

E. 927 South Rand Road – Meat And Potatoes Eatery (PZC 2017-14)

Public hearing to consider the request for a Special Use Permit in order to operate a drive-through lane accessory to a permitted eating place in the B-3 Regional Shopping Zoning District. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – Jim Grund, The Fidelity Group

Attachment 1: [Meat & Potatoes](#)

5. PUBLIC MEETING

(This agenda item includes final development proposals presented to the Planning & Zoning Commission for discussion and recommendation to the Village Board for final action, but does not include public discussion or input.)

6. STAFF REPORT

(This is an opportunity for staff of the Community Development Department to report on matters of interest to the Planning & Zoning Commission)

7. **ADJOURNMENT**

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA coordinator at (847) 438-5141 (TDB #438-2349) promptly to allow the Village to make reasonable accommodation.

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Unapproved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
NOVEMBER 15, 2017

The meeting was called to order by Vice-Chairman Baumann at 7:00 p.m.

ROLL CALL: *Present* – Commissioners Baumann, Castillo, Dannegger, Riley, Schultz, and Muir.
Absent - Chairman Stratman and Commissioner Giannini. Vice-Chair Baumann will be Acting Chairman and Commissioner Muir will be serving as a full member this evening due to absences. Vice-Chairman Baumann noted a quorum was present. *Also present:* Community Development Director Sarosh Saher and Associate Village Planner Katie Williams.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

A. Approval of the October 18, 2017 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Schultz, seconded by Commissioner Riley, to approve the October 18, 2017 minutes of the Planning and Zoning Commission as submitted.

Upon roll call vote:

AYES: 3 Vice-Chair Baumann, Commissioners Schultz and Muir

NAYS: 0

ABSTENTIONS: 3 Commissioners Castillo, Dannegger, and Riley

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

PUBLIC COMMENT - None

PUBLIC HEARINGS:

MOTION was made by Commissioner Riley, seconded by Commissioner Schultz, to open the following public hearings at 7:04 p.m.

Application PZC 2017-5 - 99 Quentin Road, Steil Plaza (to be continued);

Application PZC 2017-10 - 300 E. Route 22 - Life Storage;

Application PZC 2017-11 - 880 N. Old Rand Road - Life Time Athletic;

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Dannegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

Vice-Chair Baumann swore in those wishing to testify or comment.

Continued Application:

99 Quentin Road – Steil Plaza (PZC 2017-5)

The applicant has requested continuance of the application while feedback from Commissioners is incorporated into revisions. Refer to attached Continued Applications Staff Report.

Applicant – Patrick Taylor, Central One LLC.

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MOTION was made by Commissioner Schultz, seconded by Commissioner Muir, to continue the public hearing on PZC 2017-5, 99 Quentin Road, Steil Plaza, until December 20, 2017 at 7:00 p.m.

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Danegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

New Applications

- B. 300 East Route 22 - Lifetime Storage (PZC 2017-10)
Public hearing to consider the request for an Amendment to Special Use Permit Ordinance #2016-9-149 to allow for the display of static storage doors. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.
Applicant - Steve Schwartz, 300 Main Street LZ LLC

Project attorney Cal Bernstein and Steve Schwartz, owner/developer, presented their request to allow for visibility of display storage lockers from the public right-of-way and gave a slide presentation showing site plan, landscape plan, elevations, and photographs. Due to Ancient Graffiti's plans to move to the northern half of the building, this will allow the front office portion of the building to be reconfigured for additional storage lockers, which is Phase 2 of the project. Vice-Chair Baumann reviewed Staff Recommendations on page 7 of the Staff Report. Attorney Bernstein said they accept the recommendations. Mr. Bernstein did not agree that Item #8, Positive Effect, is only partially met and believes there will be no negative impact.

MOTION was made by Commissioner Danegger, seconded by Commissioner Riley, to close the public hearing on the public hearing on Application PZC 2017-10, 300 East Route 22 - Lifetime Storage, at 7:19 p.m.

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Danegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

MOTION was made by Commissioner Schultz, seconded by Commissioner Riley, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff, and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Danegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

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MOTION was made by Commissioner Dannegger, seconded by Commissioner Riley, to recommend that the Village Board approve the Amendment to Special Use for 2016-9-149 to allow for the display of static storage doors at 300 East Route 22 for Life Storage.

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Dannegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

C. 880 North Old Rand Road – Life Time Athletic (PZC 2017-11)

Public hearing to consider the request for A Map Amendment, Development Concept Plan Approval of a Planned Unit Development to construct a new physical fitness facility. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant. *Applicant – Aaron Koehler, Life Time Athletic*

Aaron Koehler, Life Time Athletic, gave an overview of his company that was founded in 1992. He gave a slide presentation that included their business model; exterior elevations, which will be brick, stone, and glass; interior elevations showing spa, cafe, and lounge; outdoor pool; bistro; areas for yoga, pilates, spinning, pre-weight, fitness equipment, two basketball courts; children's activities; wellness practitioners such as a physical therapist and chiropractor; aerial photograph of property showing existing and requested zoning. Additionally he addressed site lighting with standards for dusk - 9 p.m. and from 9 p.m. - dawn; a sound study, site drainage to the north with storm water flowing to the Rand Road right of way, impervious parking lot surface, parking, traffic site access with right-in and right-out for Route 12 with the full access on North Old Rand Road, hours of operation (preferably 24-hour but would consider a reduction), outdoor lap pool hours dawn to dusk between Memorial Day and Labor Day with the leisure pool open 10 a.m. to 8 p.m. Monday through Saturday and 10 a.m. - 6 p.m. on Sunday, and a 3-D site plan. Mr. Koehler said their plan tried to address concerns raised by staff and at the meeting with the neighbors, but he is willing to continue to address concerns and work to balance them.

A question and answer period followed with members of the PZC asking about the building height, view from the street and residential areas, light spillage from the windows, outdoor uses and layout, overabundance of fitness opportunities in the area, and impact of 24-hour use. Mr. Koehler said neighbor to the east is 300 feet away and the building will be 60-feet tall at that elevation. The building to the north is 180 feet away. He could review the outdoor pool arrangement and the deck size for minimal impact and consider having the windows for 24-hour uses not looking at the residences and is open to preparing a site-line study.

A letter from Jennifer, Tom, Connor and Kelly Gustafson, 620 N. Old Rand Road, was submitted that relayed problems with the existing traffic, speeding, and safety issues. They are concerned that this proposal would severely exacerbate the traffic and safety problem.

The Gannon family, Mike, Janice, Emma, and Sarah, 207 N. Old Rand Road, each spoke and stated their opposition to the proposal. Mike Gannon provided historical information about the jurisdiction of North Old Rand Road, its limited width, capacity, and heavy use by pedestrians. He does not believe this projects benefits the community and thinks it will diminish property values. Emma expressed concerns about the loss of natural ponds on the property that will result in increased watershed which will impact the lake. Sara

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asked that Lake Zurich be kept safe and Old Rand Road be kept free from higher traffic volume so pedestrians could continue to enjoy the road by the lake and have access to downtown. Janice said the residents opposed the project at the meeting with the developer and asked that all zoning code variations be denied.

Dan Silver, 21674 W. Ravine Drive, said he is a member at another Life Time Athletic Club and supports the proposal because it will add jobs, generate tax revenue, and provide many benefits to members.

Jeff Middlebrook, 12 Riderwood, said he and his wife support the proposal and didn't think it would significantly add to traffic on Route 12.

Igor Kletsel, 79 Arcadia, said he was a member at their Vernon Hills club and thinks this would be a great addition to Lake Zurich.

Scott Garrison, 33 Rugby, is a member of the Tree Commission. He said the Tree Commission did not approve the tree removal and landscape plans because it lacked diversity. He offered suggestions to improve the landscape plan.

Vince Foglia, 1025 N. Old McHenry Road, said he is representing the Foglia YMCA. Mr. Foglia said Life Time would take members from the YMCA as well as the other fitness facilities. He said the YMCA is part of the community and has scholarships and subsidies available so everyone can enjoy membership.

Tony Janca, 1025 N. Old McHenry, said it is a nice facility in the wrong location that would change the entire landscape of the lake and nearby area. He asked for significant modifications if the development is further considered.

Sayed Molani, 796 Interlaken Drive, said he was a member at the Schaumburg Life Time Athletic, and he and his children greatly benefitted from their membership.

Susan Wideman, 524 N. Old Rand Road, was concerned about increased traffic on Old Rand Road impacting pedestrians especially those walking pets.

Geoff Petzel, 695 Windemere Lane, referred to the Staff Report and asked staff to have the petitioner address the impact on a high-quality wetland, appropriateness of the main entrance on Old Rand Road, clarify the drainage plan, justify the rezoning of the residential parcel, and the developer's claims of revenue generation. He does not think this proposal is the highest and best use for this property. Director Saher offered to set up a meeting with Mr. Petzel and the Village Engineer to answer his questions on the wetland and drainage.

The meeting was recessed from 9:03 to 9:15 and reconvened with a quorum present. Vice-Chair Baumann said the meeting would conclude at 10 p.m. and the hearing could be continued to December if necessary.

Jim Leopardo, 53 S. Wynstone, did not think this was the correct location for Life Time and thought the industrial park would be a better location. He said he is a founding member of the YMCA and believes the Village should help to protect the investment the community made in the YMCA.

Irene Stang, 55 Lakebreeze, said Life Time would duplicate services the YMCA and other facilities already provide and does not feel it is an appropriate use in a residential area.

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Dennis Burns, 12 Lakebreeze, was concerned about increased traffic on North Old Rand Road, wear and tear on the road, and was concerned about safety. He showed slides depicting the condition of Old Rand Road and said the Village does not have adequate funds to maintain it now and it would only get worse with increased traffic.

Chris and Marilyn Cross, 7 Lakebreeze, invited Howard Richter, an MAI appraiser to address the PZC. Mr. Richter provided his credentials and presented his opinion on the potential adverse influence on the surrounding property values. Mr. Richter said the residents have requested that the Village and the developer hire a qualified appraiser, and he would be willing to review their appraisal. He does not believe the petitioner proved that there would be no adverse impact on the surrounding homes.

Jeff Halen, 154 W. Pleasant Road, commented on the role and function of the PZC that he believes should be coherent and use consistent methodology adhering to the comprehensive plan when reviewing petitions and strive to limit adverse impact to the residents. He said the property values in his neighborhood have decreased due to recent developments. He asked the Village have a clear vision for future development and that it be kept consistent and cohesive.

Casey Morris, 90 Linden, said his membership in Life Time Athletic has had a positive impact on his life and the lives of his children through their participation in camps and other activities plus it will bring jobs to the Village.

Matthew Martorano, 54 Lakebreeze, said Life Time Athletic has wonderful facilities, but this is not the proper location for a massive building. He objected to the density and believes it would disrupt the peace of the residential and lakeside area, negatively impact property values, and contribute to unsafe traffic conditions.

Maury Vandeneysel, 8 Lakebreeze Court, said the proposal would drastically impact his quality of life. He referred to the Zoning Code where it states its purpose is to keep separate residential and commercial parcels. Mr. Vandeneysel believes that existing commercial development has negatively impacted Honey Lake and this proposal would impact storm water drainage.

Mike Stodden, 44 Lakebreeze, objected to the building height, 24-hour operation and lighting, compatibility with residential property on three sides, impact on view of the lake and skyline, and loss of sound buffers with increased noise.

Due to the lateness of the hour, Vice-Chair Baumann said public comments would conclude, the petition would be continued, and those wishing to speak would be heard at the December 20, 2017 PZC meeting.

MOTION was made by Commissioner Castillo, seconded by Commissioner Muir, to continue the public hearing on Application PZC 2017-11 880 N Old Rand Road, Life Time Athletic to December 20, 2017 at 7 p.m.

Upon roll call vote:

AYES: 6 Vice-Chair Baumann, Commissioners Castillo, Dannegger, Riley, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 2 Chairman Stratman and Commissioner Giannini

MOTION CARRIED

STAFF REPORT:

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Planner Williams said the Steil Plaza, Lifetime Fitness, a residential variance, and a martial arts use in the industrial park plus two potential new developments will be on the Agenda for December.

ADJOURNMENT:

MOTION was made by Commissioner Muir, seconded by Commissioner Riley, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 10:06 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:



COMMUNITY DEVELOPMENT DEPARTMENT
Building and Zoning Division

505 Telsler Road
Lake Zurich, Illinois 60047

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At the Heart of Community

PZC Hearing Date: December 20, 2017

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Katie Williams, Associate Planner

Re: **Report on Continued Applications**

A. Previously continued Applications: The following items were continued at the November 15, 2017 meeting of the Planning and Zoning Commission. An update and requested action on the items is as follows:

Item 4.A. 99 Quentin Road – Steil Plaza (PZC 2017-5):

Applicant – Pat Taylor, Central One LLC

Background: An application for this development was first brought before the Planning and Zoning Commission on December 21, 2016. After being continued for several meetings, the application was eventually denied by both the Planning and Zoning Commission, as well as the Village Board. This denial prohibited the developer from returning before the Commission for two years, unless a substantially revised proposal was submitted. After further conversation with Staff, the developer was able to produce a proposal which Staff felt was substantially different from the previous, and that Staff felt would be possible to support with some minor modifications.

The developer chose to submit this new proposal for the September 20, 2017 PZC meeting, but specifically asked that no recommendation be made. The hearing was instead conducted for general discussion and to provide feedback on the project.

Requested Action: The applicant is requesting that the hearing be continued until the January 17, 2018 meeting while they continue to assemble their submittal to the PZC. The developer, Mr. Pat Taylor has informed staff that he intends to resubmit the project in early January.

Item 4.B. 880 North Old Rand Road – Life Time Fitness (PZC 2017-11):

Applicant – Aaron Koehler, Life Time Athletic

Background: An application for this development was first brought before the Planning and Zoning Commission on November 15, 2017. Due to the number of residents wishing to testify, the hearing was continued to the December 20, 2017 meeting of the PZC. The developer has also considered the public comments from the November meeting and has provided a response and clarification to some of these comments. More importantly, the developer has revised the site plan and layout of the project to address a number of those comments.

Requested Action: Staff recommends that the PZC complete the process of obtaining public testimony and consider the revised plan for the project submitted by Life Time to make a recommendation on the project to the Village Board.



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

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APPLICATION PZC 2017-11

AGENDA ITEM 4.C

PZC Hearing Opened and Consideration: November 15, 2017
PZC Continued Consideration: December 20, 2017

STAFF REPORT – UPDATED FOR REVISIONS

To: Chairperson Stratman and Members of the Planning & Zoning Commission
From: Sarosh Saher, Community Development Director
CC: Katie Williams, Associate Planner
Date: December 20, 2017
Re: Continued Consideration of PZC 2017-11
Zoning Application for 880 North Old Rand Road – Life Time Athletic

SUBJECT

Life Time Athletic (the “Applicant”) requests approval of a Planned Unit Development to construct a physical fitness and recreation facility at the property commonly known as 880 North Old Rand Road, and legally described in Exhibit A attached hereto (the “Subject Property”).

GENERAL INFORMATION

Requested Action: Planned Unit Development
Current Zoning: B-1 Local & Community Business/R-4 Single Family Residential
Existing Use Vacant Restaurant Building/Vacant Land
Proposed Uses: Physical Fitness Facility (SIC #7991) with
Accessory Child Daycare Services (SIC #835), Accessory Beauty

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Property Location: Salon (SIC #723) and Accessory eating place (SIC #5812)
880 North Old Rand Road

Applicant: LTF Real Estate Company, Inc., d/b/a Life Time Athletic

Owner: Masterson Real Estate Equities Ltd.

Staff Coordinator: Katie Williams, Associate Planner

LIST OF EXHIBITS

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

BACKGROUND

This report constitutes a continued consideration of the application submitted by Life Time that was first presented to the Planning and Zoning Commission on November 15, 2017.

Life Time Athletic (the “Applicant”), is the Applicant for the proposed Planned Unit Development at 880 North Old Rand Road, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received October 4, 2017 (the “Application”) specifically seeking:

- Map Amendment to rezone the easterly portion of the property from R-4 Single Family Residential District to B-1 Local and Community Business district
- Development Concept Plan Approval
- Special Use Permit approval for a Planned Unit Development
- Special Use Permit approval for accessory Child Daycare Services (SIC #835)

The project is currently in its preliminary or development concept plan stage. Per the zoning code, the purpose of the development concept plan is to provide the applicant an opportunity to submit a plan showing the basic scope, character, and nature of the entire proposed planned unit development without incurring the costs associated with preparation of detailed, final development plans. The development concept plan is the basis on which the required public hearing is held. To permit the village and the applicant to proceed with some assurance, approval of the development concept plan binds the applicant and the village with respect to the basic elements of development which include categories, location and intensity of the land uses proposed; the general architectural

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style of the proposed development; general location and extent of public and/or private open space and amenities; general location of vehicular and pedestrian circulation systems; staging of development and the nature, scope and extent of public dedications, improvements, or contributions to be provided by the applicant.

In the event the development concept plan is approved by the Village Board, the applicant will be required to return to the village to submit a Final Plan which will particularize, refine, and implement the development concept plan and to serve as a complete, thorough, and permanent public record of the planned unit development and the manner in which it is to be developed.

November 15, 2017 Hearing.

The project was first presented to the Planning and Zoning Commission on November 15, 2017. The public hearing was opened and the applicant represented by Mr. Aaron Koehler, Director of Real Estate Development for Life Time, began his presentation with an overview of Life Time and the services they offered, followed by site-specific information of the project in Lake Zurich.

Following the applicant's presentation, there were a few questions posed by members of the PZC. However, Commissioners decided to reserve their questions until after public testimony was provided. The hearing was then opened to the public to provide comments and testimony. Comments and information were presented both in opposition to and in support of the petition. Those in support of the project expressed their interest and excitement for the facility coming to Lake Zurich and shared their experiences of having used and benefitted from a Life Time facility.

The primary concerns presented by those who objected to the project including immediately surrounding property owners related to the height of the building in close proximity to their residences, increased traffic generated by the facility, the condition and capacity of Old Rand Road to withstand increased traffic, stormwater management and the potential of diminishing surrounding property values as a result of the development. In summary there were 23 members of the public that spoke of which 5 clearly expressed their support, 16 clearly expressed their concerns or opposition to the project and 2 provided their recommendations on either the project or the process.

The public hearing was paused at around 10:15 p.m. at which time, the PZC found that there were around a dozen members of the audience that were still awaiting their turn to provide comment and testimony. In light of the late hour and the number of residents awaiting their turn to speak, the PZC made a motion to continue the hearing to the next scheduled meeting on December 20. The video recording from the November 15, 2017 meeting can be viewed via the following link: <http://view.earthchannel.com/PlayerController.aspx?&PGD=lakezurichil&eID=364>

Changes to the Proposal and Clarification on Information from the November 15, 2017 meeting

Following the November 15 meeting, staff advised the developer to address the questions, comments and issues that were brought up at the meeting. The developer has provided a response to a number of pertinent issues, has addressed and clarified the accuracy of a number of comments provided at the hearing, and revised the site plan and layout of the project to address a number of

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those comments and concerns of surrounding property owners. Staff has summarized these as follows:

Site Plan Revisions

1. The site plan has been revised as follows:
 - a. The building has been moved closer to Rand Road. The building is now proposed to be located 462 feet from the east lot line. The separation is an increase of 160 feet from the prior proposed location of approximately 301.9 feet from the east lot line. The reconfiguration has been accomplished by placing the pool between the building and east lot line.

However, the building continues to remain at 172.8 feet from the north lot line. Concurrently, the pool deck is approximately 127 feet from the north lot line.

- b. The landscape buffer along the east lot line has been increased from 42.5 feet to 62.5 feet. This is an increase of 20 feet. The buffer will continue to be landscaped with a combination of the existing trees and evergreen trees to provide for year-round screening of the development from the residences to the east, in particular the two southerly townhouse buildings of Lakebreeze Villas. The increased buffer will allow for an additional 22 new trees and save approximately 20 existing mature trees and many smaller plants in that area.

The buffer along the north lot line remains as previously proposed, varying in depth from 30 feet to the nearest parking space to approximately 173 feet to the building. This buffer is also serves as the location for the onsite detention facility for the property.

The developer has also been asked to consider the installation of a solid fence along the north and east lot lines to further screen the property from adjacent residences.

- c. In reevaluating the interior programming of spaces to accommodate the exterior changes to the elevations, particularly those on the east side of the building, the developer has reduced the occupant load of the building from 1689 to 1611, thereby reducing the parking demand from 545 to 537 spaces proposed on the property. The change allows the project to meet the zoning code's parking requirement without the need for modifications.

Parking lot lighting on the east side of the Property

The illumination of the parking lot lights on the northern and eastern portion of the property will be reduced (dimmed) after 9:00 p.m. to reduce any potential impact of the lights during the later hours.

Landscape Plan Revisions

During the public hearing, comments were provided by the Mr. Scott Garrison representing the Village's Tree Commission. Comments that he provided were as follows:

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- a. Revise plans to include more diversity in the manner in which new trees are distributed on the site.
- b. Add more Oaks, reduce number of Maples.
- c. Replace the use of crushed stone (gravel) with mulch in the use of ground cover
- d. Strongly consider allowing for some of the woodland plants to be transplanted to another property in the village. I would guess (and I will need to verify) that there are volunteers who would step up to assist with this.

Life Time has revised the plans to address these comments. Additionally, a revised landscape plan was provided to the Tree Commission for their review and recommendation. The landscape plan will require further revisions to conform to the final site design configuration proposed for the project.

Building Architecture and Height

A number of comments provided at the public hearing were related to the height and bulk of the building. Life time is proposing addressing every possibility of reducing the height of the building to the greatest extent possible thereby reducing its bulk and impact on surrounding properties, as follows:

- a. Reducing the height of the parapets around the top of the building to 58 feet, while locating the mechanical units towards the center of the building out of view of surrounding properties.
- b. Moving the building as far away as possible from the east and north lot lines to reduce the impact of its bulk from the surrounding properties – for every vertical foot of additional requested height above the required 35 feet, the building has been set back 20 horizontal feet away from the east lot line. Similarly, for every vertical foot of additional requested height above the required 35 feet, the building has been set back 8 horizontal feet from the north lot line.
- c. The east elevation that face the residences has been modified by reprogramming uses demanding spandrel glass and uses such as offices, kids’ center, and instructional spaces that do not operate at later hours to be concentrated on that side of the building. As a result, only two window bays on the third floor could potentially be lit until later hours at night. Three window bays within the indoor pool area will require light during later hours. However, these windows at are at ground level and are proposed to be screened by landscape material.

Traffic Impact

Staff had requested the applicant to further elaborate and describe some of the improvement both off-site and on-site that will be implemented to mitigate the impact of traffic generated by the development. The applicant has elaborated with additional information on the site access, traffic distribution to Rand Road and Old Rand Road, pedestrian mobility and safety, heavy truck traffic, and the pavement condition of Old Rand Road. To summarize each of these issues:

- a. Site access – the two initially proposed access points will continue to be proposed. The applicant has indicated and staff has agreed that access to the site is necessary off Old Rand Road to accommodate south-bound traffic on Rand Road to access

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the site without having to take a U-turn on Rand Road to enter the site. Both access points are located as far from the intersection as possible to allow for safe entry and egress onto the site and not be in conflict with intersection traffic.

- b. Distribution of traffic onto the adjacent streets – in particular, the traffic study states that only 15% of traffic generated by the project is expected to travel east on Old Rand Road. It is anticipated that this will allow Old Rand Road to continue to operate around its current levels of service without any significant impact to the roadway.

Additionally, to accommodate traffic to the site from Rand Road, the following off-site street improvements are proposed to be implemented to Old Rand Road:

- i. Extension of the dedicated westbound left turn lane for turning south onto Rand Road
- ii. Addition of an eastbound left turn lane into the Life Time site
- iii. Widening of the road towards the north to accommodate the new or extended turn lanes, but only to the westerly frontage of the property. The road width tapers back to its original width along the easterly frontage of the property.

Rand Road will additionally receive the following off-site street improvements:

- i. Extension of northbound right turn lane onto Old Rand Road. This is the portion south of the intersection of Rand Road and Old Rand Road
 - ii. Addition of a new northbound right turn lane into site access off Rand Road. This is the portion north of the intersection of Rand Road and Old Rand Road
 - iii. Addition of a new northbound acceleration lane from site exit onto Rand Road moving north towards Golfview Road
 - iv. Extension of the existing southbound left turn lane at Old Rand Road allowing southbound traffic to turn left onto and access the site from Old Rand Road
- c. Pedestrian Mobility and Safety – Pedestrian amenities on Rand Road and Old Rand Road are provided in the form of pedestrian crosswalks, signals, countdown timers and ADA ramps which are currently missing from these roads. The cross-walk on Old Rand Road is provide with a relief point on a new median to further increase the safety of pedestrians. Its location is to the east of the vehicular access to the site to minimize conflict with vehicular traffic into and out of the site.
 - d. Heavy Truck Traffic – heavy truck traffic will only be allowed onto and off the site from Rand Road, thereby continuing to maintain the current weight limit requirements of Old Rand Road. The applicant is not requesting, nor is staff recommending any change to the weight restrictions of Old Rand Road.
 - e. Pavement Condition of Old Rand Road – even though the existing classification as a collector and the weight restriction will not change, the portion of Old Rand Road

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along the frontage of the subject property will be repaired and repaved when the off-site improvements are implemented. Staff is recommending that such repair and repaving be implemented along the entire frontage of Old Rand Road with the subject property.

Storm Water Management

The applicant has clarified the flow of stormwater within and off the property. Lake Zurich lies within the Flint Creek Subwatershed of the Fox River Watershed in Lake County. The property does not lie within the watershed and drainage area of the lake in Lake Zurich as earlier claimed. The site and areas north of Old Rand Road drain towards the north through a series of drainage pipes and ditches before reaching Flint Creek. The project will therefore not have any direct stormwater or other related impact on the lake.

Surrounding Property Values

In response to a number of comments stating that the project to establish the Life Time facility on the property would negatively affect residential property values in the vicinity, the applicant has provided a memorandum from a certified appraiser, Mr. John C. Mundie, of Mundie & Company, Inc., who concludes that the proposed facility will not result in a reduction of property values within the vicinity rather will be a benefit to the immediate area and the overall community.

Revised Findings:

The findings of staff on the project have been modified to reflect the review of the most recent submittal of revisions. However, most other basic information essentially remains the same.

Life Time is a privately held company based in Chanhassen, Minnesota, near Minneapolis. It specializes in distinctive, large-format, sports, recreation and spa destinations. The company operates 127 centers in 27 states and 35 major markets under the Life Time Fitness® and Life Time Athletic® brands in the United States and Canada.

The applicant is proposing to redevelop the approximately 10.36-acre property with an athletic and recreation facility that will consist of indoor cardiovascular and resistance training areas, indoor and outdoor pools, a cycling studio, Yoga, Pilates, and group fitness studios. Dance, art, music and tumbling studios will be included for children in addition to childcare. The center will also feature indoor and outdoor cafes, a salon and spa. These facilities are proposed be housed in a 3-story 125,000 square foot building with an approximately 47,800 square foot pool area. The building and pool areas will be accompanied by a 537 space vehicular parking area. The facility is proposed to be open 24 hours with the outdoor lap pool open from dawn to dusk and the recreation pool open from 10:00 a.m. to 8:00 p.m.

The building is proposed to be constructed to three stories with an average height of 58 feet above grade to the top of the building parapet. The building materials primarily consist of natural stone cladding with a band of Exterior Insulation and Finish System (EIFS), also known by its trade name "Dryvit" along the top of the building. The window bays, cornice and canopies above windows will be constructed in bronze metal. Window frames will be constructed using anodized

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aluminum. Field brick will be used along the base of the building. Signage depicting the “Life Time Athletic” name will be installed on the west and south elevations and located along the top of the building. Wall mounted lighting will be located on the exterior between the 2nd and 3rd story on the building elevations. The lighting will be in the form of accent lighting and will only be used to illuminate the building.

Stormwater management facilities will be provided on site. A detention area is proposed along the northerly portion of the property between the building and north lot line. Additionally, the applicant is also proposing install permeable pavers within the parking aisles along the east and west of the building to additionally reduce surface runoff of stormwater at the source thereby easing the capacity of the detention area while improving water quality by filtering pollutants before they are transmitted to the detention area.

Pursuant to public notice published on October 28, 2017, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for November 15, 2017, to consider the Application. On October 19, 2017, the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. Courtesy Review.** The project to redevelop the property at 880 North Old Rand Road was presented to the Village Board for Courtesy review on August 21, 2017.

However, prior to courtesy review, staff had the opportunity to review the early concept plans prepared by Life Time. These early concepts located the building at the far easterly side of the property. Staff consequently suggested that the building be located closer to the southwest corner of the site. This would not only help to reduce the impact of the building on the adjacent residential uses, but also showcase the building along Rand Road to attract visitors to the site, and become an anchor to generate future commercial development north of the property.

At the courtesy review, the developer introduced a revised concept for the redevelopment of the property which included the 3-story 125,000 square foot building with an approximately 47,800 square foot pool area. After hearing the proposal, Trustees provided their comments and concerns on the proposal which are highlighted below:

1. Location of the main access point on Old Rand. Concerns regarding the safety and liability of a high-volume location with access issues were shared with the developer. Life Time does have higher volume traffic periods, but it was determined that providing the main access off Rand Road would pose a traffic safety hazard as it is in close proximity to a traffic light and along an arterial road where automobiles travel at much higher speeds.
2. Traffic. Regarding the main access on Old Rand Road, trustees and residents were concerned that additional vehicles on Old Rand Road could pose a hazard to the pedestrians who walk around the lake.
3. Buffer between Life Time and adjacent residences. Due to the adjacent residential areas to the north and east of the Subject Property, trustees asked the Applicant to

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pay special attention the landscape buffer between the residences and the building and parking lot.

4. Lighting. Adjacent property owners were concerned with the amount of parking and the light that would be required to illuminate the parking lot.

Following discussion the Village Board suggested that if the developer and owners were inclined to move forward, they would need to submit their proposal to the Planning and Zoning Commission for consideration. The courtesy review can be viewed at the following link:

<http://view.earthchannel.com/PlayerController.aspx?&PGD=lakezurichil&eID=353>

- B. Neighborhood Meeting:** Prior to courtesy review, Life Time had indicated that they intended to approach and meet with residential property owners to the east and north to obtain their feedback on the proposal. Staff agreed that it would certainly help to contact neighbors before presenting the courtesy review request to the Village Board. Additionally, the village conducted a survey to gauge the sentiment of community on the upcoming proposal. Staff announced the neighborhood meeting on its online Benchmarks newsletter. The neighborhood meeting was held on August 15, 2017 at 6:30 p.m. at the Lake Zurich Police Department Community Room. The Feedback on the community survey and a summary of comments and questions presented at the neighborhood meeting is attached.

Changes to the plan since the Courtesy Review

The applicant considered the comments and feedback provided at the courtesy review and has made the following changes to the site plan:

1. The building has been relocated south from its prior proposed distance of 110.15 feet to its currently proposed distance of 172.8 feet from the north lot line to increase its separation from residences to the north. The location of outdoor pool deck has similarly been adjusted with the relocation of the building.
2. The parking area east of the building has been reduced by two rows of parking – approximately 60 parking spaces – in response to the neighbors’ concerns regarding the amount of parking that was proposed on the easterly portion of the property. To accommodate the change, the building had to be relocated from its prior proposed distance of 319 feet to its currently proposed distance of 301.9 feet from the east lot line. To offset the proximity of the building to residences to the east, a 42.5-foot landscape buffer has been added along the east lot line and is proposed to be landscaped with a combination of the existing trees and evergreen trees to provide for year-round screening of the development from the residences to the east, in particular the two southerly townhouse buildings of Lakebreeze Villas.

The configuration of the building in this manner also reduces the number of rows of parking to the east of the building from 9 rows to 7 rows. The parking spaces along the west of the building with frontage onto Rand Road have been increased to compensate for this change.

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3. The area of the detention basin has been increased to extend across the westerly two-thirds of the north lot line providing for an additional buffer between the project and the adjacent residences to the north.
4. The landscape yards along Rand Road and Old Rand Road have been reduced from approximately 50 feet to approximately 17 feet to compensate for the landscape buffer areas along the interior lot lines between the parking lots and residences to the north and east.
5. On the building elevations, the prior proposed plans indicated wall mounted lighting on the east, south and west elevations of the building. The current proposal indicates wall mounted lighting on all four elevations. Additionally, the EIFS on one bay on the rear (north) elevation has been replaced with natural stone cladding.
6. Building signage bearing the "Life Time Athletic" name has been reduced from installation on all four elevations to just the west and south elevations.

C. Zoning History. Earliest records with the village (1939) show that the westerly half of the property had been zoned within a "Business" district, and later zoned within the B2 "Retail and Services District up until approximately the 1980s and then to B-1 Business District in 1991. The present zoning of the property was reclassified to B-1 Local and Community business district since the most recent amendment to the zoning code in 2004. The property has been operated with a restaurant use since around 1939. Originally called 'The Dock', the building became "Poppe's Alpine House" in 1954. In 1969, the building was purchased and became what residents today know as Hackney's. However, since 2015, the owners began marketing the property with the intentions of closing the restaurant use. Since that time, they received a number of proposals and offers to redevelop the land with varying uses (high density multi-family house, gas station with truck stop), however, no significant proposal for the reuse or redevelopment of the property was submitted to the village prior to the Life Time application.

The easterly half of the property that is currently vacant was originally zoned within the "A" Single-family zoning classification based on earliest records available to the village (1939). The area was reclassified within the R-3 Single Family Residential district in 1964, following which it was reclassified to R-4 Single Family residential district in 1991. Such zoning classification has remained since the most recent amendment in 2004.

Additionally, from the earliest aerial pictures (1939) and land atlases (1861 and 1885) available on Lake County maps online, it appears that the subject property also encompassed the westerly 165 feet of the adjacent property to the east (what is today developed with Lakebreeze Villas Townhomes). This larger property was later divided in 1961 into what is presently the Hackney's and the adjacent properties to the east.

D. Surrounding Land Use and Zoning. The subject property is located on the northeast corner of the intersection of Route 12 and North Old Rand Road. The existing zoning of the property is split, with the westerly portion of the lot nearest the intersection of Route

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12 and North Old Rand zoned B-1 Local & Community Business, while the easterly portion of the lot is zoned R-4 Single Family Residential. With the current proposal, the Applicant proposes to rezone the parcel, so that the entire lot is zoned within the B-1 Local & Community Business district.

The properties across Old Rand Road to the south of the Subject Property are zoned within the B-1 Local & Community Business and R-6 Multiple Family Residential. The B-1 areas are currently vacant while the R-6 areas are improved with the Bayshore Condominium residences. To the west of the Subject Property across Rand Road, the land is zoned B-1 Local & Community Business and B-3 Regional Shopping, and has been improved with local sit-down restaurants. To the north, the land is zoned B-1 Local & Community Business and R-5 Single Family Residential and is improved with a local sit-down restaurant, a multi-tenant office building, and older construction single family homes which are a part of the Manor Subdivision.

To the east of the Subject Property, the land is zoned R-6 Multiple Family Residential, and is improved with newer construction Lakebreeze Villa townhomes. The R-6 zoning classification for the townhouses was granted in 2000 through a PUD that is similar to what the applicant is presently requesting. That development required approval through a Map Amendment from the R-4 Single-family Residential district to R-6 Single-family residential district, and the PUD along with variations (modifications) to the conservancy soils requirements and perimeter landscape requirements to allow for the construction of townhouses.

- E. Trend of Development.** The fitness and recreation facility is proposed along the northern portion of Route 12 (Rand Road) gateway as it enters Lake Zurich. That portion of the corridor is developed with multiple commercial and retail uses along Rand Road with medium density single-family and multiple family residential development in the adjacent areas of the corridor. The Village is currently home to several physical fitness facilities, most of which are within commercial centers along Rand Road. The proposed Life Time facility will be unique in that it will be the only fitness facility which offers a club-like environment with an outdoor pool, indoor and outdoor cafés, as well as a spa and salon amenities.
- F. Comprehensive Plan Land Use Designation.** The 2003 Comprehensive Plan designates the entire property (10.3 acres) within a “Commercial” land use designation. The commercial category is designated on the Land Use Map in areas located primarily along major arterial routes and at key intersections involving major arterials. The commercial land use designation suggests that a balance of commercial activities that respond to both the local needs of an area as well as those of the regional market is essential to maintain the vitality of the community. The Land Use Map reflects local factors in the Village and recognizes regional, community, and neighborhood shopping needs.
- G. Zoning District.** Three (3) zoning districts are provided for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Lake Zurich and

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the surrounding suburban area. The property is located within both the B-1 Local and Community Business zoning district, as well as the R-4 Single Family Residential zoning district. With the approval of the PUD, the Subject Property is requested to be rezoned so that it falls wholly within the B-1 district.

The B-1 local and community business district is intended to serve the everyday shopping needs of village residents as well as to provide opportunities for specialty shops attractive to the wider suburban residential community around the village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. It also permits compatible uses that, although not used as frequently, would be desirably located in close proximity to potential users. The district is located principally on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses.

The proposed land uses for the facility namely Physical Fitness Facility (SIC #7991) with Accessory Child Daycare Services (SIC #835), Accessory Beauty Salon (SIC #723) and Accessory eating place (SIC #5812) are all provided for within the B-1 district with Child Daycare Services component land use provided as a Special Use.

GENERAL FINDINGS

Staff of the Village's Development Review Team (DRT) has evaluated the development against the pertinent standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

9-22-5: STANDARDS FOR PLANNED UNIT DEVELOPMENTS.

Planned unit developments are included in the zoning code as a distinct category of special use. In particular, the planned unit development technique is intended to allow the modification of otherwise applicable substantive requirements based on procedural protections providing for detailed review of individual proposals for significant developments.

As such, they are authorized for the same general purposes as all other special uses and in recognition of the fact that traditional bulk, space, and yard regulations that may be useful in protecting the character of substantially developed and stable areas may impose rigidities on the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

- A. Special Use Permit Standards: No special use permit for a planned unit development shall be recommended or granted pursuant to this chapter unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to chapter 19 of this title.

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Staff Response: Standard met. Please refer to the “Standards for Special Use Permits” contained within this report.

B. Additional Standards for All Planned Unit Developments: No special use permit for a planned unit development shall be recommended or granted unless the applicant shall establish that the proposed development will meet each of the following additional standards:

1. Unified Ownership Required: The entire property proposed for planned unit development treatment shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners and all tracts.

Staff Response: Standard met. The entirety of the PUD is under common ownership of the Masterson family, and under contract to be purchased in its entirety by Life Time Athletic.

2. Minimum Area: The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which planned unit developments may be established pursuant to this section.

Staff Response: Standard met. The property is of a sufficient size to accommodate the proposed development. The 10.36-acre property comprising of one parcel of land will accommodate a 3-story 125,000 square foot building with an approximately 47,800 square foot pool area. The building and pool areas will be accompanied by a 537 space vehicular parking area and stormwater detention areas. The configuration of the development is intended to maximize the space while also creating a safe flow of traffic through the development.

3. Covenants and Restrictions to Be Enforceable by Village: All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned unit development shall provide that they may not be modified, removed, or released without the express consent of the board of trustees and that they may be enforced by the village as well as by future landowners within the proposed development.

Staff Response: Standard met. The Village will ensure that any and all easements are properly recorded and will be enforced by the Village.

4. Public Open Space and Contributions: Whenever the official comprehensive plan, zoning map, or official map indicates that development of a planned unit

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development will create a need for land for public purposes of the village within the proposed planned unit development, the board of trustees may require that such area be designated and to the extent such need is specifically and uniquely attributable to the proposed development, dedicated to the village for such use. In addition, the board of trustees may require evidence that all requirements of village ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met as respects the proposed planned unit development.

Staff Response: Not Applicable. The nature and scope of the development – namely a physical fitness facility – does not create a need for land for public purposes of the village within the proposed planned unit development. The purpose and intent of such contributions are provided primarily for larger residential developments consisting of multiple properties with common areas to provide for or compensate for public amenities for the benefit of new residents that will move into the community to occupy such developments.

The village has therefore determined that the development is not required to provide any public open space or compensate for such at this time.

5. Common Open Space:

- a. Amount, Location, And Use: The failure of a planned unit development to provide common open space shall be considered to be an indication that it has not satisfied the objectives for which such developments may be approved pursuant to this zoning code. When common open space is provided in a planned unit development, the amount and location of such open space shall be consistent with its intended function as set forth in the application and planned unit development plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure and recreational uses for which such open space is intended.
- b. Preservation: Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The restrictions must be permanent and not for a given period of years and must run with the land. Such covenants and dedications may provide that they may be released, but only with the express written consent of the board of trustees.
- c. Ownership And Maintenance: The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards and to ensure that remedial measures will be available to the village if such

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open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the planned unit development or the village.

- d. **Property Owners' Association:** When the requirements of subsection B5c of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:
- i. The bylaws and rules of the association and all declarations, covenants, and restrictions to be recorded must be approved as part of the final plan prior to becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this subsection B5d(1); and
 - ii. The association must be established and all covenants and restrictions must be recorded prior to the sale of any property within the area of the planned unit development designated to have the exclusive use of the proposed open space or improvements; and
 - iii. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it; and
 - iv. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements; and
 - v. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with state statutes; and
 - vi. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds (2/3) of the members voting on the issue; and
 - vii. The village must be given the right to enforce the covenants; and
 - viii. The village must be given the right, after ten (10) days' written notice to the association, to perform any maintenance or repair work that the association has neglected to perform, to assess the membership for such work and to have a lien against the property of any member failing to pay such assessment. For this purpose alone, the village shall have all the rights and powers of the association and its governing body under the agreements and declarations creating the association.

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Staff Response: Not Applicable. Based on the nature and scope of the development, and size of the subject property, the village has determined that the development is not required to provide any public open space or compensate for such at this time.

6. Landscaping and Perimeter Treatment: Any area of a planned unit development not used for structures or circulation elements shall be landscaped or otherwise improved. The perimeter of the planned unit development shall be treated so as to ensure compatibility with surrounding uses by means such as provision of compatible uses and structures, setbacks, screening, or natural or manmade buffers.

Staff Response: Standard Met. All portions of the development are proposed to be either improved with paved areas or landscaped.

The development will be provided by landscape buffers along the interior lot lines – north and east lot lines – to mitigate the impact of the development. Along the north lot line the buffer comprises of an approximately 30-foot landscape area along the parking lot at the east and an approximately 115-foot buffer between the entryway drive on the west containing the detention pond which expands to 130 feet. Along the east lot line, the buffer comprises of a 62.5-foot landscaped area consisting of a mix of evergreen and deciduous trees to screen the development from adjacent properties.

To the greatest extent possible, the development will incorporate existing trees of significance into the landscape buffer areas and within parking islands.

The perimeter of the development along its street frontage will be landscaped with new landscape material consisting of trees, shrubs, perennials and grasses.

Foundation plantings are also proposed around the front and one side of the building adjacent to the parking lot. The pool deck area will be fenced and screened with landscape material.

7. Private Streets: Private streets are prohibited unless expressly approved by the board of trustees. If so approved, they shall meet all construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in subsection B5d of this section.

Staff Response: Not Applicable. The development is being proposed on a single site and therefore no internal streets are proposed.

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8. Sidewalks: A sidewalk meeting the standards of the Lake Zurich subdivision ordinance shall be provided along at least one side of every street in or abutting a planned unit development; provided, however, that such sidewalk may be constructed in a street right of way or as a specific element of the design of the planned unit development.

Staff Response: Standard met. A sidewalk currently exists along the Old Rand Road frontage of the Subject Property, and will be reconstructed with a tree bank. A new sidewalk along the Route 12 frontage of the property is proposed. Along with sidewalk improvements, the Applicants have proposed a landscaped median within Old Rand Road which will greatly increase pedestrian safety.

9. Utilities: All utility lines shall be installed underground.

Staff Response: Standard Met. The development is proposed with all onsite utilities buried. The Applicant is additionally working with the regional and local utility companies to determine the viability of burying the utilities along the periphery of the development particularly at the southwest corner of the property.

- C. Additional Standards for Specific Planned Unit Developments: When the district regulations authorizing any planned unit development use in a particular district impose standards to be met by such planned unit development in such district, a special use permit for such development shall not be recommended or granted unless the applicant shall establish compliance with such standards. (Ord., 10-2004)

Staff Response: Standard Met. There are no additional standards imposed through the establishment of physical fitness facility uses that are proposed within such district.

9-19-3: STANDARDS FOR SPECIAL USE PERMITS.

Staff has reviewed the plan and found that the amendment will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

- A. General Standards: No special use permit for a planned unit development shall be recommended or granted unless the applicant shall establish substantial conformance with the following:
1. Zoning Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was

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enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

Staff Response: Standard met. The development will continue to remain in substantial conformance with the purpose and intent of the B-1 Local & Community Business District and the land use designation of the adopted Comprehensive Plan, which designates the entire 10.36-acre parcel as "Commercial" property.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Staff Response: Standard met. The proposed fitness and recreation facility will be constructed in a manner so as to minimize any undue adverse effect upon any adjacent properties. These measures include:

- **Landscape buffers along the north and east perimeter lot lines to screen the development from adjacent residential development**
- **Site lighting both on the building and within the parking lot to ensure that the illumination is within the parameters and standards of the site lighting code. Further, during off-peak hours, the lighting for the parking spaces in areas within closer proximity to the residences will be dimmed or turned off.**
- **Traffic control measures along Rand Road and Old Rand Road to accommodate the additional flow of traffic onto and off the site, as well as direct emergency and delivery truck traffic onto the property solely from Rand Road.**

As it relates to use and design, the proposed development is consistent with the trend of development along the Rand Road/ Route 12 corridor. The proposal will enhance the character of the corridor by redeveloping a vacant and prominent corner.

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

Staff Response: Standard met. The location and operation of the proposed development is not intended to encroach upon or interfere with the surrounding development. No pedestrian paths or vehicular drives are proposed to connect directly to adjacent properties.

Even though the average height of the building at 58 feet exceeds the 35-foot allowable height of the zoning district, the bulk of the building is proposed to

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be mitigated by locating the building at a distance away from the north and east lot lines – 172.8 feet from the north lot line and 462 feet from the east lot line. Additionally, landscape screening material is proposed along such lot lines to further mitigate the bulk of the building.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

Staff Response: Standard met. The site is currently served with utilities that were meant to serve the restaurant which is no longer in use. The developer has proposed to replace the existing utilities on the entire property with new utilities that are designed in locations and with capacity to serve the new physical fitness facility and its accessory uses.

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

Staff Response: Standard met. The development is located on the northeast corner of Rand Road and Old Rand Road. Rand Road experiences large volumes of traffic on a daily basis. The applicants have submitted a traffic study that examines the existing traffic and makes recommendations for the control of future traffic generated by the development as well as through natural increases of traffic flow on Rand Road.

The recommendations for vehicular and pedestrian traffic control include the following:

1. Convert the northbound right-turn lane on Rand Road to a shared through/right-turn lane.
2. Increase the westbound North Old Rand Road left-turn storage length.
3. Increase the southbound Rand Road left-turn storage length.
4. Provide pedestrian accommodations (high visibility, continental style crosswalks, pedestrian signals with countdown timers, Americans with Disabilities Act (ADA) curb ramps for the north and east legs of the intersection.
5. Traffic signal equipment and timing modifications to accommodate the above recommendations.
6. Provide an eastbound left-turn lane on North Old Rand Road, as a back-to-back left-turn with the westbound left-turn lane at Rand Road.
7. The Site Access southbound approach will provide a separate left- and right-turn lane, operating under stop sign control.
8. A continental style crosswalk, along with ADA curb ramps, should be provided on the north (site access) leg of the intersection.

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9. Remove the crosswalk, and associated signing, on the west leg of this intersection. It is recommended that the pedestrian crossing of North Old Rand Road occur at the Rand Road signalized intersection, as noted in recommendation number 4 above. This also assumes the sidewalk will be extended along the north side of North Rand Road from its current terminus westerly to Rand Road.
10. Provide a third shared through/right-turn lane on northbound Rand Road, extending from North Old Rand Road and terminating at the existing right-turn lane at Golfview Road.
11. The Site Access westbound approach will operate under stop sign control.

The capacity analysis results within the traffic study indicate that the increase in project site-generated traffic can be accommodated with the implementation of the improvement recommendations stated above.

The developer has incorporated these recommendations into the development plan to mitigate any negative impact created by traffic generated by the development.

Staff has also recommended that the developer contact the Illinois Department of Transportation (IDOT) to obtain an initial approval of the location of the vehicular access point from Route 12 to the property and off-site improvements to Rand Road.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Staff Response: Standard met. The proposed development will not result in the destruction, loss, or damage of any historic features as the development is being constructed on a portion of the property that was previously developed or vacant. The areas of the Subject Property which are currently vacant and which will be utilized in the development, are being mitigated by the Applicant.

The development proposes to preserve existing trees within the peripheral buffers and within parking lot islands to the greatest extent possible.

There are three existing wetland areas on the property. The Lake County Stormwater Management Commission (SMC) has conducted a review and provided a preliminary wetland jurisdictional determination (PJD) and partial boundary determination, which concludes that the wetlands are isolated wetlands and do not connect to a navigable water thereby not requiring a US Army Corps of Engineers permit. The determination further states that the central pond with its westerly extending arm (denoted as "Wetland/Waters 2") is a non-regulated water body but requires that a

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Watershed Development Permit be submitted to evaluate the impact of the development on Wetland/Waters 1 and 3.

The developer will be required to conform to the requirements of the Watershed Development Ordinance (WDO).

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Staff Response: Standard met. The proposed development will comply with all other additional standards imposed through the building codes for a physical fitness facility and its accessory uses.

8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

Staff Response: Standard met. The proposed development will assist in redeveloping and revitalizing a lot that has been vacant within the Rand Road corridor.

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

Staff Response: Standard met. Staff will ensure that compliance is established before any additional permitting is issued.

- C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Staff Response: Standard met. The proposed development will bring a new and comprehensive healthy lifestyle option to the Village. Residents of the village and surrounding municipalities will be provided with a convenient space for exercise, recreation, child care, healthy meals and personal services. The center is not intended to compete with other similar existing facilities in

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the community and surrounding areas as it intends to cater to a different demographic.

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

Staff Response: Standard met. The proposed location is suitable for this type of fitness and recreation use, and is based on its consistency with the land uses, traffic count, architecture, and design immediately surrounding the proposed development along Rand Road.

In initial discussions with the developer, staff suggested that Life Time explore other locations in the community that would offer the same land parameters for the development of the facility and its site development requirements. However, the developer indicated that based on the geographical distribution of their other area facilities in Vernon Hills and Algonquin, the optimal size of the property, its location on the regional artery Rand Road, and the demographics of Lake Zurich and its surrounding areas, the subject property provided the best opportunity to locate the proposed facility. However, they were aware of the surrounding land uses and are therefore proposing the stated mitigation measures to accomplish the development with minimal possible impact to surrounding properties.

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

Staff Response: Standard met. The applicant has taken a number of steps to minimize the impact of the development on surrounding property. These include locating the building sufficiently away from the east and north lot lines, landscape buffering, traffic control on and off the property and site lighting that meets the requirements of the zoning code. These necessary steps have been taken to minimize any substantial adverse effects of the proposed development both on itself and on surrounding property.

IDENTIFICATION AND ANALYSIS OF ZONING RELIEF FOR THE PLANNED UNIT DEVELOPMENT (PUD)

On analysis of the proposed development against the various standards contained within the municipal code, staff has identified the following areas that will require zoning relief.

1. **Business District Zoning Permitted Land Uses.**

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- a. Section 9-4-2 provides for physical fitness facilities as a permitted use in the B-1 district, however the parcel will need to be rezoned from its current B-1/R-4 zoning to B-1 Local & Community Business district. This will need to be approved through a zoning map amendment.
 - b. Section 9-4-3 provides for child daycare services requiring approval as a special use. Child daycare will be offered to Life Time members while they are on site at the facility, and will be considered accessory to the primary physical fitness use.
2. **Bulk, Space and Yard Requirements.**
- a. Maximum Height: Section 9-4-10A requires that principal structures be constructed with a maximum height of 35 feet and comprise of no more than 3 stories in the B-1 Local and Community Business district. The development proposes a maximum structure height of 58 feet.
 - b. Minimum Yards: Section 9-4-10C requires that structures in the B-1 Local and Community Business district maintain a front and corner yard setback of 25 feet, with the additional provision for yards abutting Route 12 to be no less than 50 feet. The development proposes a minimum front yard setback of 10 feet along its frontage with Route 12, and a corner yard setback of 14 feet with Old Rand Road.

The B-1 district also requires side setback of 10 feet, and a rear setback of 25 feet. The proposal exceeds these requirements of the code along the side and rear with a side yard (along the north lot line) of 30 feet and a rear yard (along the east lot line) of 62.5 feet.
3. **Exterior Lighting.**
- a. Section 9-8B-3C requires that the maximum illumination at the property line when a luminaire has a cutoff angle less than ninety degrees (90°) is 0.50 foot-candles. The development proposes a maximum of 0.65 foot-candles at the property line. However, staff is requiring the developer revise the lighting plan to comply with the requirements of the exterior lighting ordinance.

RECOMMENDATION

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits
- Section 9-22-5: Standards for Planned Unit Developments

Based on the review of staff, the standards for approval will be met with the conditions for approval proposed by staff. Staff therefore recommends that the Planning and Zoning Commission make these standards and conditions a part of the official record of the Application.

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Staff of the Community Development Department therefore recommends the approval of Application PZC 2017-11, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies. Such revisions will be contingent upon the final site design and configuration that is presented to and recommended for approval by the Planning and Zoning Commission:
 - a. Zoning Application dated September 27, 2017 and prepared by LTF Real Estate Company, INC. and Cover Letter dated September 29, 2017, and prepared by Ms. Katherine Jahnke Dale of DLA Piper LLP.
 - b. Exhibit A: Legal Description
 - c. ALTA/NSPS Land Title Survey prepared by Manhard Consulting LTD. Sheets 1-4 dated July 13, 2017.
 - d. Topographic Survey Sheets 1-8 prepared by Manhard Consulting LTD. Sheets 1-8 dated August 2, 2017.
 - e. Preliminary Stormwater Management Report prepared by Manhard Consulting LTD. dated September 29, 2017.
 - f. Preliminary Site and Paving Plan Sheet 1 of 4 prepared by Manhard Consulting LTD. dated December 14, 2017.
 - g. Preliminary Off-Site Roadway Improvements Plan Sheet 2 of 4 prepared by Manhard Consulting LTD. dated October 4, 2017.
 - h. Preliminary Grading Plan Sheet 3 of 4 prepared by Manhard Consulting LTD. dated October 4, 2017.
 - i. Preliminary Utility Plan Sheet 4 of 4 prepared by Manhard Consulting LTD. dated December 14, 2017.
 - j. Exterior Lighting Layout prepared by Luma Sales Associates dated September 26, 2017.
 - k. Tree Preservation Exhibit Sheet 1 prepared by Manhard Consulting LTD. and dated October 4, 2017.
 - l. Preliminary Landscape Plan Sheets L1-L2 prepared by Manhard Consulting LTD. dated September 22, 2017.
 - m. Building Elevations prepared by Life Time dated September 2017.
 - n. Traffic Impact Study prepared by Gewalt Hamilton Associates Inc. dated August 28, 2017.
 - o. Truck Turning Template Sheets 1-2 prepared by Manhard Consulting LTD. dated October 4, 2017.
 - p. Subsurface Drainage Inventory Sheet 1 prepared by Hey and Associates, Inc. dated September 22, 2017.
 - q. Wetland/Waters Assessment Report prepared by Christopher B. Burke Engineering, Ltd. dated May 2015.
2. Revisions to all exhibits as necessary based on the final recommended location, design and operation of the buildings, structures, amenities and landscape material shall be provided to the village prior to Village Board consideration and approval of the development concept plan.

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3. The applicant shall obtain initial approval of the locations of the access points to the property from the Illinois Department of Transportation (IDOT) prior to Village Board consideration and approval of the development concept plan.
4. The landscape material along the north and east perimeter lot lines shall be installed with type and species of plant material that will provide year-round screening of the development from the adjacent residential properties to the maximum extent possible. In addition to plant material, the developer should explore the option of installing a solid fence to enhance the effect of the plant material screening. At a minimum, the fence should extend along the length of the north and east lot lines that are common (or coterminous) with residentially zoned properties to the east and north of the subject property.
5. The site and building lighting shall be constructed and installed in full compliance with Chapter 8 Article B – “Exterior Lighting.” The north and east facing walls of the building should be designed without exterior lighting to further mitigate the effect of the building on adjacent residential properties.
6. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Katie Williams
Associate Planner

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LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS

FOR 880 OLD RAND ROAD
November 15, 2017

The Planning & Zoning Commission recommends approval of Application PZC 2017-11, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **November 15, 2017** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies. Such revisions will be contingent upon the final site design and configuration that is presented to and recommended for approval by the Planning and Zoning Commission:
 - a. Zoning Application dated September 27, 2017 and prepared by LTF Real Estate Company, INC. and Cover Letter dated September 29, 2017, and prepared by Ms. Katherine Jahnke Dale of DLA Piper LLP.
 - b. Exhibit A: Legal Description
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 - m. Building Elevations prepared by Life Time dated September 2017.
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 - o. Truck Turning Template Sheets 1-2 prepared by Manhard Consulting LTD. dated October 4, 2017.

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- p. Subsurface Drainage Inventory Sheet 1 prepared by Hey and Associates, Inc. dated September 22, 2017.
 - q. Wetland/Waters Assessment Report prepared by Christopher B. Burke Engineering, Ltd. dated May 2015.
2. Revisions to all exhibits as necessary based on the final recommended location, design and operation of the buildings, structures, amenities and landscape material shall be provided to the village prior to Village Board consideration and approval of the development concept plan.
 3. The applicant shall obtain initial approval of the locations of the access points to the property from the Illinois Department of Transportation (IDOT) prior to Village Board consideration and approval of the development concept plan.
 4. The landscape material along the north and east perimeter lot lines shall be installed with type and species of plant material that will provide year-round screening of the development from the adjacent residential properties to the maximum extent possible. In addition to plant material, the developer should explore the option of installing a solid fence to enhance the effect of the plant material screening. At a minimum, the fence should extend along the length of the north and east lot lines that are common (or coterminous) with residentially zoned properties to the east and north of the subject property.
 5. The site and building lighting shall be constructed and installed in full compliance with Chapter 8 Article B – “Exterior Lighting.” The north and east facing walls of the building should be designed without exterior lighting to further mitigate the effect of the building on adjacent residential properties.
 6. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
 - Without any further additions, changes, modifications and/or approval conditions.
 - With the following additions, changes, modifications and/or approval conditions:

Planning & Zoning Commission Chairman

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EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE SOUTH 32 RODS, MORE OR LESS, TO THE CENTER OF THE HIGHWAY; THENCE WEST ALONG THE CENTER LINE OF SAID HIGHWAY 77 RODS TO THE CENTER OF THE NORTH AND SOUTH HIGHWAY; THENCE NORTH ALONG THE CENTER OF SAID HIGHWAY 32 RODS TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST ALONG THE AFORESAID LINE TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE EAST 380.866 FEET AND EXCEPT THAT PART TAKEN FOR THE RIGHT OF WAY FOR RAND ROAD), IN LAKE COUNTY, ILLINOIS.

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EXHIBIT B
PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY





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December 13, 2017

Chair Stratman and Members of the Planning & Zoning Commission
Village of Lake Zurich
70 East Main Street
Lake Zurich, IL 60047

Re: 880 North Old Rand Road Life Time Athletic

Dear Chair Stratman:

As you know, we represent Life Time Athletic (“**Life Time**”) in connection with the application to approve the proposed development of the property located at 880 North Old Rand Road. In advance of the December 20 meeting of the Planning and Zoning Commission, we would like to provide an update and additional information on certain items raised at the November 15 Commission meeting.

Architecture and Site Plan

In response to comments from the Commission and neighbors, including proposed alternative site plans, Life Time has modified the site and landscape plans as well the building design.

Site Plan

Shortly before the November P&Z Commission meeting, Life Time was presented with a site plan suggestion prepared by a representative of the Lake Breeze Court residents. That site plan is included as **Exhibit 1**. In conversations with the representative, the primary objectives were:

- Moving the building closer to Rand Road.
- Placing the pool between the building and the neighbors, as it is closed for the majority of the year and closed during the time when the trees have less foliage.
- Creating additional green space along the eastern property line.

While this exact site plan creates operational and engineering challenges, we feel many of the goals of the plan can be accommodated. Some of the challenges with using this exact site plan are:

- The outdoor pool is located behind the building which does not align well with the building floor plans and providing corridors for access to the outdoor pool
- Much of the parking is located in remote locations far from the building’s ingress location.
- All of the green space has been moved to the eastern property line. This eliminates any landscape buffer for the homes to the north.
- All of the green space available for storm water management has been moved to the eastern, highest end of the property. It would be extremely challenging and result in a poor design if we were to use the eastern side of the property for storm water management rather than the northwest corner where the site naturally drains.

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With the goals of the Lake Breeze Court residents' site plan in mind, Life Time has attempted to modify the site plan in a manner that respects the goals set forth but solve the operational and engineering challenges created by this plan. The resulting site plan is included here as **Exhibit 2**. Details of this plan include:

- The building has been moved to the west. The main portion of the building is now 462' from the eastern property line as compared to 301' with the previous site plan. (The pool side Bistro, a single story structure, is located 434' from the eastern property line.)
- The pool, which is closed the majority of the year, is located between the building and Lake Breeze Court.
- The parking lot has been reconfigured to increase the green space on the eastern side of the site from the previous 42' to 62'.
- A green space buffer has been maintained along the northern edge of the property.
- Adequate space for storm water management is maintained at the northwest corner of the property.
- The building, with the exception of the pool side bistro, now resides in the currently zoned B-1 portion of the site. This leaves the outdoor pool and parking, uses allowed in the R-4 zone, as the remaining uses on that portion of the property. This is shown on **Exhibit 3**.

With the exception of the location of the front door of the building and the more equal distribution of the landscape buffers between the north and east property boundaries, we feel that this site plan is nearly identical to that presented by the Lake Breeze Court residents.

In addition to the site plan changes, Life Time will also plan to dim the parking lot lights on the northern and eastern portion of the property after 9pm to reduce any potential impact of the parking lot lights and effectively increase the buffer area at later hours.

Landscaping

Life Time has received the comments from the Tree Preservation Committee and has revised the landscape plan to address all of the comments. Additionally, the increased buffer on the eastern property line will allow for an additional 22 new trees and save approximately 20 existing mature trees and many smaller plants in that area.

Building Height

There has been much discussion about the proposed 60' height of the building. While the actual roof of the building is approximately 49' tall, the building utilizes varying height parapet walls to create an enhanced aesthetic and to screen all rooftop mechanical equipment.

With the sensitivity to the building height in mind, Life Time has reviewed the proposed building design and determined that the parapet can be lowered so that the maximum height of the building is now 58'. By moving the mechanical equipment towards the center of the roof, a lower parapet can still provide complete screening of the rooftop equipment.

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While this height change is not significant by itself, we believe that the height reduction combined with the increased distance of the building from residential properties, the maintaining of existing mature trees and planting of new trees offsets the impact of the building height. From the eastern property line, the current site plan offers 20' of building setback for every additional foot of requested height.

Windows

As requested by the P&Z Commission, Life Time has reviewed the building window locations and the impact they may have on neighboring residents. With particular concern being heard from the neighbors to the east, we have attempted to modify the eastern elevation so that uses demanding spandrel glass and uses such as offices, kids' center, and instructional spaces that do not operate at later hours are concentrated on that side of the building. The resulting eastern elevation can be seen on **Exhibit 4**.

The result of this effort is that only two window bays on the third floor will be in areas that are likely to be lit until late at night. Three window bays on the first floor will be in the indoor pool area and lit until late at night but these windows are at ground level and will be screened by landscaping.

Traffic

As mentioned at the previous Planning & Zoning Commission hearing, area traffic and site access were carefully studied with Life Time's traffic consultant, Gewalt Hamilton, to minimize and mitigate any impact on surrounding streets. As a result, many improvements are being proposed to the surrounding streets to ensure safety and adequate vehicle capacity; however, we would like to elaborate on the issues of site access, traffic distribution to Rand Road and Old Rand Road, pedestrian mobility and safety, heavy truck traffic, and the pavement condition of Old Rand Road.

Site Access

Access to the current Hackney's parking area is currently provided via two right-in/right-out (RIRO) driveways on Rand Road and one full access driveway on Old Rand Road – all located in very close proximity (within the functional area) of the signalized intersection. The existing driveways will be closed and access to the site will be provided via one RIRO on Rand Road and one full access driveway on Old Rand Road – both relocated further away from the Rand Road and Old Rand Road intersection. This is an effective access management strategy to improve safety, pedestrian mobility and traffic progression along corridors. The site access is also consistent with other developments along Rand Road within the Village (Target – RIRO on Rand Road and Full Access via Ela Road and LA Fitness RIRO on Rand Road and Full Access via Deerpath Road).

The existing and proposed site access locations are shown on **Exhibit 5a**.

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Traffic Distribution to Rand Road and Old Rand Road

Traffic impacts on Old Rand Road have been carefully reviewed. While Old Rand Road is designated as a Major Collector roadway, only 15% of site traffic is expected to travel east on Old Rand Road, which is demonstrated in the traffic study and shown on the attached **Exhibit 5b**. With this minor increase in traffic, Old Rand Road will continue to operate at an overall acceptable level of service after the proposed development is built.

The project will also include a number of improvements to both Old Rand Road and Rand Road.

The improvements to Old Rand Road can be seen on **Exhibit 5c** and include:

- Extension of the westbound left turn lane (traffic turning south onto Rand Road)
- Addition of an eastbound left turn lane into Life Time site
- Road widened to the north to accommodate turn lanes

The improvements to Rand Road can be seen on **Exhibit 5d** and include:

- Extension of northbound right turn lane onto Old Rand Road
- Addition of northbound right turn lane to site access off of Rand Road
- Addition of northbound acceleration lane at site exit onto Rand Road
- Extension of southbound left turn lane at Old Rand Road

Pedestrian Mobility and Safety

The project will include a number of pedestrian improvements to Old Rand Road and Rand Road, including pedestrian crosswalks, signals, countdown timers and ADA ramps which are currently missing from these roads. These improvements can be seen on the attached **Exhibit 5e**.

Heavy Truck Traffic

Life Time is not a business that relies on a significant number of large truck deliveries, as the building, staff, services and semi-permanent equipment are the product being sold rather than goods that need continual replenishment. However, Life Time does require garbage removal services, food deliveries, and the occasional delivery of new equipment. Life Time recognizes that Old Rand Road has a prohibition on vehicles weighing more than five tons and intends to respect and continue that prohibition. In order to accommodate that, the site is being designed such that all large trucks can traverse the site through the Rand Road entrance and exit. The proposed heavy truck traffic site access and exit are shown on the attached **Exhibit 5f**.

Old Rand Road currently has signs stating the weight limit. No change to those signs is being proposed.

Pavement Condition of Old Rand Road

Old Rand Road is classified as a Major Collector roadway. Based on the anticipated traffic generation and assignments for the Life Time development, the typical characteristics of the existing roadway's functional classification will be maintained.

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As you are aware, Village of Lake Zurich has a street maintenance program, which evaluates the pavement condition of its roadways and prioritizes the roadways for inclusion in its annual maintenance program. Old Rand Road has been identified to receive maintenance; however, is not currently included in next year's annual program.

As part of the project and the roadway improvements, Life Time will repave and repair, as appropriate, North Old Rand Road along the site frontage.

Storm Water Management

It is necessary to clarify the relationship between the property in question and the boundary of the Lake Zurich watershed. Contrary to some statements made at the 11/15 P&Z Commission meeting, this property is not within the watershed of Lake Zurich.

On this particular side of the lake, the watershed does not extend far from the lake. The north side of Old Rand Road is the approximate boundary of the Lake Zurich watershed in this area. Old Rand Road and the area to the south drains into the lake while the areas to the north of Old Rand Road, including this site, drains to the north. The runoff heading to the north travels through a series of drainage pipes and ditches before reaching Flint Creek.

Enclosed is **Exhibit 6** that illustrates the boundary of the Lake Zurich watershed and the direction of runoff from this property, which confirms that all storm water runoff will continue to travel to the north and there will be no runoff into Lake Zurich.

Surrounding Property Values

Enclosed as **Exhibit 7** is a memorandum from John Mundie, MAI appraiser. As outlined in the memorandum, the Lake Zurich Comprehensive Plan has anticipated that the entire property would ultimately be developed for commercial use since at least the last revision in 2003. After review of the proposed plan and visiting the site and other area Life Time facilities, Mr. Mundie concluded that the facility will not result in a reduction of property values within the vicinity and will be a benefit to the immediate area and the overall community.

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We hope the foregoing addresses any remaining concerns and appreciate your ongoing time and consideration. Life Time and its architects, site and traffic engineers, and appraiser look forward to meeting with you at the December 20 Planning and Zoning Commission hearing to address any additional comments or questions.

Very truly yours,

Katherine C. Jahnke Dale
DLA Piper LLP (US)

cc: Sarosh Saher
Aaron Koehler

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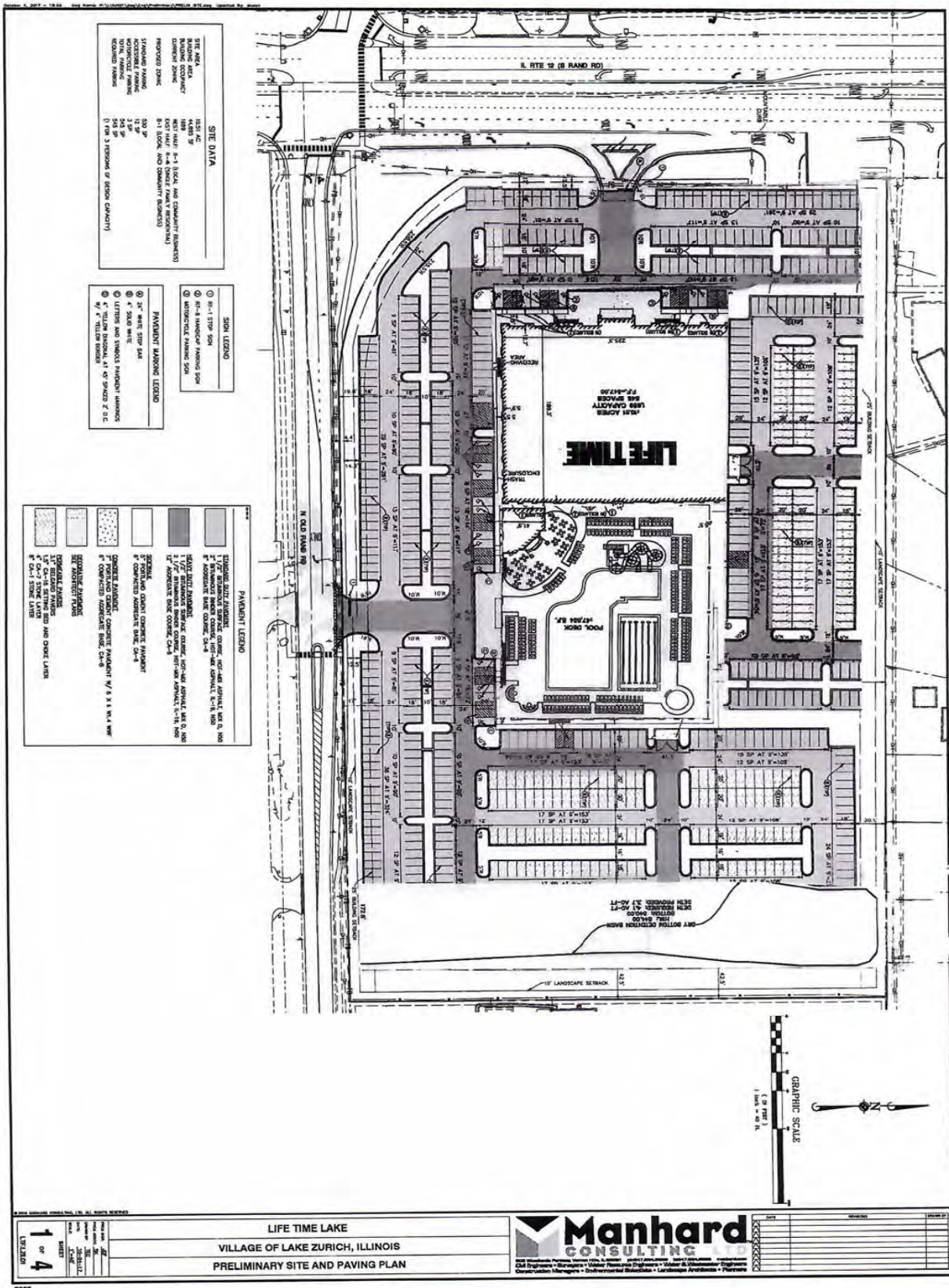


EXHIBIT 1: SITE PLAN PROPOSED BY LAKE BREEZE COURT RESIDENTS

EXHIBIT 2: MODIFIED SITE PLAN



EXHIBIT 3: EXISTING ZONING OVERLAY



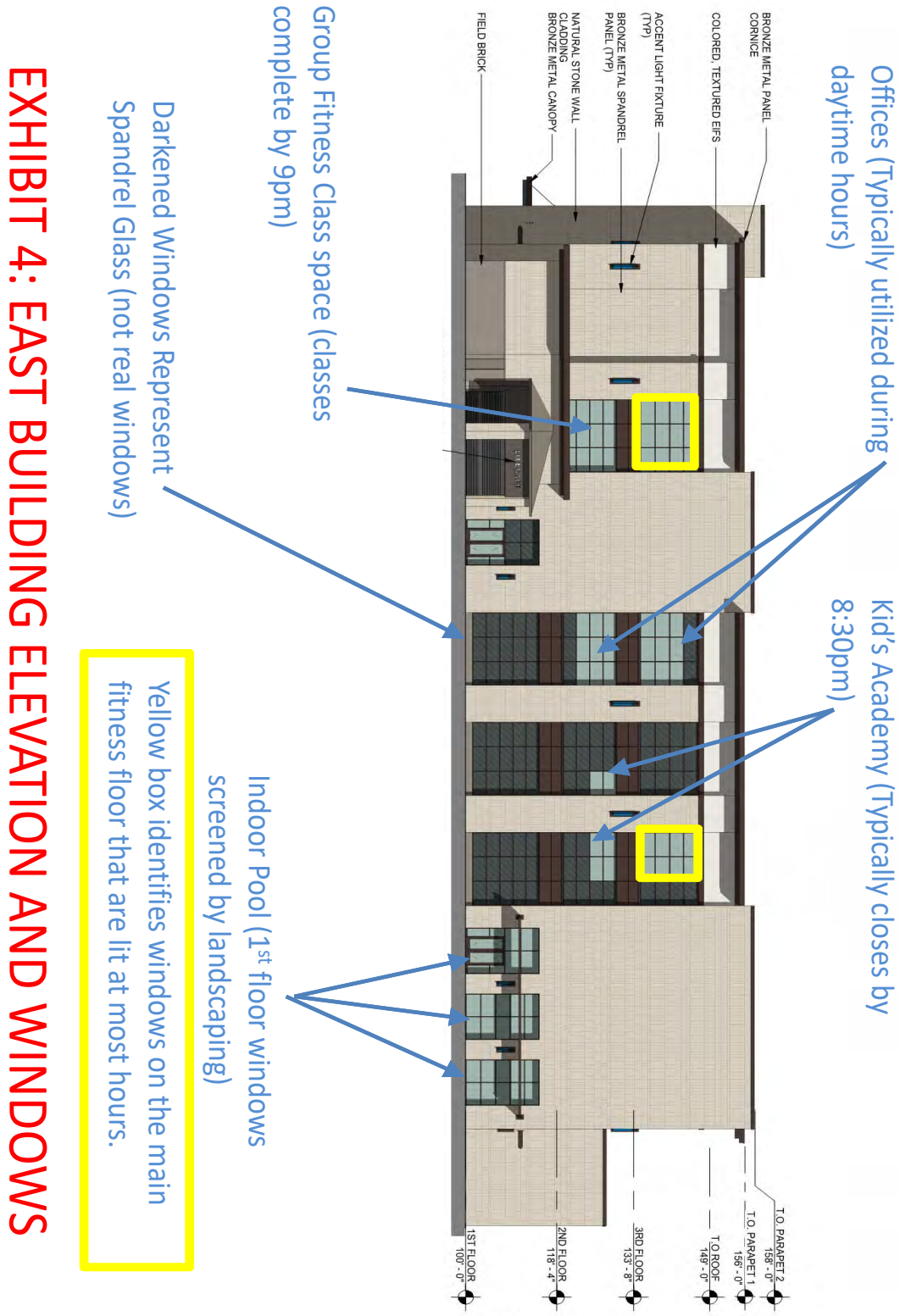


EXHIBIT 4: EAST BUILDING ELEVATION AND WINDOWS

Exhibit 5a: Site Access

Existing



Proposed



Exhibit 5b: Traffic Distribution



Exhibit 5c: Old Rand Road Improvements

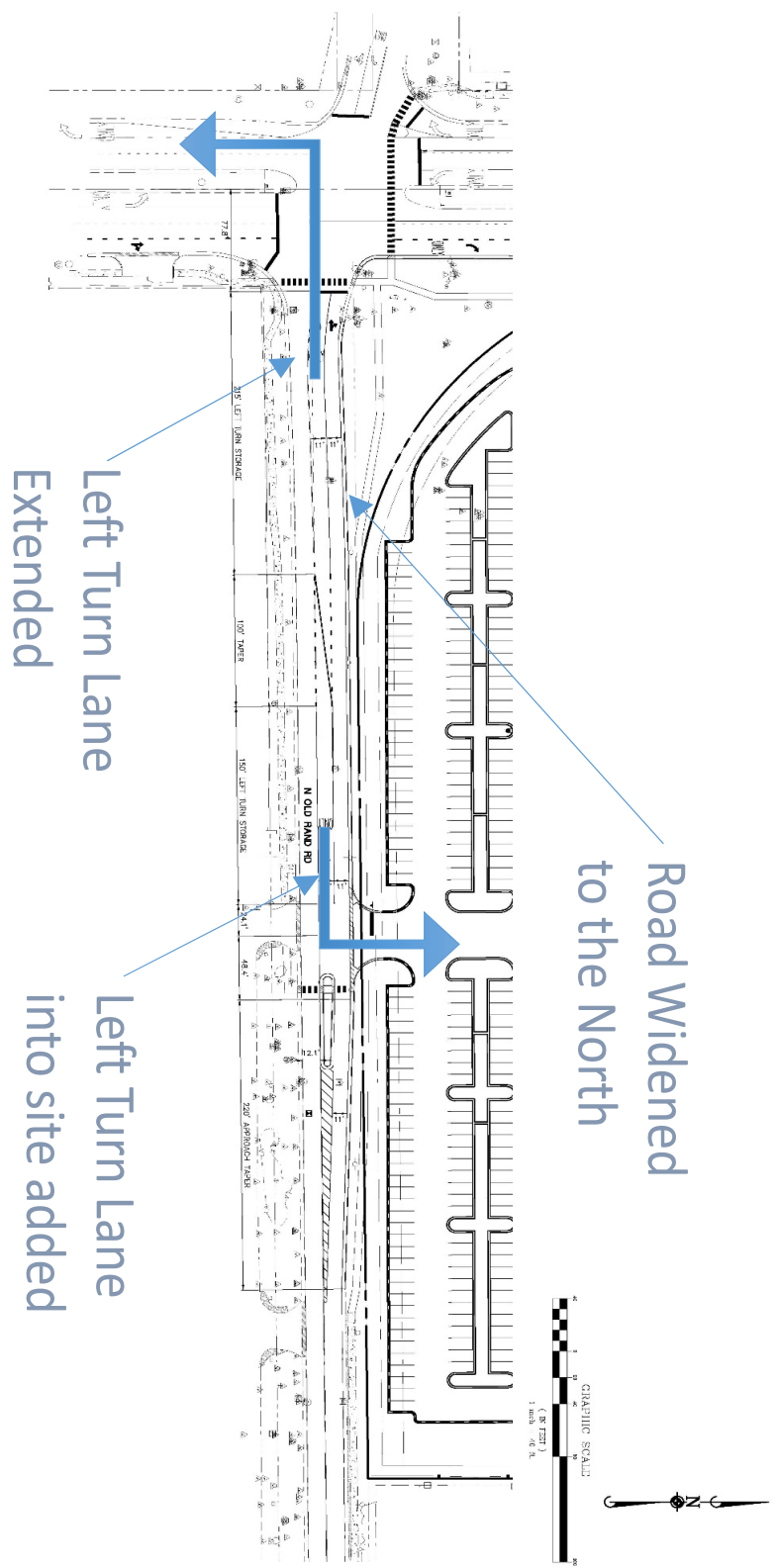


Exhibit 5d: Rand Road Improvements

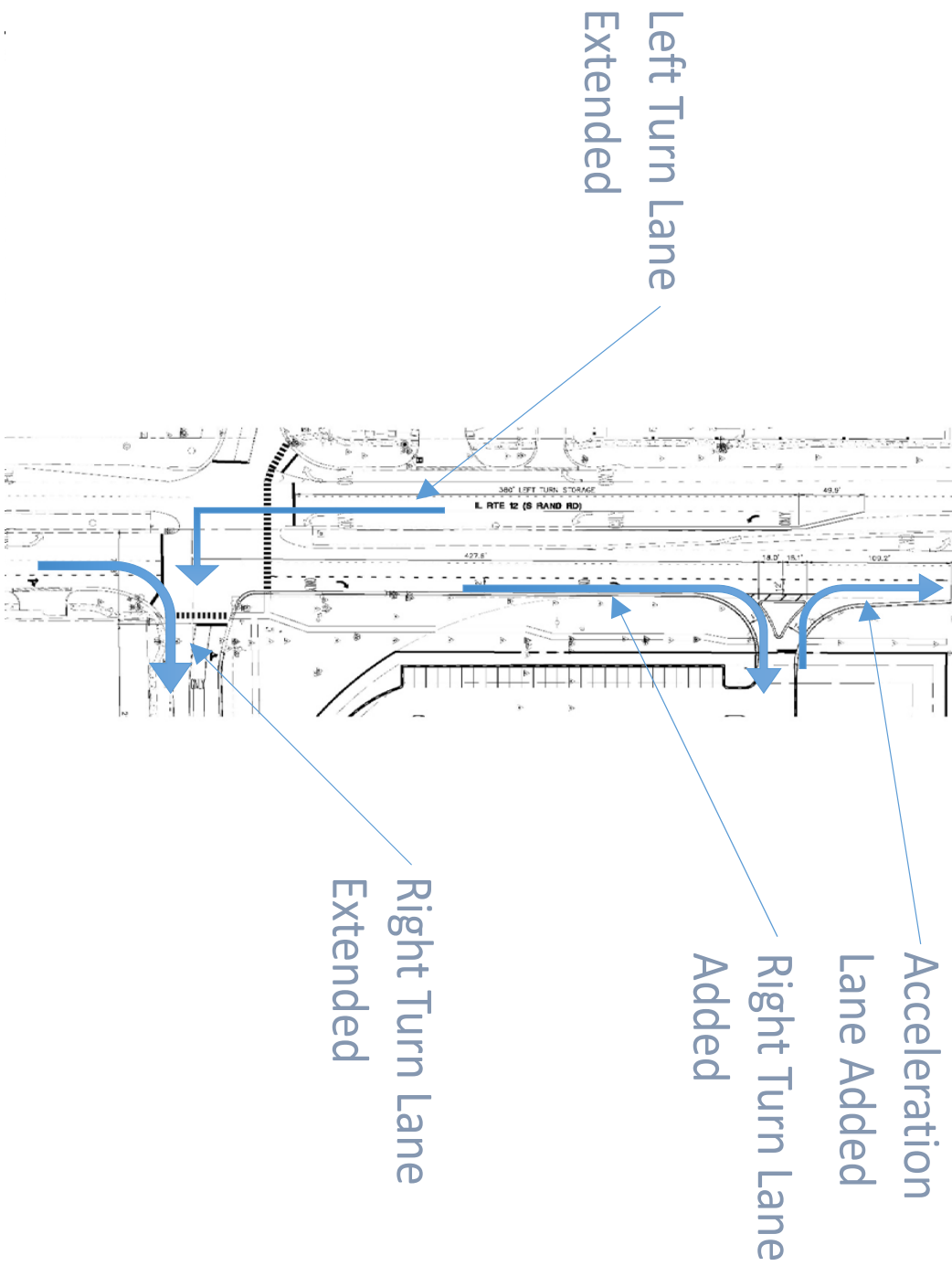


Exhibit 5e: Pedestrian Mobility and Safety Improvements

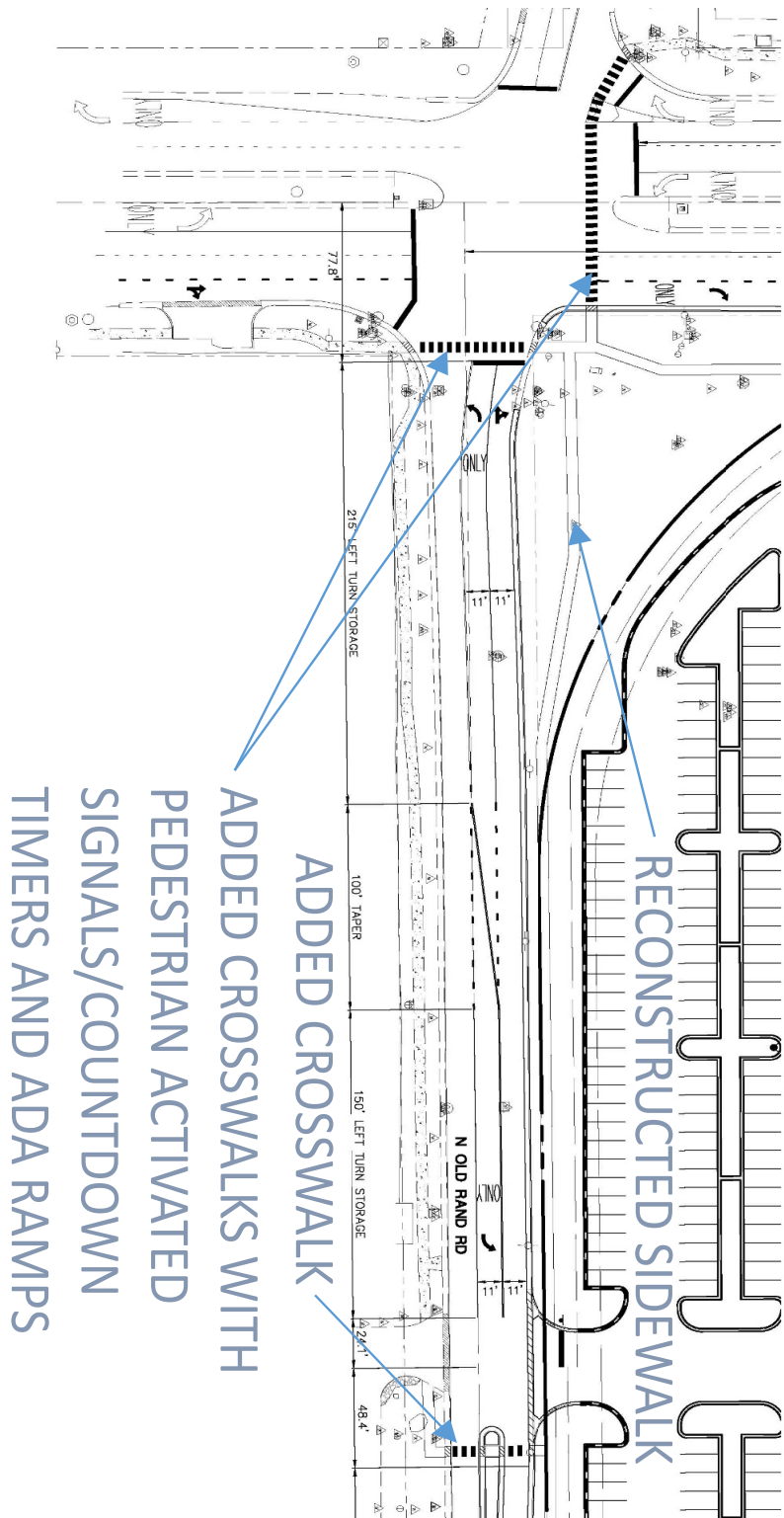
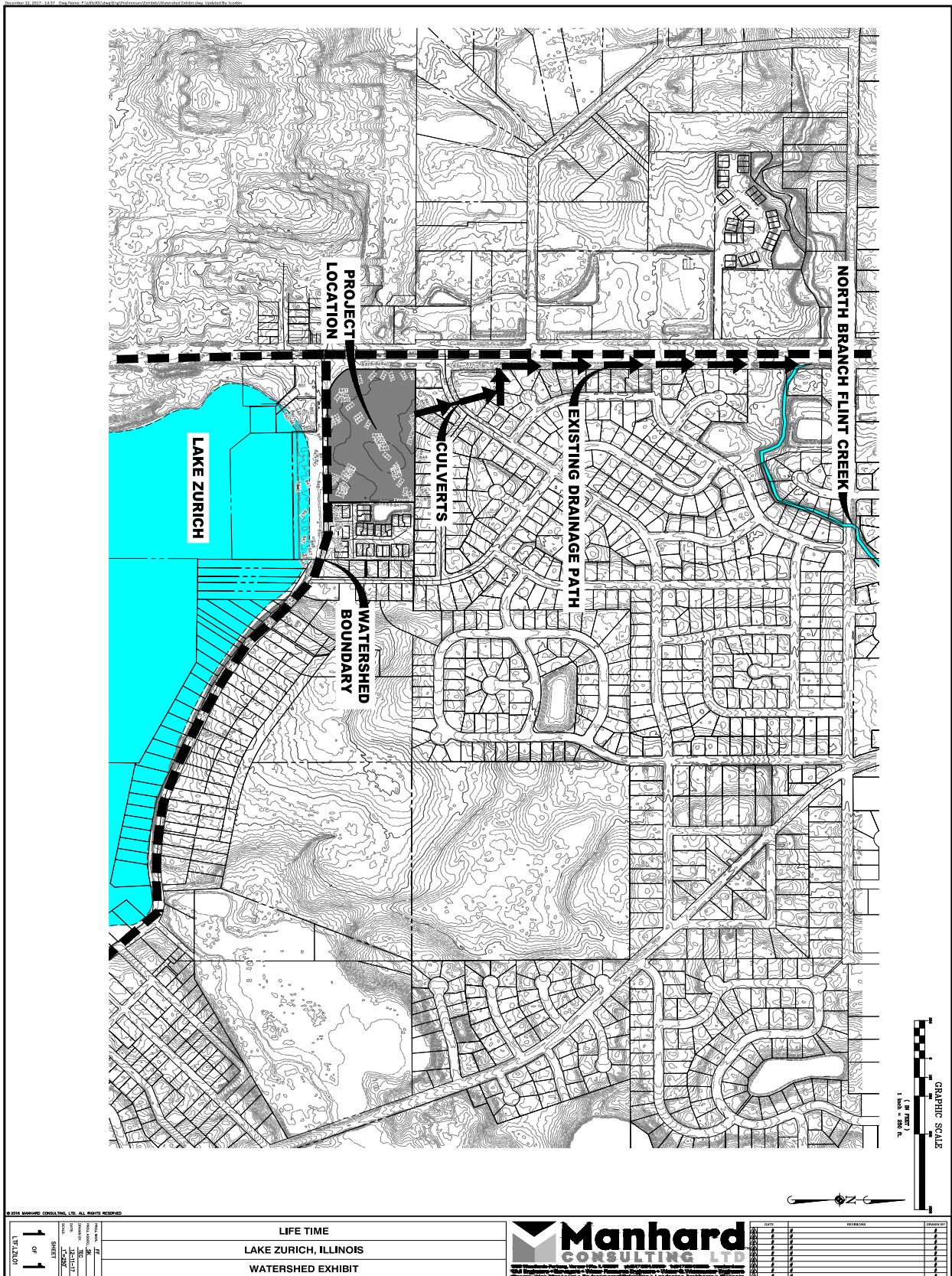


Exhibit 5f: Heavy Truck Traffic







December 11, 2017

LTF Real Estate Company, Inc.
2902 Corporate Place
Chanhasen, MN 55317

Attention: Mr. Aaron Koehler,
Senior Director of Development

RE: Proposed Life Time Athletic
880 North Old Rand Road
Lake Zurich, Illinois

Dear Mr. Koehler:

At your request, I have prepared a Value Impact Analysis to determine if the above referenced planned development will have a negative value impact on the properties within the immediate vicinity of said development.

The property in question is located at the signalized northeast corner of U.S. Route 12 and Old Rand Road. The site, which contains 10.68 acres of land, is currently improved with the former Hackney's Restaurant which is currently closed and will be demolished at some point to make way for future development. The site is basically rectangular in shape with a sizable portion of the property having never been developed. Route 12 (aka Rand Road) is a primary north/south four-lane thoroughfare which includes turn lanes. Old Rand Road is a two-lane asphalt paved street which extends in a southeast direction around the north elevation of the lake with Old Rand Road extending through Lake Zurich's downtown district. Currently the site is zoned a combination of B-1, Commercial District and R-4, Single-Family Residential District.

In addition to the property in question, the intersection of Route 12 and Old Rand Road is improved with a one-story medical office building at the southwest corner, a restaurant (Fritzl's) at the northwest corner, with the southeast corner being an undeveloped parcel. A number of retail uses extend north from the intersection along the west side of Route 12 including a Culver's restaurant and a Kohl's store. Lake Zurich's Comprehensive Plan calls for retail commercial along the majority of Route 12's frontage extending south from just north of Miller Road to a point a few miles south where Route 12 intersects with Old Rand Road. Currently the majority of land along both sides of Route 12 extending south from Honey Lake Road are zoned commercial, with the majority having a B-3 classification. Additionally the three parcels of developed land adjacent to the north of the subject along Route 12 are zoned B-1.

1301 West 22nd Street • Suite 205 • Oak Brook, IL 60523 • 630-472-0100

LTF Real Estate Company, Inc.
 RE: Proposed Life Time Athletic
 880 North Old Rand Road
 Lake Zurich, Illinois

December 11, 2017

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Life Time Athletic is seeking approval to construct a masonry three-story 125,000-square-foot fitness center with an outdoor pool area consisting of approximately 50,000 square feet. The planned facility will closely approximate the Life Time Athletic property in Vernon Hills. Photographs of the Vernon Hills facility are located in the Addenda portion of this report. The most recent Site Plan shows the building to be placed within the west half of the parcel with the building's east elevation line being roughly at the middle of the site. Off-street parking for 542 cars is planned to service the facility. In addition to landscaping along both street frontages, there will be a 62-foot greenspace buffer along the property's east elevation in addition to a dry-bottom detention area to the north of the planned building within the northern portion of the subject site. A full access drive is being requested off of Old Rand Road with a right-in/right-out access drive being contemplated off of Route 12 near the parcel's northwest corner. The planned development will require rezoning of the east approximate 60% of the site from R-4 to B-1. A review of Lake Zurich's Comprehensive Plan dated February 18, 2003, reflects the anticipation by the village (going back more than 14 years) that the entire subject property would ultimately be developed for commercial use.

Given the size of the Hackney's site and the likelihood of rezoning of the entire parcel to B-1, a number of potential retail uses allowed under the B-1 classification (in addition to Life Time Athletic) could potentially reflect the highest and best use of the site. Examples of likely uses are listed below, with all of these users requiring a lot size approximating that of the parcel in question.

- Sporting goods (i.e. Dick's)
- Furniture store (i.e. Darwin Furniture)
- Grocery store (i.e. Mariano's)
- Appliance super-store (i.e. ABT)
- Computer super-store (i.e. Fry's)
- Clothing store (i.e. Target)

As is true of any development of this type, consideration is given relative to a developmental plan. It is my understanding that Life Time Athletic has addressed various developmental issues in the following manner:

- Any increase in traffic and the possibility of corresponding congestion will be minimized by Life Time's re-working of the intersection drive lanes.
- Parking lot lighting will be extinguished at 9:00 p.m. with any internal lighting from the facility being minimized by various window treatments.
- Life Time Athletic is proposing a 62-foot greenspace buffer along the property's east elevation which abuts the residential to the east with buffering along the north elevation including a significant degree of landscaping and the water detention area.

LTF Real Estate Company, Inc.
RE: Proposed Life Time Athletic
880 North Old Rand Road
Lake Zurich, Illinois

December 11, 2017

Page 3

I inspected/walked the site on December 2, 2017 at which time I became aware of various ponds and, upon further review, wetland areas within the southeast section of the site. My analysis assumes that proper and adequate steps will be taken to make the site ready for the proposed development.

In summary, with regard to the proposed use I have considered such features as the buildings' quality of construction, the planned location of the physical improvements on the site, and my knowledge acquired over 40 years of analyzing and valuing real estate. As such, it is my opinion that a Life Time Athletic facility will not result in a reduction of property values within the immediate vicinity; rather, the proposed development will be a benefit to not only the immediate area but also the overall community.

Sincerely,

MUNDIE & COMPANY, INC.



John C. Mundie, MAI

JCM:jd

ADDENDA

AERIAL MAP



SUBJECT PHOTOGRAPHS

SUBJECT PROPERTY
880 N. Old Rand Road
Lake Zurich, IL



View looking north across Old Rand Road at existing/former restaurant



View looking east along Old Rand Road with subject property at left

SUBJECT PROPERTY
880 N. Old Rand Road
Lake Zurich, IL



View looking west from Old Rand Road at subject's signalized intersection



View looking north along Route 12 from Old Rand Road

SUBJECT PROPERTY

880 N. Old Rand Road

Lake Zurich, IL



View showing portion of subject's east interior elevation



View looking northwest across interior of subject site

SUBJECT PROPERTY

880 N. Old Rand Road

Lake Zurich, IL



View looking east from west parking lot across interior of subject site



View looking east at subject's far east parking area along Old Rand Road

**Photographs of Vernon Hills
Life Time Athletic Facility**

VERNON HILLS – LIFE TIME ATHLETIC

680 Woodlands Parkway

Vernon Hills, Illinois



View looking northwest at main building



View looking north showing east elevation of main building and outdoor pool/cabana area

VERNON HILLS – LIFE TIME ATHLETIC

680 Woodlands Parkway

Vernon Hills, Illinois



Interior view of first floor lobby entrance area



Interior view of swimming pools

VERNON HILLS – LIFE TIME ATHLETIC

680 Woodlands Parkway

Vernon Hills, Illinois

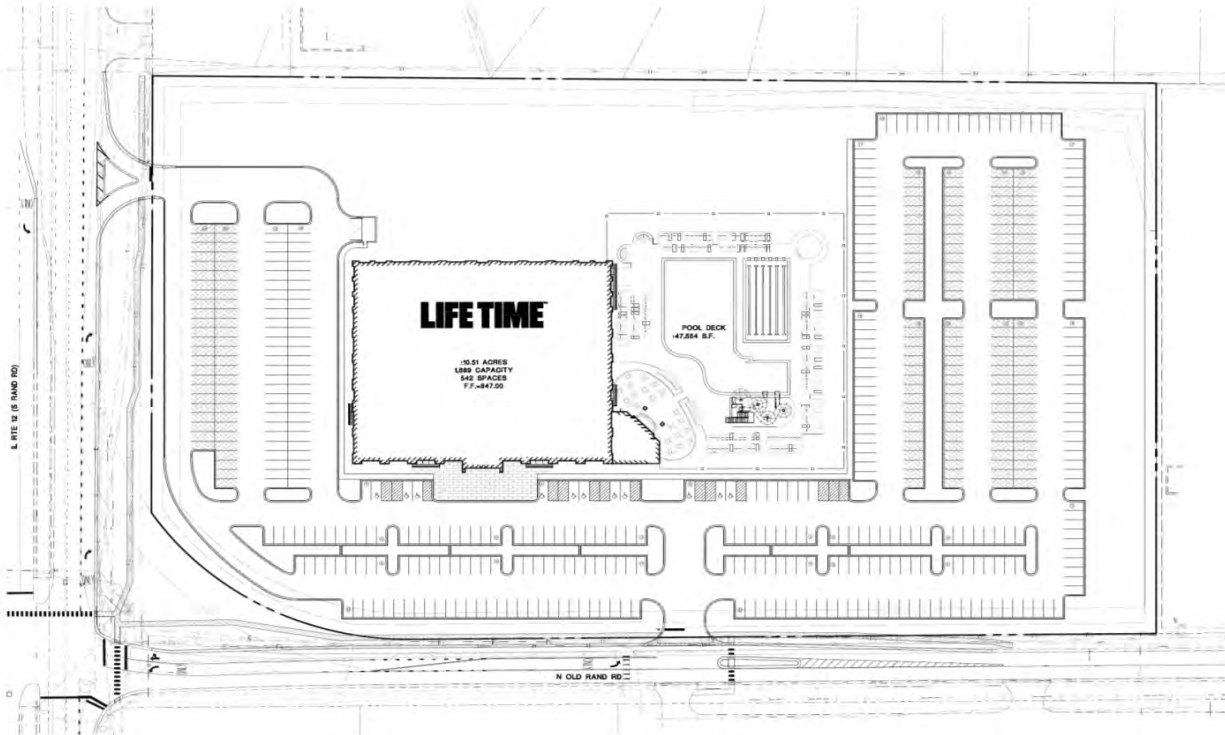


Interior view showing salon

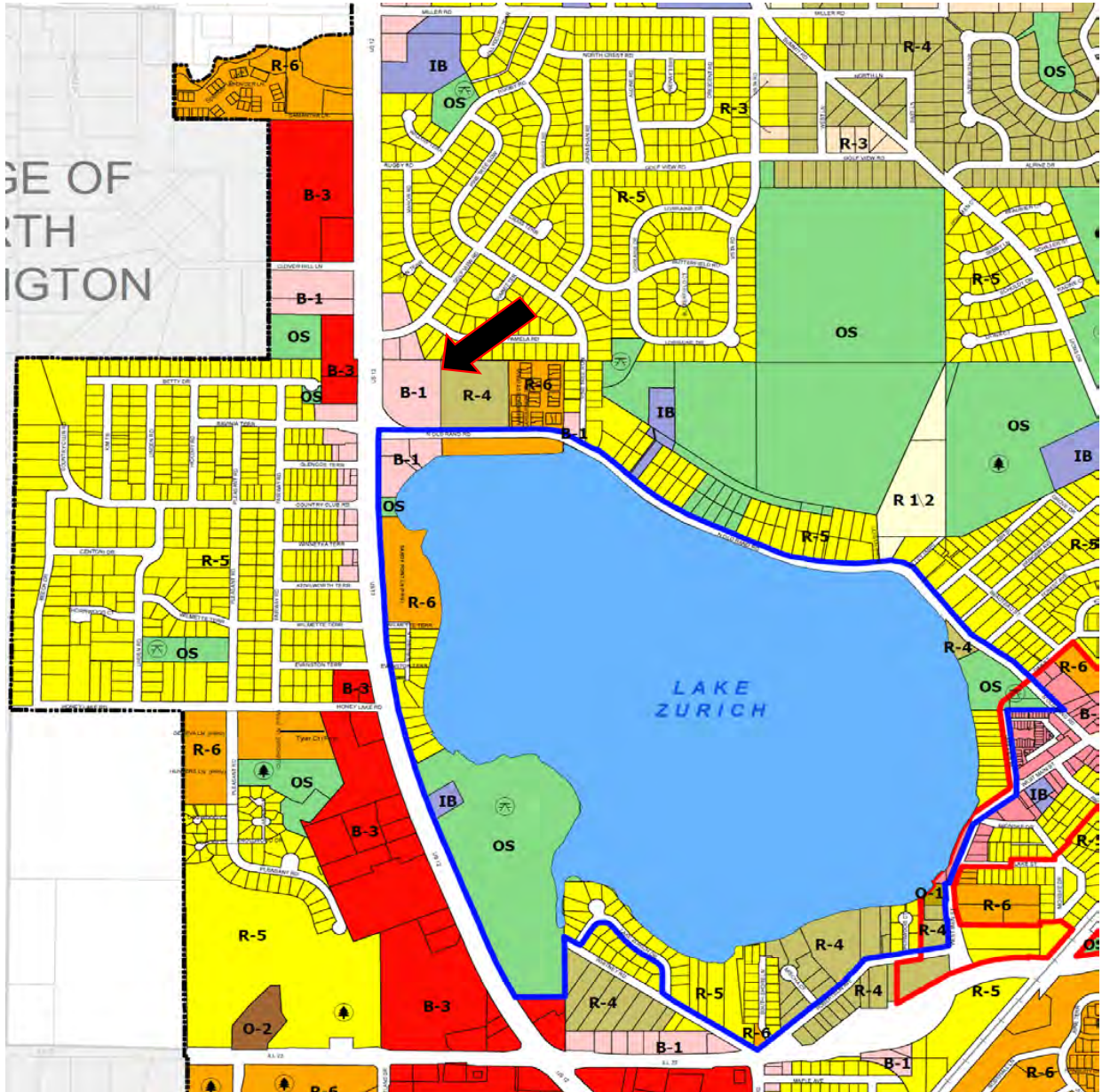


Typical interior first floor view

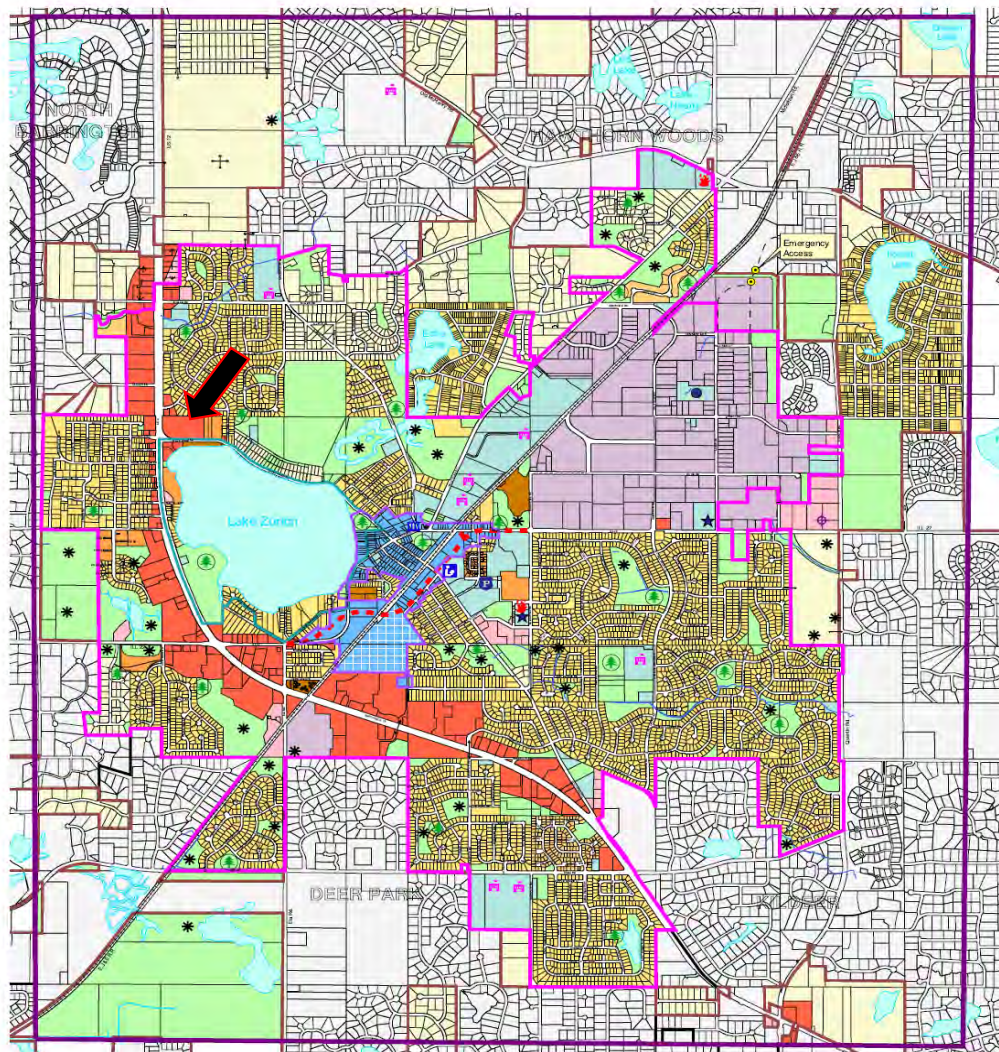
SITE PLAN



ZONING MAP



LAKE ZURICH COMPREHENSIVE PLAN



**Lake Zurich Comprehensive Plan
Proposed Land Uses**

<ul style="list-style-type: none"> Fire Department Library Natural Resources Features Park Police Department Postal Service Public Works School Village Hall 	<ul style="list-style-type: none"> Bypass Rail Road Potential Road Connection and Extension Creek Unimproved Road TIF Boundary Lake Protection District Boundary Planning Boundary Village Boundary Unincorporated Lake County Other Municipalities Major Bodies of Water 	<ul style="list-style-type: none"> Low Density Single Family Traditional Single Family Cluster Single Family Low Density Multiple-Family Medium Density Multiple-Family Mixed-Use Commercial/Residential Mixed-Use Residential Commercial Office/Service Limited Industrial/Employment Institutional Open Space Office, possibly industrial or commercial
--	---	---

Revisions	Date
Public Hearing Draft	11/20/02
Public Hearing Revisions	05/03/03
Village Board Revisions	01/27/05
Adopted	02/18/05

S.B. Friedman & Company
 Real Estate, Urban and Planning Consultants
 10710 Grand Ave., Suite 1000
 Lake Zurich, Illinois 60048
 Phone: 847/353-8300 Fax: 847/353-8311
 Email: info@sbfriedman.com

Lannert Group
 Landscape Architecture, Planning, Engineering
 11111 Lakeview Drive, Suite 100
 Skokie, IL 60077
 Phone: 847/470-1000 Fax: 847/470-1001

Base Map Source: Lake County Management Services Department
 Village of Lake Zurich, GIS Mapping

scale 1"=2,000'
 © 2005, File

WETLAND MAP

Lake County Wetland Map



	<p>Lake County Geographic Information System</p> <p>Lake County GIS Division 18 N County St Waukegan IL 60085 (847) 377-2388 Map Printed on 12/11/2017</p>		<p>Road Labels</p> <p>ADvanced IDentification Wetlands</p> <p>ADID with 100ft Buffer</p>	<p>Lake County Wetland Inventory</p>
<p>Disclaimer: The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.</p>				

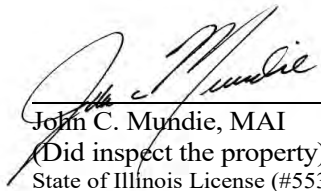
CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and I have no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant professional assistance to the person signing this report.
- As of the date of this report, I have completed the continuing education program of the Appraisal Institute.

December 11, 2017

(Date)



John C. Mundie, MAI
(Did inspect the property)
State of Illinois License (#553.000454)

APPRAISER QUALIFICATIONS

**JOHN C. MUNDIE, MAI
(6016)**

PROFESSIONAL ASSOCIATIONS

Member of the Appraisal Institute

Licensed Certified General Real Estate Appraiser - State of Illinois (#553.000454)

EDUCATION

Graduated from Marquette University in 1971 with a Bachelor of Arts Degree (English).

Is currently certified thru 12/31/17 relative to the Appraisal Institute's continuing education program.

Is currently certified thru 09/30/19 relative to the State of Illinois's continuing education program.

REAL ESTATE EXPERIENCE

Has been actively engaged in the real estate industry since January, 1972 when he was employed by a firm specializing in the marketing and promotion of multi-family residential communities including apartments, townhouses and condominiums; both in Illinois and outside of the state. The primary function as Marketing Director for this firm was the securing of complete feasibility studies for planned developments.

Since October of 1973 has been exclusively appraising real estate including industrial, commercial, vacant land, special use properties and multi-family and single-family units.

Formed Mundie & Company, Inc. in March of 1982. Has had extensive experience in valuing commercial retail (office buildings, shopping centers, hotels, etc.) and industrial manufacturing/warehouse facilities in addition to vacant land parcels and special use properties. While the majority of the company's work has been performed in the five-county metropolitan Chicago area, assignments have been undertaken and completed throughout the state of Illinois and in approximately 28 states.

On numerous occasions has been qualified and given expert witness testimony in both the Circuit and Federal Courts regarding condemnation, bankruptcy and divorce proceedings. Has also given testimony regarding various zoning matters as well as appearing many times before the Illinois Property Tax Appeals Board.

December 14, 2017 - 14:18 Deg Home: D:\141801\Site\Kva\Work Area\Site Plan Alternates\2017-12-07-SP-PRELM SITE.dwg Updated By: Shrey

SITE DATA

NET AREA	1261 AC
BUILDING FOOTPRINT	44,889 SF
CONCRETE ZONE	RESTROOM BLD (LOCAL AND COMMUNITY SERVICES)
PROPOSED ZONING	B-1 (LOCAL AND COMMUNITY SERVICES)
STANDARD PARKING	472 SP
ADDITIONAL PARKING	12 SP
TOTAL PARKING	484 SP
REQUIRED PARKING	472 SP
EXCESS PARKING	(FOR 3 PERSONS OF RESON CAPACITY)

PAVEMENT MARKING LEGEND

① 2" WHITE STOP BAR
② 4" SOLID WHITE
③ LETTERS AND SYMBOLS PAVEMENT MARKINGS
④ YELLOW CURB MARKING AT 45° SPACED 2' O.C.
⑤ 4" YELLOW SPACED
⑥ 4" YELLOW SPACED

SOIL LEGEND

① R1-1 STIP SOIL
② R1-4 MANICURE PARKING SOIL
③ INTERLOCK PARKING SOIL

PAVEMENT LEGEND

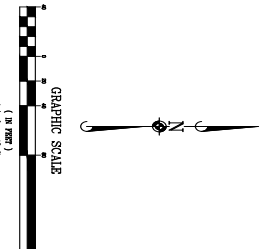
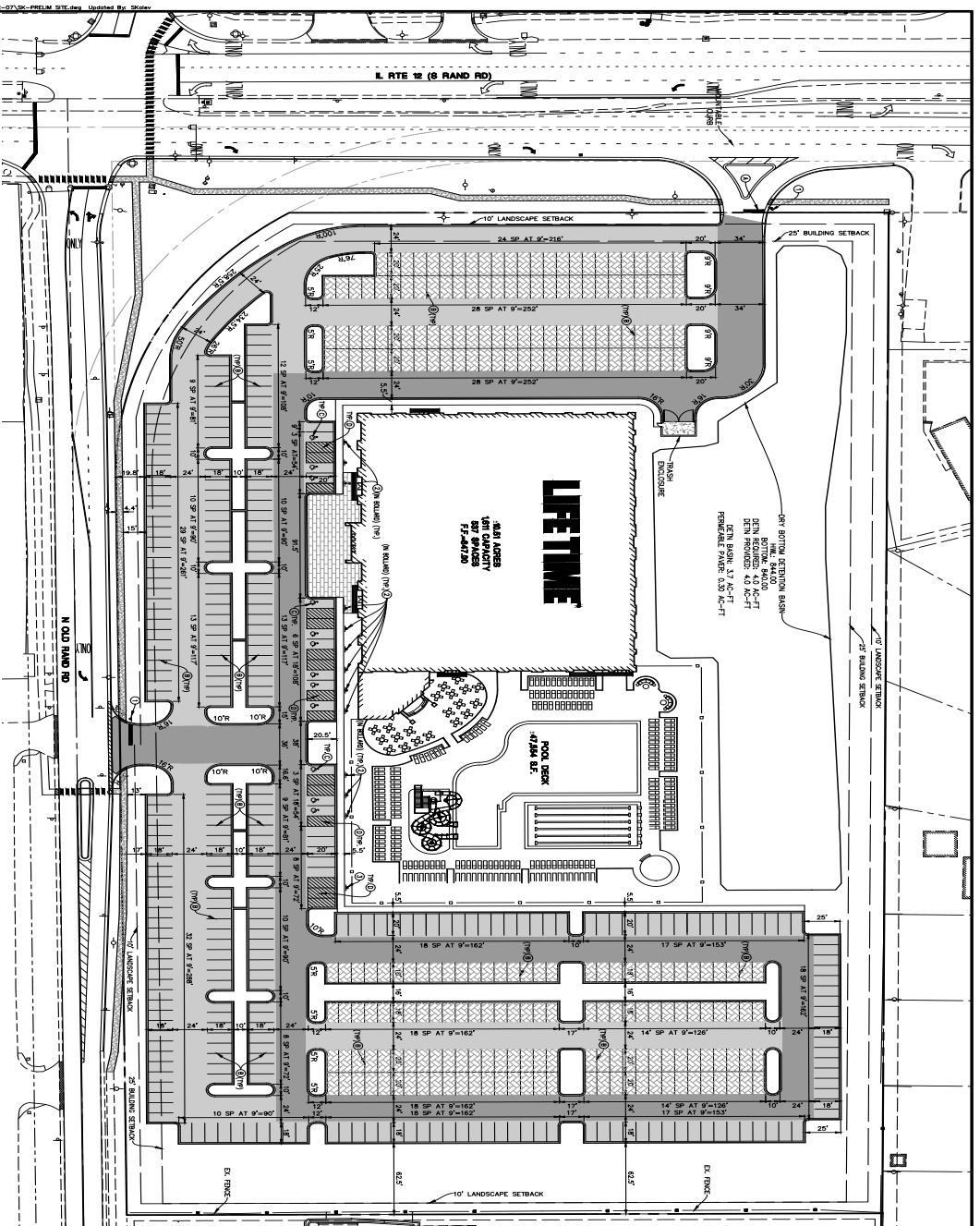
STANDARD CURB PAVEMENT	1 1/2" BITUMINOUS SURFACE COURSE (HOT- Mix ASPHALT), 1" W/ 0. N30
2" BITUMINOUS SURFACE COURSE (HOT- Mix ASPHALT), 1-1/8" N30	8" COMPACTED BASE COURSE, CA-4
HEAVY DUTY PAVEMENT	2 1/2" BITUMINOUS SURFACE COURSE (HOT- Mix ASPHALT), 1" W/ 0. N30
2 1/2" BITUMINOUS SURFACE COURSE (HOT- Mix ASPHALT), 1-1/8" N30	12" ASPHALTIC BASE COURSE, CA-4
CONCRETE PAVEMENT	6" COMPACTED SUBGRADE
6" COMPACTED SUBGRADE	CONCRETE PAVEMENT W/ 6' x 6' W/ 4" W/F

REINFORCING BARS

4#	15.5 x 12.0	* 0.00
5#	16.5 x 12.5	* 0.00
6#	18.0 x 13.5	* 1.04
7#	19.5 x 15.0	* 2.30
8#	21.0 x 16.5	* 4.08
9#	22.5 x 18.0	* 6.19
10#	24.0 x 19.5	* 8.83
11#	25.5 x 21.0	* 11.97
12#	27.0 x 22.5	* 15.60
TOTAL		* 23.97

STRUCTURAL NUMBERS

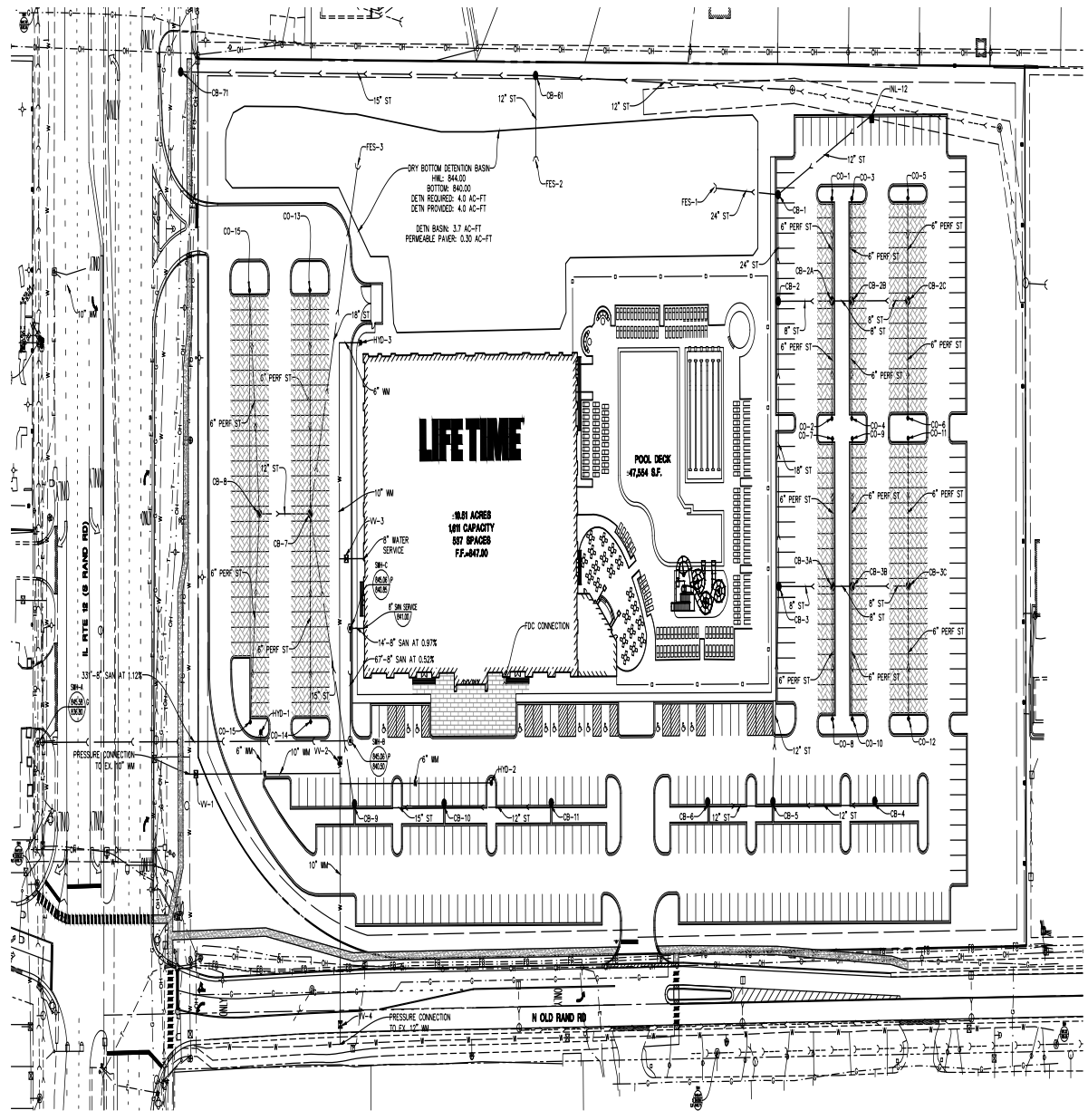
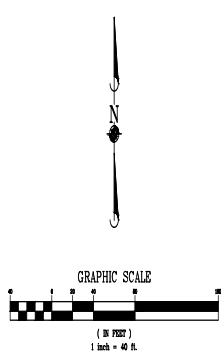
4#	4.48
5#	5.63
6#	6.78
7#	7.93
8#	9.08
9#	10.23
10#	11.38
11#	12.53
12#	13.68
TOTAL	* 3.90



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<p>LIFE TIME LAKE VILLAGE OF LAKE ZURICH, ILLINOIS PRELIMINARY SITE AND PAVING PLAN</p>		<p>Manhard CONSULTING LTD.</p>	<p>DATE: _____</p> <p>REV: _____</p> <p>DESCRIPTION: _____</p>
<p>TITLE: _____</p> <p>DATE: _____</p> <p>BY: _____</p> <p>CHECKED BY: _____</p>	<p>SCALE: _____</p> <p>SHEET: _____</p> <p>OF _____</p>		

- *** UTILITY NOTES:**
1. ALL UTILITY DIMENSIONS ARE TO CENTER OF PIPE OR CENTER OF STRUCTURE UNLESS OTHERWISE NOTED.
 2. BUILDING DIMENSIONS AND ADJACENT UTILITY LAYOUT HAVE BEEN PREPARED BASED UPON ARCHITECTURAL INFORMATION CURRENT AT THE DATE OF THIS DRAWING. SUBSEQUENT ARCHITECTURAL CHANGES MAY EXIST. THEREFORE CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS AND NOTIFY THE ARCHITECT AND ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
 3. THE CONTRACTOR SHALL CONTACT JULLIE (1-800-882-0223) PRIOR TO ANY WORK TO LOCATE UTILITIES AND SHALL CONTACT THE OWNER SHOULD UTILITIES APPEAR TO BE IN CONFLICT WITH THE PROPOSED IMPROVEMENT.
 4. ROUTING OF GAS, ELECTRIC AND TELEPHONE SERVICES F SHOWN ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE BASED UPON FINAL REVIEW AND APPROVAL BY RESPECTIVE UTILITY COMPANIES AND OWNER. CONTRACTOR SHALL CONTACT EACH UTILITY COMPANY AND COORDINATE FINAL LOCATIONS FOR ALL UTILITY SERVICES PRIOR TO START OF CONSTRUCTION.
 5. CONTRACTOR SHALL EXCAVATE AND VERIFY ALL EXISTING SEWER, WATER MAIN AND DRY UTILITY LOCATIONS, SIZES, CONDITIONS & ELEVATIONS AT PROPOSED POINTS OF CONNECTION AND CROSSINGS PRIOR TO ANY UNDERGROUND CONSTRUCTION AND NOTIFY THE OWNER OF ANY DISCREPANCIES OR CONFLICTS.
 6. LIGHTING AND UNDERGROUND CABLE F SHOWN ON PLANS ARE FOR APPROXIMATE LOCATION ONLY. REFER TO ARCHITECTURAL PLANS FOR SPECIFICATIONS AND DETAILS.
 7. THE CONTRACTOR SHALL ADJUST R/W ELEVATIONS OF ALL EXISTING STRUCTURES TO PROPOSED FINISH GRADES.
 8. CONTRACTOR TO VERIFY LOCATION, SIZES, AND ELEVATION OF ALL BUILDING SERVICE LOCATIONS WITH ARCHITECTURAL PLANS.
 9. AT LOCATIONS WHERE WATER MAIN CROSSES BENEATH OR LESS THAN 18" ABOVE A SEWER, PROVIDE WATER MAIN PROTECTION PER STANDARD SPECIFICATIONS FOR SEWER AND WATER MAIN CONSTRUCTION IN ILLINOIS, LATEST EDITION.
 10. ELEVATIONS GIVEN FOR STORM SEWER STRUCTURES LOCATED IN CURB LINE ARE PAVEMENT ELEVATIONS.
 11. ALL WATER MAIN SHALL BE 5'-6" BELOW FINISHED GRADE TO TOP OF MAINS UNLESS NOTED OTHERWISE.
 12. ALL EXISTING UTILITIES SHOWN ARE NOT TO BE INTERPRETED AS THE EXACT ELEVATION OR LOCATION OR AS THE ONLY OBSTACLES THAT MAY OCCUR ON THE SITE. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND PROCEED WITH CAUTION AROUND ANY ANTICIPATED FEATURES.
 13. THE UNDERGROUND UTILITY INFORMATION AS SHOWN HERE ON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED.
 14. ALL SANITARY AND STORM SEWER LENGTHS SHOWN ARE CENTER OF MANHOLE TO CENTER OF MANHOLE OR STORM MANHOLE TO FEES.
 15. PROVIDE CONCRETE COLLAR FOR ALL MANHOLES & VALVE VAULTS IN PAVEMENT, NOT ADJACENT TO CURB. SEE CONCRETE COLLAR DETAIL ON DETAIL SHEET.
 16. CONTRACTOR SHALL CORE AND BOOT ALL PIPE ENTRANCES TO EXISTING EXISTING SANITARY MANHOLES.
 17. EXTERNAL CHIMNEY SEALS ARE REQUIRED ON PROPOSED AND ADJUSTED EXISTING SANITARY MANHOLES.
 18. SOME EXISTING ITEMS TO BE REMOVED HAVE BEEN DELETED FROM THIS PLAN FOR CLARITY. SEE DEMOLITION PLAN FOR ITEMS DELETED.



Manhard CONSULTING

LIFE TIME VILLAGE OF LAKE ZURICH, ILLINOIS PRELIMINARY UTILITY PLAN

PROJECT NO.	17-047
DATE	12-14-17
SCALE	1"=40'
SHEET	4 OF 4



CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

November 2, 2017
Revised November 6, 2017
Revised December 14, 2017

Village of Lake Zurich
505 Telsler Road
Lake Zurich, IL 60047

Attention: Sarosh Saher, Community Development Director

Subject: Proposed Life Time Fitness
(CBBEL Project No. 170350)

Dear Sarosh:

As requested, we have reviewed the Preliminary Engineering Plans and supporting documents for the proposed Life Time Fitness development located at the northeast corner of North Old Rand Road and Rand Road (IL Route 12).

The following comments are provided for your consideration:

PRELIMINARY ENGINEERING PLANS

1. The parking lot aisle widths and parking stall dimensions comply with Section 10-6-20(E) of Village Code.
2. The parking lot pavement structural numbers appear to comply with Section 10-6-20(F) of Village Code. We recommend that the structural number of each pavement type be included in the pavement Legend on Sheet 1 of 4.
3. Considering that patrons of the building will have an inclination toward fitness, we recommend that provisions be made for bike racks near the entrance. Perhaps to the east or west of the main entrance would be appropriate.
4. It should be noted that for the off-site road improvements along Old Rand Road, it appears that the utility poles and sidewalk will have to be relocated.
5. It should be noted that for the off-site road improvements, the sidewalk along Rand Road is a proposed new sidewalk.
6. An IDOT permit will be required for all work within the Rand Road right of way.
7. Although not specified on the plans, it is presumed that all improvements within the Old Rand Road right of way will comply with Title 10 of Village Code.
8. The Preliminary Grading Plan appears to be generally appropriate, except as noted below:

- a) It appears that the overland flow route from the east parking lot is to the north, rather than east into the detention basin. This can be addressed on the final plans.
 - b) On the final plans, it will have to be demonstrated that the overland flow route from the east parking lot is to the detention basin, and not out the Rand Road driveway.
 - c) On the final plans, it will have to be demonstrated that any overland flow from the east is accommodated.
 - d) Although the detention basin is labeled as "Dry Bottom Detention Basin," it may in fact be a saturated wetland type basin. This may just be semantics.
 - e) Elevations for the pool deck will have to be specified on the final engineering plans.
 - f) It will have to be specified on the final plans exactly how the north berm of the detention basin will be constructed as it will hold back approximately 4 ac-ft. of water at a maximum depth of five feet. Care will have to be taken to design for this depth and prevent seepage.
9. On the Preliminary Utility Plan, it should be clarified to where the roof drains will discharge.
10. On the Preliminary Utility Plan, it is presumed that the looped watermain will be public and owned by the Village. Presuming this to be the case, a public utility easement will have to be granted to the Village and hydrant spacing will have to meet Village Code. Also, a valve on the service line into the building will be required.
- If our presumption of a public main is not correct and it is intended to be a private service, then it must be reviewed for compliance with the Illinois Plumbing Code by the Building Department/Plumbing Inspector.
11. It is our understanding that the Village water system has adequate capacity to serve the proposed development.

STORMWATER MANAGEMENT

Based on our knowledge of the Lake County Watershed Development Ordinance (WDO), we offer the following preliminary comments:

- 1. The project will be considered a Major Development and will require a Watershed Development Permit (WDP) to be issued by the Village of Lake Zurich. The submittal requirements for a Major Development are outlined in §401 of the WDO including a WDP application form and final stormwater report with the required calculations. This can be addressed during final engineering.
- 2. The plans should be revised to show the previously delineated wetlands and buffers and quantification of impacts should be provided in the stormwater report. A wetland approval from Lake County Stormwater Management Commission (SMC) will be required prior to Village issuance of the WDP.
- 3. A vicinity topographic map should be provided that shows the area drainage patterns and off-site area tributary to the project site (if any). The adjacent storm sewer systems should also be shown on the map. There appears to be off-site flow entering the site from the east. This tributary area and runoff will have to be quantified as part of the design of the stormwater management system for the site.

4. The proposed detention basin involves the creation of a 6-7 foot tall berm to impound stormwater immediately upstream of the existing residential structures to the north. This could be considered a dam by the Illinois Department of Natural Resources – Office of Water Resources (IDNR-OWR). The applicant should provide information as to how this will be addressed.
5. The existing site outlet drains to the north between homes and is likely not a suitable outlet for the proposed stormwater detention basin. The utility plan shows an outlet pipe draining to the north in the IDOT ROW, which would be a possible solution. However, this is not addressed in the stormwater report and is not fully shown on the plans. More information on the proposed detention basin outlet should be provided.
6. Stormwater detention must be provided for the proposed roadway improvements. The detention calculations should be revised to include these improvements.
7. Appendix O of the WDO should be completed to determine how the Runoff Volume Reduction (RVR) requirements for the site are being met.
8. In addition to the RVR requirements, the project must meet the water quality and hydrocarbon removal requirements outlined in §504 of the WDO. Specifically, the proposed parking lot has greater than 25 parking stalls and will require hydrocarbon removal treatment. The dry-bottom detention basin is likely not suitable for this type of treatment.
9. We have reviewed the proposed detention basin for the project site, and offer the following comments:
 - a. The detention basin will have to be modified to meet current WDO standards of §507.01 including:
 - i. An emergency overflow structure will be required capable of passing the critical duration base flood inflow rate without damages to downstream structures or property.
 - ii. The top of the impounding structure shall be a minimum of one (1) foot above the design high water level within the emergency overflow structure based on §507.01A.
 - iii. Features for maintenance and emergency ingress and egress capability will be required.
 - iv. A planting plan will be to meet water quality requirements, as necessary and discussed above.
 - v. The required detention volume is not correctly shown on the plan when compared to the stormwater report.
 - b. The detention basin will have to be set back from the IDOT ROW and calculations should be provided to verify that these requirements have been met. IDOT may also require additional freeboard in the detention basin.
 - c. It should be noted that the control structure for the detention basin should be sized to release at the required 2-year and 100-year release rate at the elevation that corresponds to the required detention volumes.
10. This review covered only the preliminary submittal. Additional comments will be provided upon review of the final engineering. The following items will be required during final engineering and reviewed in further detail at that time.

N:\LAKEZURICH\170350A\ADMIN\1.12\1417REV.dwg

- a. Storm sewer and overland flow path calculations will be required. The site stormwater conveyance system must be designed to meet the requirements outlined in §506 of the WDO. The 8-inch off-site storm sewer from the east should be picked up closer to the eastern property line and replaced through the property with a 12-inch storm sewer, which is the minimum size allowable per the WDO.
- b. The rims, inverts, sizes, and lengths of the storm sewers should be shown on the applicable plan sheets, and profile views for the storm sewer system.
- c. The project must be designed to meet the buffer requirements outlined in §505 of the WDO.
- d. Exhibits including the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), U.S. Soil Conservation Service (NRCS) soils maps, Advanced Identification Wetland Study (ADID) and National Wetlands Inventory (NWI) wetland maps, and Hydrologic Atlas (HA).
- e. A soil erosion and sediment control (SESC) plan must be included with the full submittal per §401.08 of the WDO. The SESC plan must meet the requirements of WDO Article 6.
- f. A maintenance plan must be included with the full submittal per §401.09 of the WDO.
- g. The project will require an NPDES ILR10 construction permit from the Illinois Environmental Protection Agency (IEPA). The review time for this permit is 30 days. The Village should be copied on the permit submittal and provided a copy of the permit upon receipt.
- h. The project will require permits from the applicable roadway jurisdictions. As previously noted, stormwater detention for the work in the roadway ROW should be provided in the proposed on-site detention basin.

PARKING LOT LIGHTING / PHOTOMETRICS

1. Please provide project specific catalog cut sheets for each proposed luminaire and light standard provided within the detail drawings.
2. All light pole locations shall be identified and located in the Utility Plan sheet.
3. Please provide Site Lighting Electrical Plan and detail drawings of proposed conduit, wiring, foundations and circuitry.
4. Please provide detail drawings for light pole. Please include mounting heights for the entire light pole assembly including overall height of the foundation.
5. Verify mounting height of all proposed light standards and luminaires are in accordance with Lake Zurich Village Ordinance 9-8B--3.
6. Verify maximum foot candle illumination levels throughout the proposed north, south, and west parking lots are in accordance with the Village of Lake Zurich Exterior Lighting Ordinance, Article B.
7. It appears there are proposed trees on the Landscaping Plan that are in direct conflict with the proposed light pole locations shown on the proposed Photometrics Plan.

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- Please revise the proposed Landscape Plan or proposed Photometric Plan accordingly.
8. Proposed light poles within the north, west, and south parking lots appear to conflict with proposed storm sewers shown on Preliminary Utilities Sheet 4. Please revise the proposed Utility Plan or Photometric Plan or resolve all conflicts.

TRAFFIC IMPACT STUDY

We have reviewed the Traffic Impact Study (TIS) dated August 28, 2017 prepared by Gewalt Hamilton Associates. (GHA) regarding the proposed Life Time Fitness development. Based on our review we are recommending approval of the TIS at this time. GHA should include a copy of the IDOT approval letter of the TIS in the final report. GHA used traffic generation data from existing Life Time Fitness developments to develop site generation traffic estimates, which are more conservative than those found in the ITE trip generation manual.

SANITARY SEWER CAPACITY

It is our understanding that it will be necessary for the design engineer to perform a capacity study of the receiving sanitary sewer system to verify if there is adequate capacity to accept flow from the proposed development.

LANDSCAPE PLAN

9-8A-3 Landscaping Requirements

Perimeter Lot Lines

Northwest Corner

The northwest corner of the site adjoins properties zoned B1 for approx. 295 linear feet. This distance requires 3 plant units for 10% opacity to be achieved. Ten existing trees are identified to remain. Out of the 10 only 2 are of an acceptable species and size, American Elm 14" and 4", the rest are comprised of unacceptable species. The proposed grading plan indicates that there will be earthwork all the way to the lot line. If this occurs it is doubtful that any existing vegetation will remain. Either revise the grading plan to protect the trees or remove these trees from the preservation plan.

North

A portion of the north lot line adjoins properties zoned R5 for 582 linear feet. This distance and zoned area requires 29 plant units to achieve 60% opacity to be achieved. Twenty-six existing trees are identified to remain. Once again, the proposed grading plan indicates that there will be earthwork all the way to the lot line. If this occurs it is doubtful that any existing vegetation will remain. Either revise the grading plan to protect the trees or remove these trees from the preservation plan.

East

The east lot line adjoins properties zoned R6 for 528 linear feet. This distance and zoned area requires 33 plant units to achieve 70% opacity to be achieved. Please revise plan to achieve 70% opacity.

Thirty-two existing trees are identified to remain. Out of those 27, only 5 are of acceptable species and size, American Elm 11" and 6", American Linden 12", 11.5", and 9" the rest are comprised of unacceptable species but do have a screening quality.

South (Old Rand Road)

The south lot line adjoins Old Rand Road for 904 linear feet. This street is considered a collector street which requires 30% opacity. This has been achieved with the proposed landscaping plus some of the existing trees will be saved and incorporated into the mass plantings.

West (Rand Road / RTE 12)

The west lot line adjoins Rand Road /RTE 12 for 451 linear feet. This street is considered an arterial road which requires 30% opacity. This has been achieved with the proposed landscaping. Some of the existing trees just outside of the lot line will be saved and will serve to enhance the screening of the parking mass along Rand Road.

Parking Lot

The parking lot tree requirements have been achieved. It appears that existing tree #3448, a 10" dia. White Mulberry is indicated to be saved. It is located within a wide parking lot planting island on the east side of the facility. Mulberry's are durable trees however the utility plan indicates a proposed storm sewer passing almost directly below it. It is recommended that this tree not be saved and new tree be planted in its place.

If you have any questions, please feel free to contact me.

Sincerely,



Daniel L. Lynch, PE, CMF
Head, Municipal Engineering Department

- Cc: Mike Brown – Director of Public Works
- Darren Olson – CBBEL
- Gerry Hennelly – CBBEL
- Mike Ziegler – CBBEL
- John Caruso – CBBEL
- Doug Gotham – CBBEL

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Village of Lake Zurich
Utilities Division of
Public Works

Memo

To: Katie Williams, Associate Planner
From: Betty Harrison, EQC Supervisor
Date: December 14, 2017
Re: Staff Review – December Planning & Zoning Commission Meeting

880 N Old Rand Road

- a. No pipe wrapping on water main.
- b. C-900 can be used for the water main. A tracer wire must be run with the pipe.
- c. Suggest that 10-inch water main be run into the building.
- d. Move valve vault 3 to the service side of the tee going into the building. Thus, the service into the building can be isolated but the hydrant would still be live.
- e. Water main on Route 12 is on the east side of the road. Existing 10-inch water main is behind the curb. Connection to the main must be a pressure connection in a vault.
- f. The 10" water main going west to Route 12 should be moved to the north and align with hydrant 3.
- g. The 10" water main going south to North Old Rand should be moved to the east and align with hydrant 2.
- h. Relocate hydrant 1 to the island east of its current proposed location.
- i. All utility crossings must be denoted for proper distance and or required pipe material.
- j. All Village specs and details must be included.
- k. Domestic water service size not denoted. 2-inch is the minimum requirement for non-domestic services. Water and sewer connection fees based on size of domestic water service.
- l. Plans must be submitted to Lake County for the county sewer connection fee.
- m. A Letter of Credit (LOC) will be required. The LOC is 110% of the Engineer's Estimate of Probable Cost.



TO: Katie Williams

CC:

FROM: Shawn Walkington, Village Arborist

Date: 12/12/2017

Re: Lifetime Fitness

Katie,

Tree Commission Motioned to recommend that revised plans be approved by the Village Board contingent to following changes.

- 1- Reduce the clumping of Maples on the Southwest corner for the health and diversity of our urban forest.
- 2- Replace stone with mulch around the trees in the islands to reduce heat stress on the roots and increase natural inputs.



At the Heart of Community

COMMUNITY SERVICES DEPARTMENT
Building and Zoning Division

505 Telsler Road
Lake Zurich, Illinois 60047

(847) 540-1696
Fax (847) 726-2182
LakeZurich.org

ZONING REVIEW

PROJECT: Life Time Fitness
LOCATION: 880 N Old Rand
REVIEWED BY: Katie Williams
DATE: December 14, 2017

DOCUMENTS: Zoning Application dated September 27, 2017 and prepared by LTF Real Estate Company, INC. and Cover Letter dated September 29, 2017, and prepared by Ms. Katherine Jahnke Dale of DLA Piper LLP, Exhibit A: Legal Description, ALTA/NSPS Land Title Survey prepared by Manhard Consulting LTD. Sheets 1-4 dated July 13, 2017, Topographic Survey Sheets 1-8 prepared by Manhard Consulting LTD. Sheets 1-8 dated August 2, 2017, Preliminary Site and Paving Plan Sheet 1 of 4 prepared by Manhard Consulting LTD. dated October 4, 2017. Exterior Lighting Layout prepared by Luma Sales Associates dated September 26, 2017, Building Elevations prepared by Life Time dated September 2017.

LTF Real Estate Company, Inc., d/b/a Life Time Athletic proposes the demolition of the vacant restaurant and subsequent construction of a physical fitness facility. This development will be created as a PUD. Review is as follows:

B-3 ZONING DISTRICT REQUIREMENTS

- A. **Existing Zoning:** B-1 Local & Community Business and R-4 Single Family Res.
- B. **Proposed Zoning:** B-1 Local & Community Business
[Map Amendment sought via PUD.](#)

- C. **Use:** Physical Fitness Facility – Permitted Use
Accessory Eating Place – Permitted Use
Accessory Salon/Spa – Permitted Use
Accessory Child daycare services – [Special Use](#)
[Relief is sought via PUD.](#)

- D. **Height:** Maximum Allowed: 35', 2 stories
Proposed: 58', 3 stories
Relief is sought via PUD.
- E. **Minimum Yards:**
- a. Front: Required: 25'
Proposed: 10'
 - b. Corner: Required: 25'
Proposed: 14'
 - c. Rear: Required: 25'
Proposed: 30'
 - d. Int. Side: Required: 10'
Proposed: 42.5'
Relief is sought via PUD
- F. **Maximum FAR:** Required: .22 - .30 depending on use
Proposed: .2
- G. **Landscaping:** Landscaping shall be reviewed by a consultant.
- H. **Parking:** Physical Fitness Facility
- a. Required:
1 for each 3 persons of design capacity
1611 capacity / 3 = **537**
 - b. Provided: **537 spaces**
- I. **Access. Parking:** Required:
- a. 2% of total = 11
- Proposed:
- b. 12
Compliant
- J. **Paving:** Required: 9' x 20' or 9' x 18' with a landscaped curb
Proposed: 9' x 18' with a landscaped curb
Compliant
- K. **Photometrics:** Required: No direct glare on neighboring properties
.5 footcandles at property line
10 footcandles max anywhere on property
- Proposed:
Applicant has indicated that they will be comply with photometric requirements and will not be seeking any relief. Photometrics will need to be submitted and reviewed prior to Village Board approval.
- L. **RTUs:** Required: All mechanical equipment located on the roof of any building, except for antennas, vent pipes, chimneys, and exhaust fans, shall be fully screened by a parapet wall or similar structure to a point not less than

twelve inches (12") higher than the highest point of such equipment.

Proposed: RTU enclosures screened by parapet

M. Signage: Signage will be clarified during the final plan stage

Conclusion

- Relief will be sought for:
 - Accessory Use
 - Setbacks
 - Building Height



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road
Lake Zurich, Illinois 60047

Phone (847) 540-1696
Fax (847) 726-2182
LakeZurich.org

APPLICATION PZC 2017-13
PZC Hearing Date: December 20, 2017

AGENDA ITEM 4.C

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission
From: Sarosh Saher, Community Development Director
CC: Katie Williams, Associate Planner
Mary Meyer, Building Services Supervisor
Date: December 20, 2017
Re: PZC 2017-13 Zoning Application for 100 Oakwood Road – Brazilian Jiu Jitsu Studio

SUBJECT

David Downs of Brabo, LLC (the “Applicant”) requests a Special Use Permit to allow a physical fitness facility (SIC #7991) to operate at the property commonly known as 100 Oakwood Road Unit H, and legally described in Exhibit A attached hereto (the “Subject Property”).

GENERAL INFORMATION

Requested Action: Special Use Permit
Current Zoning: I Industrial District
Existing Use: Vacant unit within an industrial condominium complex
Proposed Uses: Physical Fitness Facility (SIC #7991)
Property Location: 100 Oakwood Road, Unit H
Applicant: David Downs of Brabo, LLC
Owner: Schultz Brothers Co.

Staff Report
APPLICATION PZC 2017-13

Community Development Department
PZC Hearing Date: December 20, 2017

Staff Coordinator: Katie Williams, Associate Planner

LIST OF EXHIBITS

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

BACKGROUND

David Downs (the “Applicant”), is the Applicant for the physical fitness facility that is proposing to operate within the 100 Oakwood industrial condominium, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received November 20, 2017 (the “Application”) seeking:

- Special Use Permit approval for a Physical Fitness Facility (SIC #7991)

The Subject Property is located within the Village’s I Industrial Zoning District. David Downs, the Applicant, currently moonlights as a Jiu Jitsu instructor at a martial arts location (Carlson Gracie Jiu Jitsu) in Buffalo Grove. He now intends to open and operate his own training studio in affiliation with Carlson Gracie Team that is known to have established the martial art of Brazilian Jiu Jitsu in North America. The studio will be located within an approximately 2,880 square foot industrial tenant space – Unit H – in the condominium building. As part of the operation, Mr. Downs will hold classes of 10-20 adults. The tenant space is intended to be set up with 1,100 square feet of exercise mats with no structural changes, major renovations or the use of any equipment such as fitness machines, weights and treadmills.

The Jiu Jitsu studio is proposed to hold two hour-long classes, 4 days a week. The classes would be held after normal business hours, with the first beginning at 5:45 p.m., and the second beginning at 6:45 p.m. The applicant is contemplating adding two classes during the weekends with class times yet to be determined.

Pursuant to public notice published on December 2, 2017, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for December 20, 2017, to consider the Application. On November 22, 2017, the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

Staff Report
APPLICATION PZC 2017-13

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- A. Courtesy Review.** No Courtesy Review was recommended for the proposed use due to the minimal impact of the land use.
- B. Zoning History.** The Subject Property was constructed in 2000, pursuant to the approval outlined in Ordinance 1999-09-989. The units were built to accommodate both office space and warehousing in order to provide for the spatial needs of most small industrial businesses. Since their construction, the condominiums have housed a variety of low-impact, small-scale manufacturing and service industry businesses.

A membership sports and recreation club, Go Hardball Training Academy, was previously approved for this unit in 2010, as outlined in Special Use Approval 2010-06-715. No additional conditions were placed on this approval.

- C. Surrounding Land Use and Zoning.** The subject property is located at the southern end of the Industrial Park, near the intersection of Oakwood Road and Route 22. The building at 100 Oakwood consists of seven industrial condominium units. The majority of surrounding land is zoned I Industrial District and is improved with both multi-tenant and single user industrial buildings. Immediately south of the Subject Property and adjacent to Route 22 is the Oakwood Commons Retail Center, a multitenant building which is zoned B-1 Local and Community Business.
- D. Trend of Development.** The subject property is located within Lake Zurich's thriving Industrial Park. Currently, there are four other physical fitness facilities that have sought Special Use Permits to locate in the I Industrial zoning district. The existing physical fitness facilities located within the I Industrial zoning district are CrossFit Lykos at 143 East Main Street, Homerun Sports and Fitness at 140 Oakwood Road, MaxFitness at 1148 Rose Road, and US Gymnastics Training Center at 405 Enterprise Parkway. The Jiu Jitsu studio will be unique in that it will be the only Jiu Jitsu studio in both the Industrial Park and the Village.
- E. Zoning District.** The I industrial district is intended to provide for a range of nuisance free manufacturing, warehousing, transportation, wholesaling, and industrial uses that are compatible with the suburban residential character of the village. The industrial district is also meant to accommodate certain professional offices and similar uses that may provide services to the industrial users and are compatible with the industrial character of the district. It is the goal of these regulations to provide and preserve an area within the village for industrial uses that create employment and economic benefits for the village and the industrial district.

Physical fitness facilities are classified as a special use requiring a careful review of their location, design, configuration, and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. They are uses that may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect

Staff Report
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GENERAL FINDINGS

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

9-19-3: STANDARDS FOR SPECIAL USE PERMITS.

Staff has reviewed the application and found that the proposal will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

A. General Standards: No special use permit shall be recommended or granted unless the applicant shall establish substantial conformance with the following:

1. **Zoning Code and Plan Purposes:** The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

Staff Response: Standard met. The development will continue to remain in substantial conformance with the purpose and intent of the I Industrial District, and the land use designation of the adopted Comprehensive Plan.

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Staff Response: Standard met. The proposed development is consistent with other industrial condominium office spaces within the Industrial District. It will be operated with smaller classes which will be held outside of normal business hours and will not have any substantial or undue adverse effect upon any adjacent properties.

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

Staff Response: Standard met. The entirety of the proposed land use is conducted within a portion of the existing tenant space, Unit H, at 100 Oakwood Road.

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4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

Staff Response: Standard met. The proposed development is currently served by and will continue to be served adequately by essential public facilities and services such as streets, utilities and drainage and other municipal services. No changes to these are contemplated at this time.

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

Staff Response: Standard met. The Brazilian Jiu Jitsu studio will only be training smaller classes with hours outside of usual businesses, resulting in minimal related automobile traffic arriving to and leaving this location.

Parking is in conformance with the requirements of the zoning code. The industrial condominium complex was designed with adequate parking to accommodate the parking demand for the various types of uses that the complex could accommodate within the single 55-space parking lot. The applicant has been assigned a minimum of seven unreserved parking spaces within the lot. However, the additional usage of the lot will be allowed through shared parking. The operation of the facility off peak hours will allow parking demand to be staggered with the peak demand of other businesses on the property.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Staff Response: Standard met. The proposed use will not result in the destruction or removal of any natural features. The proposed use would be conducted entirely within an existing tenant space.

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Staff Response: Standard met. The proposed development will comply with all other additional standards imposed through the building codes as they relate to physical fitness facilities.

8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

Staff Report
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Staff Response: Standard met. The proposed development will continue to uphold the established character of the industrial park, and will provide a healthy and convenient lifestyle option for the Village's residents and employees of the Industrial Park.

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

Staff Response: Standard met. There are no additional standards for the proposed special use. Staff will ensure that compliance is established before any permits are issued.

- C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Staff Response: Standard met. The proposed development will bring a unique healthy lifestyle option to the Village. Residents of the village and employees of the Industrial Park will be provided with a convenient space for this unique activity.

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

Staff Response: Physical fitness facilities (SIC #7991) are a permitted use within the Village's Business districts and a special use within Industrial districts. Any alternative location within the industrial district would be subject to requirements that are no different from the current location.

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

Staff Response: Standard met. The physical fitness facility is being proposed in a manner that will prevent any undue adverse effect on itself or on surrounding property in relation to its location, design and operation. All

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primary activities of the proposed use are located within the enclosed tenant space, Unit H.

RECOMMENDATION

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits

Based on the review of staff, the standards for approval have been met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2017-13, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
 - a. Zoning Application and Cover Letter dated November 20, 2017, and prepared by Mr. David Downs
 - b. Exhibit A: Legal Description
 - c. Floor plans prepared by Mr. David Downs
 - d. Site Plan provided by Van Vlissingen Property Management Company
2. All fitness activities shall be operated and contained wholly within the enclosed tenant space subject to this approval.
3. The special use constituting a physical fitness facility known as Brazilian Jiu Jitsu Studio/Academy operated by Mr. David Downs, shall be restricted to the commercial tenant space known as Unit H at 100 Oakwood Road and shall expire if this physical fitness use and company requesting this special use cease operating at the property.
4. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Katie Williams
Associate Planner

Staff Report
APPLICATION PZC 2017-13

Community Development Department
PZC Hearing Date: December 20, 2017

LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS

FOR 100 Oakwood Road
December 20, 2017

The Planning & Zoning Commission recommends approval of Application PZC 2017-13, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **December 20, 2017** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
 - a. Zoning Application and Cover Letter dated November 20, 2017, and prepared by Mr. David Downs
 - b. Exhibit A: Legal Description
 - c. Floor plans prepared by Mr. David Downs
 - d. Site Plan provided by Van Vlissingen Property Management Company
 2. All fitness activities shall be operated and contained wholly within the enclosed tenant space subject to this approval.
 5. The special use constituting a physical fitness facility known as Brazilian Jiu Jitsu Studio/Academy operated by Mr. David Downs, shall be restricted to the commercial tenant space known as Unit H at 100 Oakwood Road and shall expire if this physical fitness use and company requesting this special use cease operating at the property.
 3. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
- Without any further additions, changes, modifications and/or approval conditions.
- With the following additions, changes, modifications and/or approval conditions:

Planning & Zoning Commission Chairman

Staff Report
APPLICATION PZC 2017-13

Community Development Department
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EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE NORTH 359 .00 FEET OF LOT 46 IN LAKE ZURICH ESTATES BEING A SUBDIVISION OF PARTS OF SECTIONS 15, 16 AND 21 TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 4, 1926 AS DOCUMENT NUMBER 280128, IN BOOK "P" OF PLATS, PAGE 61, IN LAKE COUNTY, ILLINOIS.

Staff Report
APPLICATION PZC 2017-13

Community Development Department
PZC Hearing Date: December 20, 2017

EXHIBIT B
PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY



Staff Report
APPLICATION PZC 2017-12

Community Development Department
PZC Hearing Date: December 20, 2017

Exhibit C: Site Photos



Staff Report
APPLICATION PZC 2017-12

Community Development Department
PZC Hearing Date: December 20, 2017



Staff Report
APPLICATION PZC 2017-12

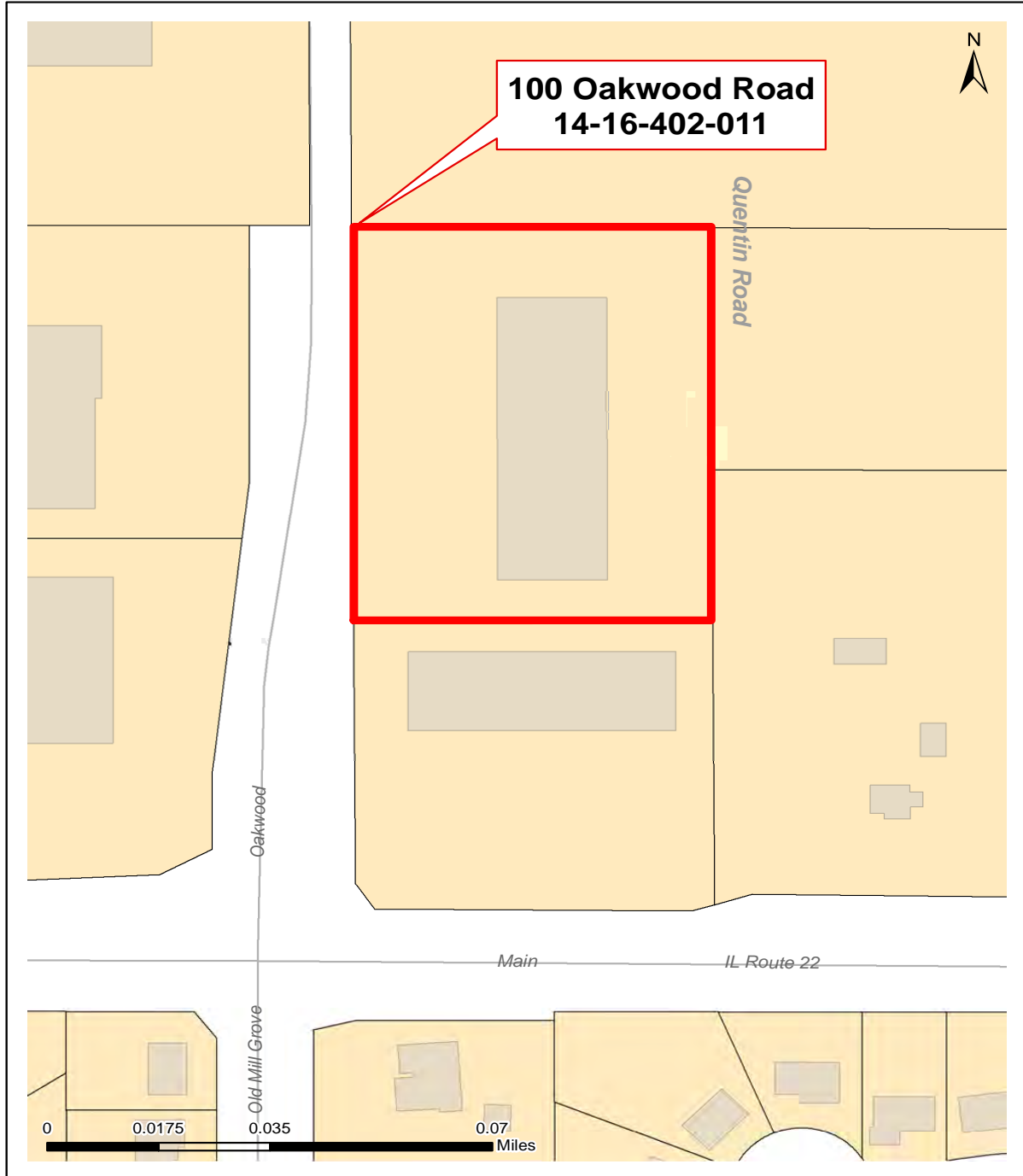
Community Development Department
PZC Hearing Date: December 20, 2017





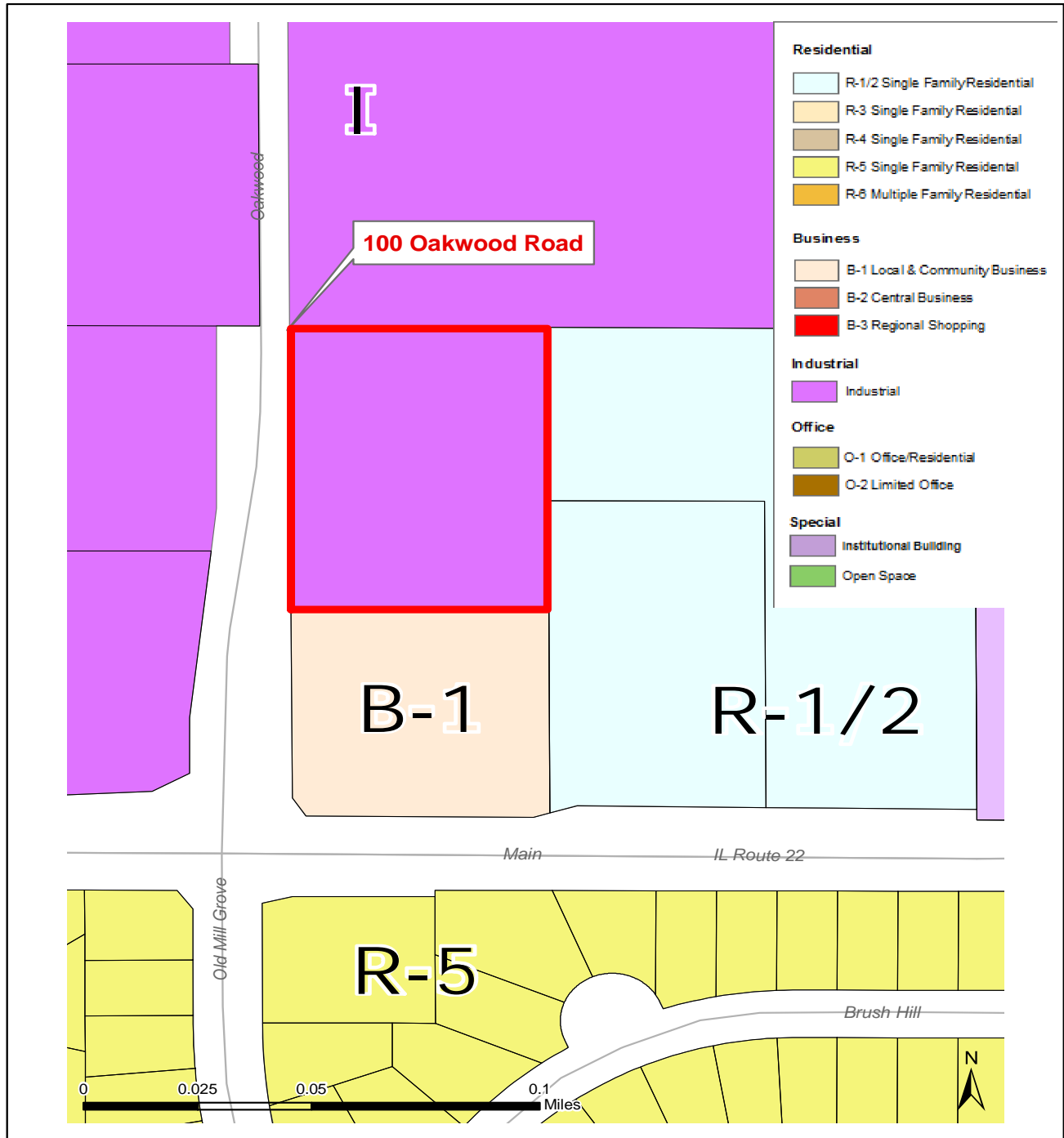
Aerial Map of 100 Oakwood Road, Lake Zurich





Parcel Map of 100 Oakwood Road, Lake Zurich





Zoning Map of 100 Oakwood Road, Lake Zurich



Orlando Stratman, Chairperson of the Planning & Zoning Commission,
Village of Lake Zurich, Planning and Zoning Department
505 Teiser Road, Lake Zurich, IL 60047.

Dear Orlando Stratman:

I am writing to you to seek approval for a special use permit for the property at 100 Oakwood drive unit H in Lake Zurich IL 60047. This property is owned by the Schultz Bros & is currently managed by Van Vlissingen & Co. As the sole tenant leasing the space, I plan on occupying the space with a Brazilian Jiu Jitsu academy affiliated with Carlson Gracie team. I am seeking to be in full compliance with all zoning codes and permits required with the village of Lake Zurich. The goal is to make Brazilian Jiu Jitsu accessible to the community of Lake Zurich so students can reap the benefits of weight loss, knowledge of the art, better self-esteem, discipline, and overall healthier lifestyle.

I understand that any physical fitness facility in an industrial park needs a special use permit in Lake Zurich so I wanted to make sure I am complying with all village ordinances to ensure the safety of not only my patrons, but the other tenants in the building. The reason I am seeking this particular industrial space is the location and the fact that all I need is space to put in roughly 1100 sq. ft. of mats. There would be no permanent structural changes to the space. I am not going to be using any fitness machines, weights, treadmills, or any other freestanding weights. I am simply looking to offer the instruction and practice of Brazilian Jiu Jitsu by itself. The classes would be taking place after 5pm which is after normal business hours. There would be two hour long classes a day starting at 5:45pm and 6:45pm and be offered 4 nights during the work week. Outside of these classes I was looking to have 2 classes on Saturday and Sunday. Currently these classes would be offered to adults only. The class size would be approximately 10-20 students per class. Parking would not be an issue since there are 55 parking spots in the building and there would be absolutely no overflow parking on any streets.

I would be more than happy to answer any questions or provide any additional information you may need in regards to the proposed matter. Please find additional information such as my formal application, lease and additional documents attached.

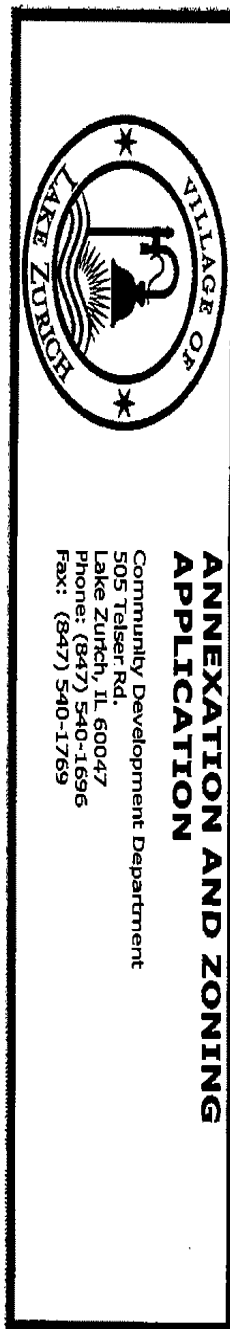
Sincerely,

David Downs

(847) 899-3251

downsd@icloud.com

ddowns@lakeshoresecurities.com



(Please Type or Print)

1. Address of Subject Property: 100 Oakwood Dr. Unit H Lake Zurich, IL 60047
2. Legal description: Lot _____ Block _____ Subdivision Unit H
Please attach complete legal description Unit H
Property dimensions are: 90 ft. by 32 ft. = 2,880 square feet
If more than two acres, then give area in acres: _____
3. Property Identification number(s): 14-16-402-011
4. Owner of record is: Schultz Bros. Co. Phone: 847-438-3908
Fax: _____ E-Mail MCS421@sbcglobal.net
Address: 815 Oakwood Unit I, Lake Zurich
4. Applicant is (if different from owner): David Downs phone: (847) 899-3251
Fax: (312) 341-0372 E-Mail Downs.d@icloud.com
Address: 3917 Beaver Run Dr. Long Grove IL 60047
6. Applicant's interest in the property: proposed tenant
(owner, agent, contractor, Realtor, etc.)
7. **THE FOLLOWING ACTION IS REQUESTED:**
Please provide a detailed explanation in a separate cover letter, explaining each zoning standard as it relates to the following applications. For the Lake Zurich Zoning Code visit www.lakezurich.org and navigate to the link for the Municipal Code.
A. VILLAGE BOARD APPLICATION TO ANNEX CERTAIN TERRITORY
All land annexed to the Village is classified automatically after such annexation in the R-1½ Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.
 Petition to Annex Certain Territory (Please complete attached petition)
 Application to Annex Certain Territory

B. PLANNING & ZONING COMMISSION APPLICATIONS

Zoning Code Map Amendment for _____

Zoning Code Text Amendment for _____

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. In general, The Planning & Zoning Commission will evaluate the consistency of the proposed amendment with the purposes of the Zoning Code and the community need for the proposed amendment, uses, and development. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

Special Use Permit/Amendment for Physical Fitness Facility

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards. The Planning & Zoning Commission also will consider whether the proposed special use is deemed necessary for the public convenience at the particular location and whether alternative locations have been evaluated.)

Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

Exterior Appearance/Amendment

(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter. Planned Unit Developments also require the provision of compensating amenities to the Village.)

Preliminary and Final Plat of Subdivision/Amendment

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

Modification to the Land Development Code (Includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

Variation for _____

(Illinois State Law requires that in order for a Variation to be granted a land-related hardship must be proven by a positive Finding of Fact for certain criteria. See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter. Self-inflicted hardships are not eligible for a variance.)

C. COMPREHENSIVE PLAN APPLICATION

Comprehensive Plan Map Amendment for _____

Comprehensive Plan Text Amendment for _____

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

Dawn A. Downs
(Name of applicant)

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 16 day of Nov, 2017.

[Signature]
(Notary Public)

My Commission Expires 4/19/20



(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2017.

(Notary Public)

My Commission Expires _____

*****Official Use Only*****

Zoning Case Number: _____ Date of Public Hearing: _____

Application Fees: _____ Annexation Fees: _____

Escrow Deposit for consultant fees: _____

Is a Courtesy Review by the Village Board required? Yes No

Traffic study required? Yes No

Any impact fees/contributions required? Yes No

Compensation amenities required? Yes No

Application accepted by: _____ Date: _____

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

(Name of applicant) (Signature of applicant)

Subscribed and sworn to before me this ____ day of _____, 2017.

(Notary Public) My Commission Expires _____

Glenn Herbert Procter
(Name of Owner, if different) [Signature]
(Signature of Owner, if different)

Subscribed and sworn to before me this ____ day of _____, 2017.

(Notary Public) My Commission Expires _____

*****Official Use Only*****

Zoning Case Number: _____ Date of Public Hearing: _____

Application Fees: _____ Annexation Fees: _____

Escrow Deposit for consultant fees: _____

Is a Courtesy Review by the Village Board required? Yes No

Traffic study required? Yes No

Any impact fees/contributions required? Yes No

Compensation amenities required? Yes No

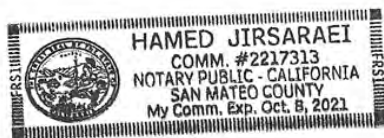
Application accepted by: _____ Date: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 16
day of NOV, 2017 by Glenn Herbert Procter

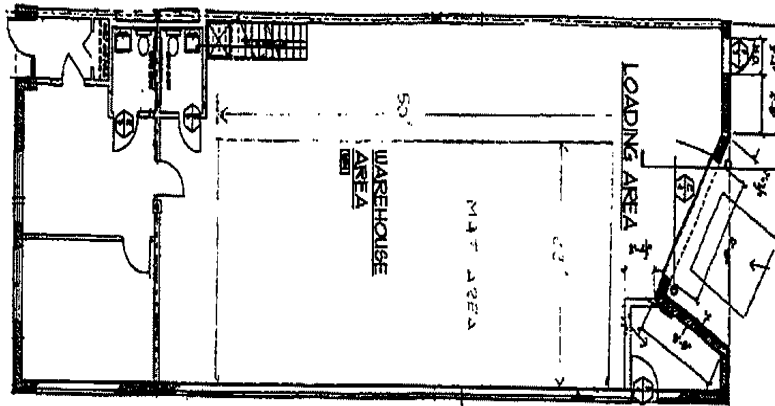
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature [Signature]

UNIT H
100 OAKWOOD ROAD
Lake Zurich, Illinois



SCALE: 1/8" = 1'
100 OAKWOOD UNIT H

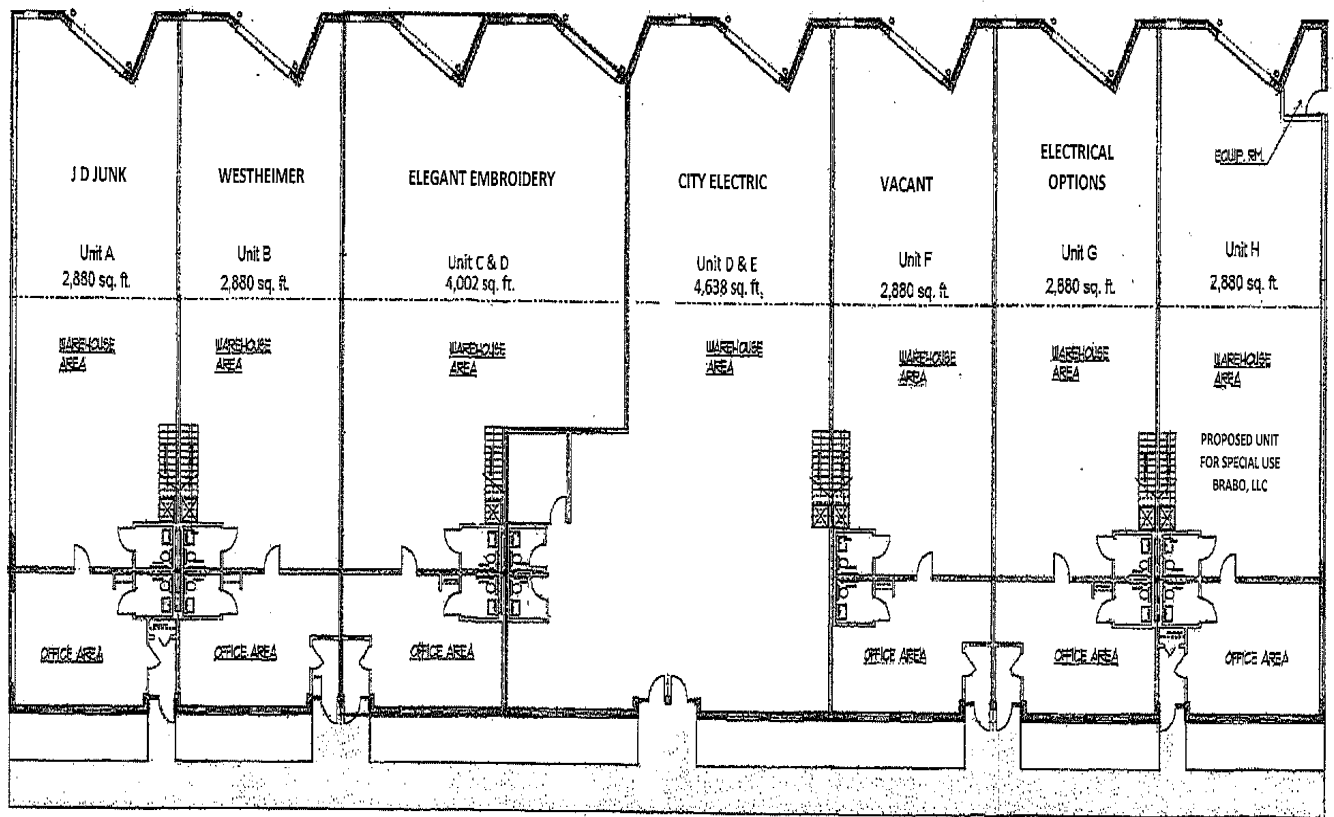
Exclusive Leasing and Management Agents
VAN VLISSINGEN AND CO.

One Overlook Point
Lincolnshire Corporate Center
Lincolnshire, Illinois 60069
847.634.2300

Chuck Lamphere, President
sl@vyc.co.com

Nick Panaraso, Vice President
ndp@vyc.co.com

Above information is subject to verification and no liability for errors or omissions is assumed. Price is subject to change and listing withdrawn without notice. Members of this firm have an ownership interest in this property. © Copyright 2011 All Rights Reserved



FLOOR PLAN
Scale 1/8" = 1'-0"

100 Oakwood Road
Lake Zurich, IL

THE NORTH 359.00 FEET OF LOT 46 IN LAKE ZURICH ESTATES BEING A SUBDIVISION OF PARTS OF SECTIONS 15, 16 AND 21 TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 4, 1926 AS DOCUMENT NUMBER 280128, IN BOOK "P" OF PLATS, PAGE 61, IN LAKE COUNTY, ILLINOIS.

**INDUSTRIAL SPACE LEASE
100 OAKWOOD ROAD
LAKE ZURICH, ILLINOIS**

LANDLORD:

SCHULTZ BROS. CO., an Illinois corporation

TENANT:

BRABO, LLC, an Illinois limited liability company

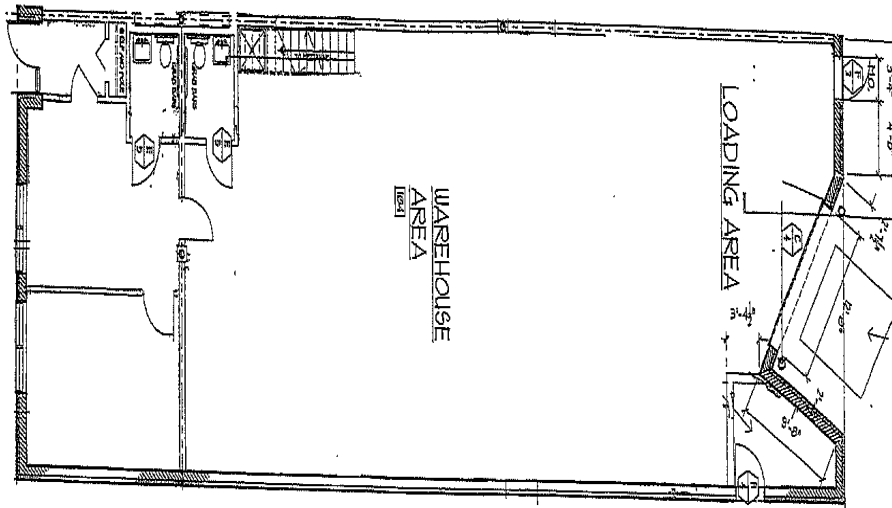
LEASED PREMISES:

UNIT H, 100 Oakwood Road, Lake Zurich, Illinois

LEASE PREPARED BY:

Joseph W. Marzo
Gould & Rathner LLP
222 N. LaSalle Street
Chicago, Illinois 60601

UNIT H
100 OAKWOOD ROAD
Lake Zurich, Illinois



Exclusive Leasing and Management Agents

VAN VLISSINGEN AND CO.

One Overlook Point
Lincolnshire Corporate Center
Lincolnshire, Illinois 60069
847.634.2300

Chuck Lamphere, President
ctrl@vvc.com

Nick Panarese, Vice President
ndlp@vvc.com

Above information is subject to verification and no liability for errors or omissions is assumed. Price is subject to change and listing withdrawn without notice. Members of this firm have an ownership interest in this property. © Copyright 2011 All Rights Reserved

IN WITNESS WHEREOF, Landlord and Tenant have executed this Lease the day and year first above written.

LANDLORD:

SCHULTZ BROS. CO., an Illinois corporation

By: _____

[Handwritten Signature]

Name: Glen H. Rocter

Its: President

TENANT:

BRABO, LLC, an Illinois limited liability company

By: _____

[Handwritten Signature]

Name: David Davis

Its: Owner



At the Heart of Community

COMMUNITY SERVICES DEPARTMENT
Building and Zoning Division

505 Telser Road
Lake Zurich, Illinois 60047

(847) 540-1696
Fax (847) 726-2182
LakeZurich.org

ZONING REVIEW

PROJECT: Brazilian Jiu Jitsu Studio
LOCATION: 100 Oakwood Unit H
REVIEWED BY: Katie Williams
DATE: December 20, 2017

DOCUMENTS: APPLICATION, PLAT OF SURVEY, COVER
LETTER, FLOORPLAN

David Downs, contract tenant of 100 Oakwood Road Unit H, proposes the operation of a Brazilian Jiu Jitsu physical fitness facility. This development will require a Special Use Permit. Review is as follows:

I ZONING DISTRICT REQUIREMENTS

- A. **Zoning:** I Industrial District
- B. **Use:** Physical Fitness Facility (SIC #7991)
Relief is sought via Special Use Permit
- C. **Parking:** Required: 1 for each 3 persons of design capacity
Per applicant, max of 20 occupants / 3 = 7 spaces (rounded up)
Total spaces required: 7
Existing: 58 spaces available for all tenants
Total # of parking spaces provided: ~58
- D. **Access. Parking:** Required: 1-25 parking spaces requires 1 accessible
Existing: 3

Conclusion

- Consideration for Special Use Permits shall be based on standards outlined in Zoning Code Chapter 19.



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telsler Road
Lake Zurich, Illinois 60047

Phone (847) 540-1696
Fax (847) 726-2182
LakeZurich.org

APPLICATION PZC 2017-14
PZC Hearing Date: December 20, 2017

AGENDA ITEM 4.E

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission
From: Sarosh Saher, Community Development Director
CC: Katie Williams, Associate Planner
Mary Meyer, Building Services Supervisor
Date: December 20, 2017
Re: PZC 2017-14 Zoning Application for 927 South Rand – Meat & Potatoes
Special Use Permit for Drive-through Lane and Outdoor Seating

SUBJECT

John Sfire, of The Fidelity Group, (the “Applicant”) requests a Special Use Permit to establish a drive-through lane and outdoor seating for a restaurant at the property commonly known as 927 South Rand Road legally described in Exhibit A attached hereto (the “Subject Property”).

GENERAL INFORMATION

Requested Action: Special Use Permit
Current Zoning: B-3 Regional Shopping District
Existing Use: Deerpath Commons Retail Center
Proposed Uses: Drive-through facilities accessory to permitted eating places
Outdoor seating accessory to permitted eating places
Property Location: 927 South Rand
Applicant: John Sfire, The Fidelity Group

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

Owner: Fidelity Group LTD d/b/a The Fidelity Group

Staff Coordinator: Katie Williams, Associate Planner

LIST OF EXHIBITS

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

BACKGROUND

John Sfire of The Fidelity Group (the “Applicant”), is the Applicant for the proposed drive-through facility and outdoor seating which is proposed to be established at the existing outlot at Deerpath Commons Retail Center at 927 South Rand Road, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received on November 20, 2017 (the “Application”) seeking:

- Special Use Permit approval for the establishment of
 - A drive-through facility accessory to a permitted eating place
 - Outdoor seating accessory to permitted eating places

The Subject Property is located within the Village’s B-3 Regional Shopping Zoning District. The existing Outlot within Deerpath Commons currently houses tenant spaces occupied by Eddie Z Blinds and Drapery, Be New Pilates, and SW Massage. A local fast casual restaurant, Meat and Potatoes Eatery, has proposed to occupy the tenant space left vacant by the relocation of Timothy Grant Jewelers. Meat and Potatoes Eatery currently has a location in McHenry, with another opening up in Carpentersville in the near future. The Eatery is the lunch- and dinner-time counterpart of another local restaurant known as Brunch Café. With the expansion of their Meat and Potatoes Eatery restaurants, the business owners are also expanding their services to include a drive-through option. While the existing Meat and Potatoes in McHenry does not have an accessory drive-through lane, the new Carpentersville location will.

The outdoor seating area will comprise of an approximately 18x20 foot paved patio located in front of the main entrance to the restaurant. The area currently consists of two parking spaces which are proposed to be removed with the reconfiguration of the property for the drive-through facility.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

Hours of operation at the proposed Meat and Potatoes Eatery location are 11:00 a.m.-9:00 p.m. Monday through Thursday; 11:00 a.m.–10:00 p.m. Friday and Saturday, and Noon – 8:00 p.m. on Sunday.

Pursuant to public notice published on December 2, 2017, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for December 20, 2017, to consider the Application. On November 22, 2017, the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. Courtesy Review.** No Courtesy Review was recommended for the proposed use and establishment of a drive-through facility within the Deerpath Commons Retail Center due to the relatively low impact that the development will have on surrounding properties.
- B. Zoning History.** Prior to the development of the existing Deerpath Commons retail center building, the Subject Property contained Lake Zurich RV and a single family home. The existing retail center was approved pursuant to Ordinance 2005-07-364, and construction began shortly after. Since its development, Deerpath Commons has provided a variety of retail and commercial options for residents in the community.
- C. Surrounding Land Use and Zoning.** The subject property is located on Route 12, which is a major commercial arterial. The land immediately to the east of the Subject Property is zoned B-3 Regional Shopping district and improved with similar retail centers that provide a variety of commercial uses. The land farther to the southeast is currently being developed with the Sparrow Ridge Plaza retail center. The properties to the west are zoned within the R-5 Multi-Family Residential District and improved with older construction single family homes which are a part of The Meadows subdivision. To the north of the Subject Property and across Route 12, the property is zoned B-1 Local and Community Business and is improved with similar but smaller multi-tenant commercial buildings. The property to the south is zoned within the OS Open Space district and was set aside as a stormwater detention/natural conservation area at the time of the development of the subject retail center.
- D. Trend of Development.** The subject property is located along the thriving Route 12 commercial corridor along the southern side of the Village. The accessibility and high visibility from a major north-south arterial such as Route 12 makes the Subject Property a suitable location for a fast casual restaurant. Such fast casual uses prefer to establish a drive-through lane accessory to the dining room in order to reach a wider customer base.
- E. Zoning District.** Three (3) zoning districts are provided for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Lake Zurich and the surrounding suburban area. The B-3 regional shopping district is intended to provide locations for major retail centers. The regulations are designed to encourage a broad range of attractive retail and compatible service uses in those centers.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

GENERAL FINDINGS

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

9-19-3: STANDARDS FOR SPECIAL USE PERMITS.

Staff has reviewed the plan and found that the development proposal will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

A. General Standards: No special use permit shall be recommended or granted unless the applicant shall establish substantial conformance with the following:

1. Zoning Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

Staff Response: Standard met. The development will continue to remain in substantial conformance with the purpose and intent of the B-3 Regional Shopping District, and the land use designation of the adopted Comprehensive Plan.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Staff Response: Standard met. The proposed development is consistent with commercial-oriented development along the Route 12 corridor. The proposed drive-through will not have any substantial or undue adverse effect upon any adjacent properties. Fidelity additionally intends to limit egress from the property only to the two established access points directly onto Rand Road. The existing cross access driveway to the adjacent property to the north operated by Hawkeye Automotive will be designated as one-way into the subject property using appropriate signage.

The outdoor seating area will not be located in conflict with any traffic pattern on the property.

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

Staff Response: Standard met. The entirety of the proposed drive-through facility use will be constructed and operated within the Deerpath Commons Retail Center space.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

Staff Response: Standard met. The proposed development is currently served by and will continue to be served adequately by essential public facilities and services such as streets, utilities and drainage and other municipal services. No changes to these are contemplated at this time.

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

Staff Response: Standard met. The proposed drive-through will not cause any undue traffic or congestion. Route 12 is a regional arterial street that connects the village to the surrounding communities and is designed to handle large daily volumes of traffic. The retail center is provided with two access points onto Rand Road. The westerly access that lies approximately at the mid-point of the property's frontage with Rand Road is a right-in right-out only access. The easterly access that lies at the far easterly end of the center is a full access and is designed to also serve as access for the Sparrow Ridge Plaza development that is currently under construction. This intersection is also being considered for signalization at its intersection with Rand Road.

The floor area of the proposed fast-casual restaurant use is not designed to accommodate large numbers of patrons. As a result, there should be no increase in the amount of vehicular traffic onto Route 12.

Parking is in conformance with the requirements of the zoning code. The shopping center was designed with adequate parking to accommodate the parking demand for the various types of uses that the shopping center could contain. The construction of the drive-through facility and outdoor seating area will require the removal of 14 parking spaces – 12 for the drive-through facility, and two for the outdoor seating area. However, adequate parking spaces will continue to be made available within the remaining shared-parking lot of the retail center.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

Staff Response: Standard met. The proposed use will not result in the destruction or removal of any natural features. The proposed use would be conducted entirely within the existing lot within Deerpath Commons Retail Center.

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Staff Response: Standard met. The proposed development will comply with all other additional standards imposed through the building codes as they relate to drive-through facilities and outdoor seating areas.

8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

Staff Response: Standard met. The proposed development will continue to enhance the established commercial character of the Route 12 corridors and will provide a safe, and convenient eating place for the Village's residents with the added convenience of a drive-through facility.

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

Staff Response: Standard met. There are no additional standards for the proposed special use. Staff will ensure that compliance is established before any additional permits are issued.

- C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Staff Response: Standard met. The proposed development will bring a unique but desired restaurant option to the Village. Residents of the village will be provided with a safe and convenient place to socialize with their peers while supporting a local business.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

Staff Response: Standard met. Drive-through facilities are only permitted in the business districts. The design and configuration of facilities within the retail center are conducive to the establishment of the proposed land uses.

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

Staff Response: Standard met. The retail center has been developed to prevent any undue adverse effect on itself or on surrounding property in relation to its location, design and operation. The drive-through lane alongside the building will be adequately separated from the remaining parking lot with a landscaped island, and the stacking spaces will be directed around the rear of the building. The outdoor seating will be located entirely within a paved patio in front of the building.

RECOMMENDATION

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits

Based on the review of staff, the standards for approval have been met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2017-14, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
 - a. Zoning Application and Cover Letter dated November 15, 2017, prepared by Mr. John Sfire
 - b. Exhibit A: Legal Description
 - c. Drive-through and outdoor seating exhibit prepared by The Fidelity Group and dated November 14, 2017.
2. "One Way Only" signage shall be placed at the shared access lane to direct traffic towards the main Deerpath Commons access point, and prevent traffic from accessing the adjacent lot at 909 South Rand Road, currently known as Hawkeye Automotive.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

3. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Katie Williams
Associate Planner

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS

FOR 927 South Rand Road
December 20, 2017

The Planning & Zoning Commission recommends approval of Application PZC 2017-14, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **December 20, 2017** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
 - a. Zoning Application and Cover Letter dated November 15, 2017, prepared by Mr. John Sfire
 - b. Exhibit A: Legal Description
 - c. Drive-through and outdoor seating exhibit prepared by The Fidelity Group and dated November 14, 2017.
 2. "One Way Only" signage shall be placed at the shared access lane to direct traffic towards the main Deerpath Commons access point, and prevent traffic from accessing the adjacent lot at 909 South Rand Road, currently known as Hawkeye Automotive.
 3. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
- Without any further additions, changes, modifications and/or approval conditions.
- With the following additions, changes, modifications and/or approval conditions:

Planning & Zoning Commission Chairman

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 2 IN DEERPATH COMMONS SUBDIVISION, BEING A SUBDIVISION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 11, 2005 AS DOCUMENT NUMBER 5895998, IN LAKE COUNTY ILLINOIS.

Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

EXHIBIT B
PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY



Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017

Exhibit C: Site Photos



Staff Report
APPLICATION PZC 2017-14

Community Development Department
PZC Hearing Date: December 20, 2017



Staff Report
APPLICATION PZC 2017-14

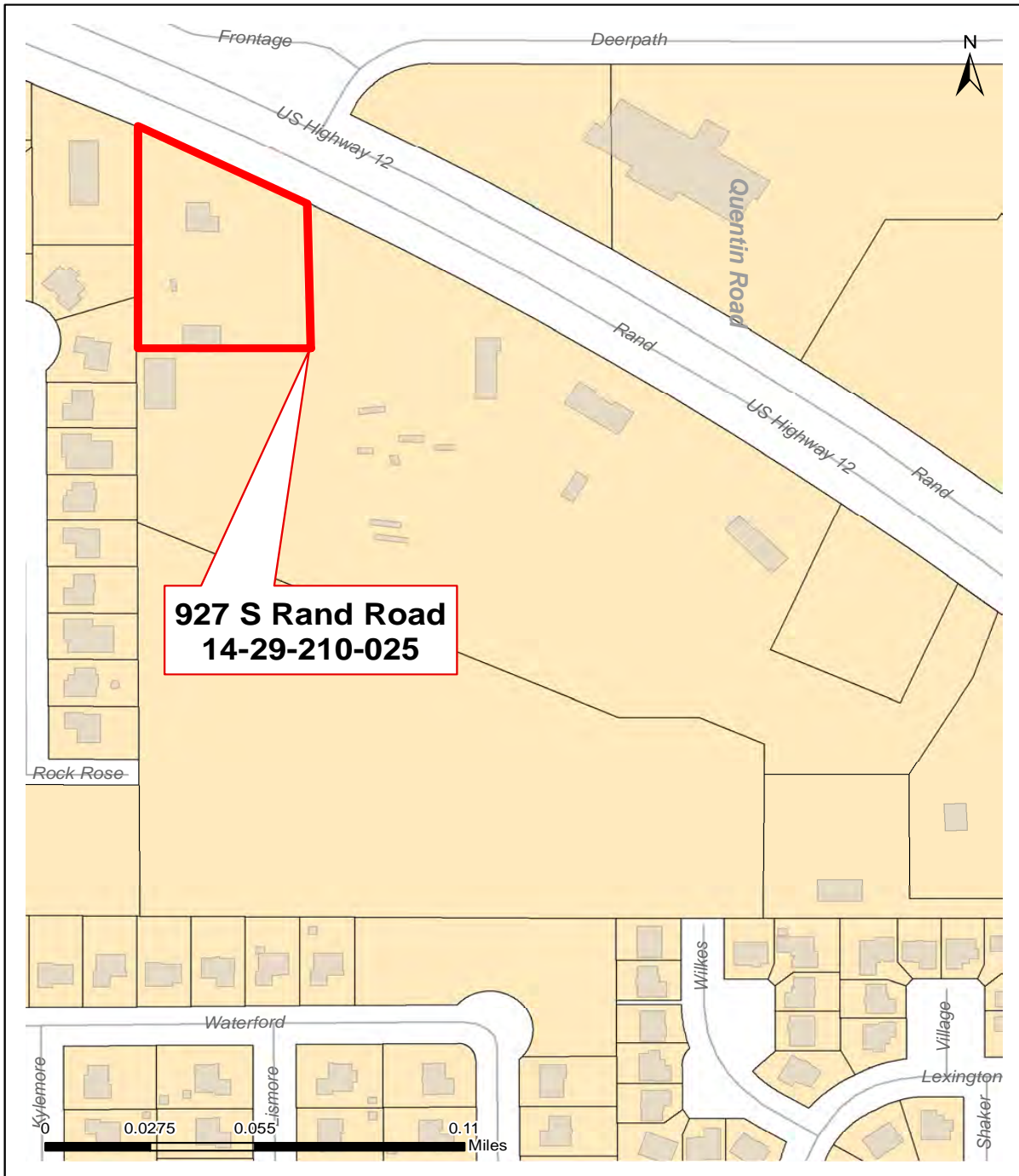
Community Development Department
PZC Hearing Date: December 20, 2017





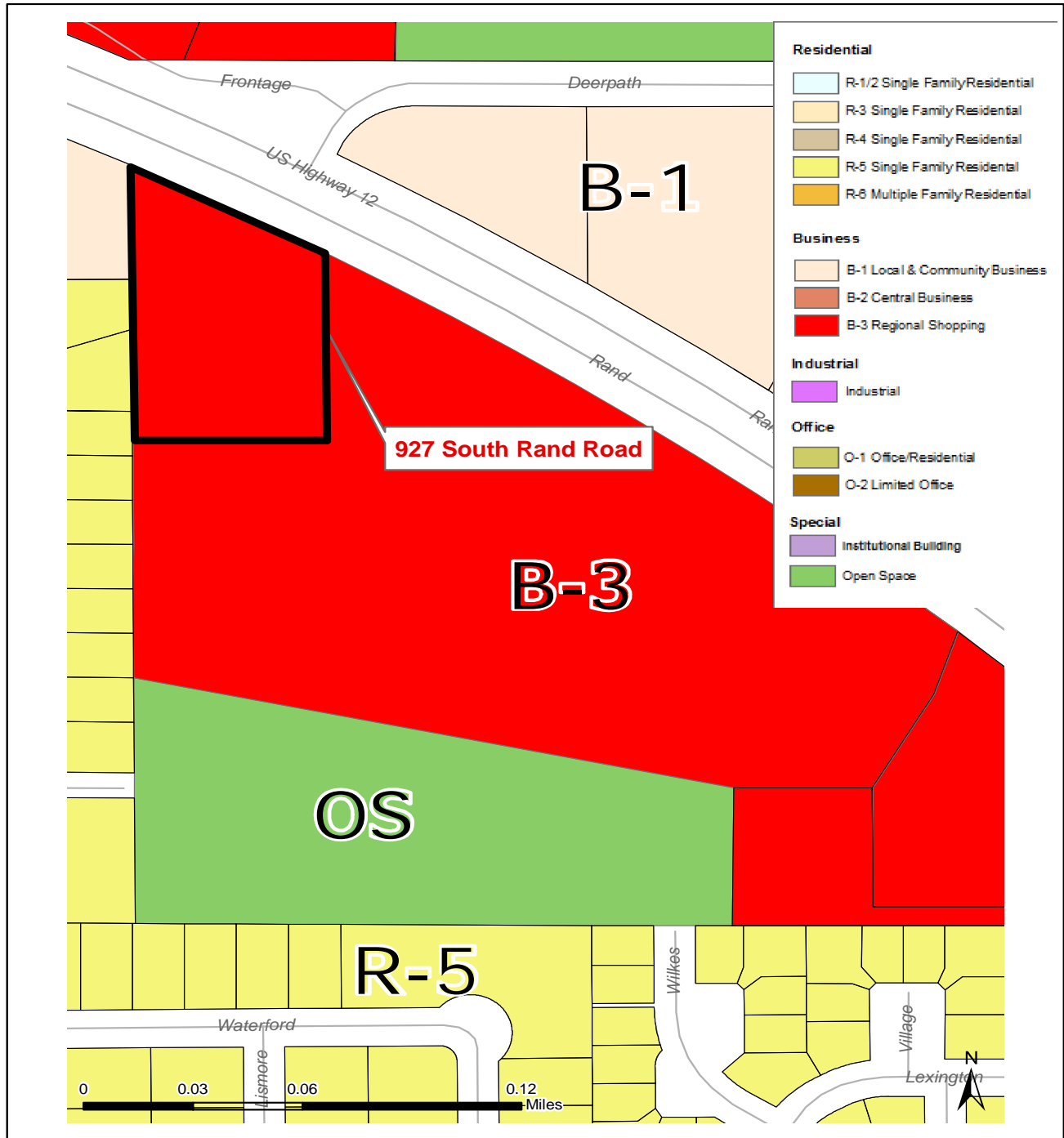
Aerial Map of 927 South Rand Road, Lake Zurich





Parcel Map of 927 South Rand Road, Lake Zurich





Zoning Map of 927 South Rand Road, Lake Zurich





JAS DEVELOPMENT, LLC
745 Ela Road
Lake Zurich, IL 60047
Phone: 847-438-5000
Fax: 847-438-7731
www.fidelitygroup.com

November 15, 2017

Mr. Sarosh Saher
Community development Director
Village of Lake Zurich
505 Telser Road
Lake Zurich, IL 60047

Re: Special Use Permit – Drive-through restaurant at 927 S Rand Road
Deerpath Commons Retail Center

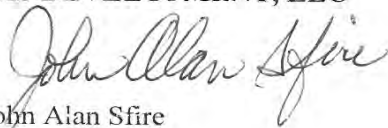
Dear Mr. Saher,

We are requesting approval of Meat and Potatoes Eatery (owner) for a Special Use Permit for a drive through restaurant at 927 S Rand Road in our Deerpath Commons Retail Center. This is a permitted Special Use within the B-3 zoning.

We look forward to presenting this to the Planning Commission on December 20, 2017.

Sincerely,

JAS DEVELOPMENT, LLC


John Alan Sfire
Manager

Mr. Orlando Stratman
Chairperson of the Planning & Zoning Commission

Enc.



ANNEXATION AND ZONING APPLICATION

Community Development Department
505 Telsler Rd.
Lake Zurich, IL 60047
Phone: (847) 540-1696
Fax: (847) 540-1769

(Please Type or Print)

1. Address of Subject Property: 927 S Rand Road
2. Legal description: Lot 2 Block _____ Subdivision Deerpath Commons

Please attach complete legal description

Property dimensions are: _____ ft. by _____ ft. = 65,351 square feet

If more than two acres, then give area in acres: _____

3. Property Identification number(s): 14-29-210-025

4. Owner of record is: JAS Development, LLC Phone: 847-438-5000

Fax: 847-438-7731 E-Mail john.sfired@fidelitygroup.com

Address: 745 Ela Road, Lake Zurich IL 60047

4. Applicant is (if different from owner): _____ Phone: _____

Fax: _____ E-Mail _____

Address: _____

6. Applicant's interest in the property: Tenant
(owner, agent, contractor, Realtor, etc.)

7. THE FOLLOWING ACTION IS REQUESTED:

Please provide a detailed explanation in a separate cover letter, explaining each zoning standard as it relates to the following applications. For the Lake Zurich Zoning Code visit www.lakezurich.org and navigate to the link for the Municipal Code.

A. VILLAGE BOARD APPLICATION TO ANNEX CERTAIN TERRITORY

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

Petition to Annex Certain Territory (Please complete attached petition)

Application to Annex Certain Territory

B. PLANNING & ZONING COMMISSION APPLICATIONS

- Zoning Code **Map** Amendment for _____
Zoning Code **Text** Amendment for _____

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. In general, The Planning & Zoning Commission will evaluate the consistency of the proposed amendment with the purposes of the Zoning Code and the community need for the proposed amendment, uses, and development. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

- Special Use Permit/Amendment for drive-through facilities accessory to permitted eating places
(See Section 19-103 of the Lake Zurich Zoning Code for specific standards. The Planning & Zoning Commission also will consider whether the proposed special use is deemed necessary for the public convenience at the particular location and whether alternative locations have been evaluated.)

- Site Plan Approval/Major Adjustment/Amendment
(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

- Exterior Appearance/Amendment
(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

- Planned Unit Development/Major Adjustment/Amendment
(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter. Planned Unit Developments also require the provision of compensating amenities to the Village.)

- Preliminary and Final Plat of Subdivision/Amendment
(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

- Modification to the Land Development Code (includes retaining walls more than 2 feet in height)
(See Section 10-6-18 of the Land Development Code for specific standards.)

- Variation for _____

(Illinois State Law requires that in order for a Variation to be granted a land-related hardship must be proven by a positive Finding of Fact for certain criteria. See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter. Self-inflicted hardships are not eligible for a variance.)

C. COMPREHENSIVE PLAN APPLICATION

- Comprehensive Plan **Map** Amendment for _____

- Comprehensive Plan **Text** Amendment for _____

Please complete the following for all applications.

8. All existing uses and improvements on the property are: retail, EZ Blinds & Drapery, Be New Pilates, and SW Massage

9. The proposed uses on the property are: Drive-thru restaurant

10 List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:

B-3 Zoning Ordinance 2005-07-364

11. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:

N/A

12. For applications requiring a public hearing, list the owners of record of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property. If property is held in a Trust, give the Trust Number and Bank name and address. **These parties shall be notified by the Applicant prior to the public hearing.** Staff will provide the required notice to the Applicant. The required sign(s) will be erected by the Village of Lake Zurich.

See Attached List

Property Identification Number (PIN)	Owner's Name	Mailing Address

(if more space is needed, please attach a separate sheet of paper.)

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

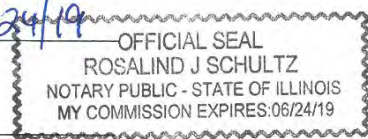
John Alan Sfire
(Name of applicant)

John Alan Sfire
(Signature of applicant)

Subscribed and sworn to before me this 15th day of NOVEMBER, 2017.

Rosalind J Schultz
(Notary Public)

My Commission Expires 06/24/19



(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2016.

(Notary Public)

My Commission Expires _____

Official Use Only

Zoning Case Number: _____ Date of Public Hearing: _____

Application Fees: _____ Annexation Fees: _____

Escrow Deposit for consultant fees: _____

Is a Courtesy Review by the Village Board required? Yes No

Traffic study required? Yes No

Any impact fees/contributions required? Yes No

Compensation amenities required? Yes No

Application accepted by: _____ Date: _____

Meat & Potatoes - Page 23 of 31 - sub

927 S Rand
 Meat and Potatoes Eatery

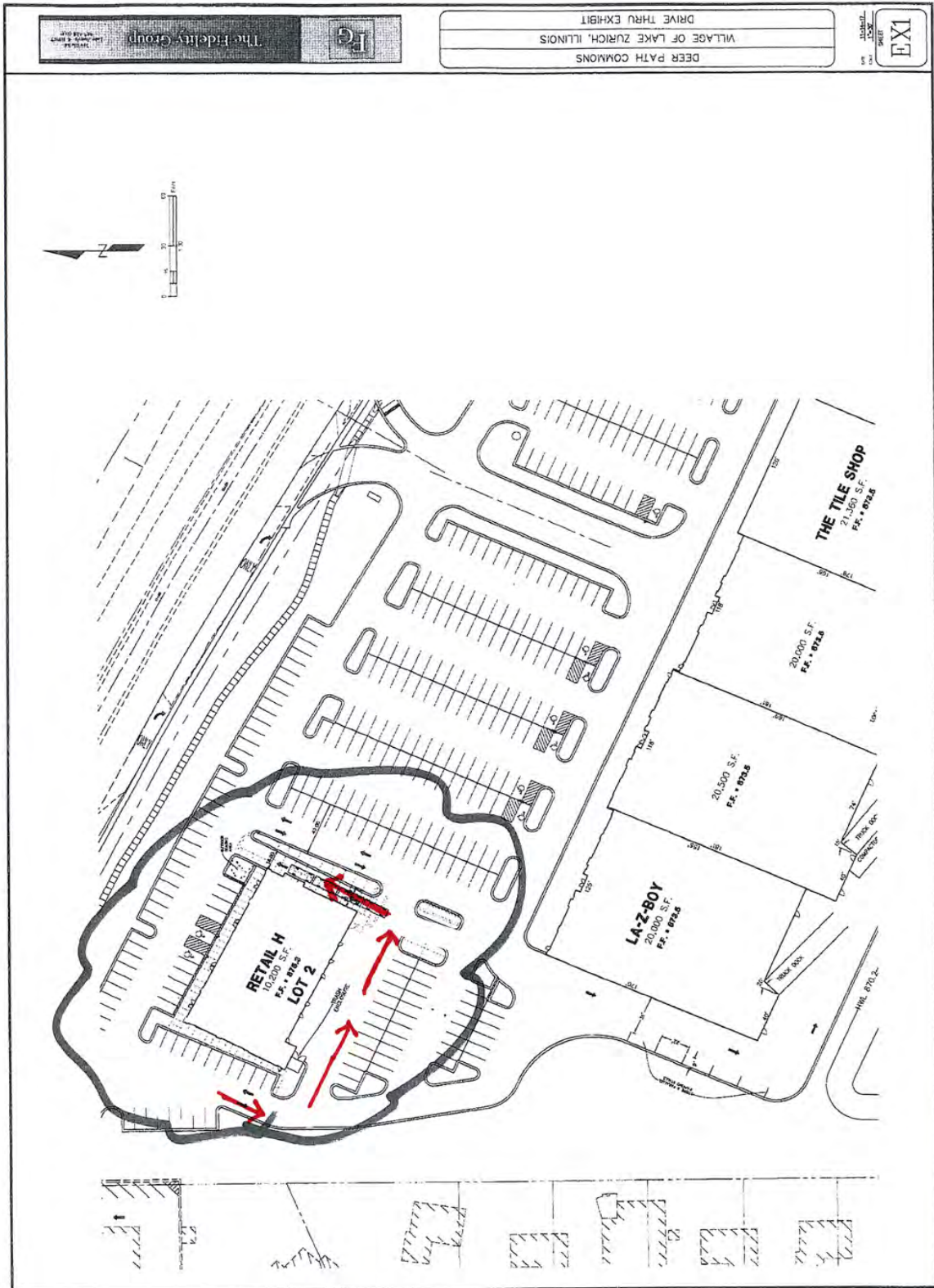
PIN	Name	Address	City	State	Zip	Property Address
1420404027	JAS GCII LLC	745 Ela Road	Lake Zurich	IL	60047	890 S Rand Rd
1420404028	JOHN L RACKOW, JR	83 W Main St	Lake Zurich	IL	60047	898 S Rand Rd
1420404038	Midas Realty Corporation	PO Box 52427	Atlanta	GA	30355	888 S Rand Rd
1421312006	Village of Lake Zurich	70 E Main St	Lake Zurich	IL	60047	0 Pheasant Ridge Dr.
1429200033	Lexington Health Care Center	665 W North Ave Ste 500	Lombard	IL	60148	900 S. Old Rand Rd
1428100020	Lexington Health Care Center	665 W North Ave Ste 500	Lombard	IL	60148	900 S. Old Rand Rd
1429200026	Sharon Pfammatter	17 E Harbor Dr	Lake Zurich	IL	60047	909 S Rand Rd
1429210025	The Fidelity Group, Ltd.	745 Ela Road	Lake Zurich	IL	60047	925 S Rand Rd
1428111001	941 South Old Rand Road LLC	149 W Main St	Barrington	IL	60010	941 S. Old Rand Rd
1429210008	Steven Skora	203 Fescue Ct	Lake Zurich	IL	60047	
1429210026	Deerpath Commons Retail Center LLC	745 Ela Road	Lake Zurich	IL	60047	935 S Rand Rd
1429210010	William B & Karen A Howarth	328 Denberry Dr.	Lake Zurich	IL	60047	
1429210009	Robyn L Sopocy	201 Fescue Ct	Lake Zurich	IL	60047	
1429210007	Ronald M. Bender	205 Fescue Ct	Lake Zurich	IL	60047	
1429210011	Bhagyesh & Binitaben Patel	336 Denberry Dr.	Lake Zurich	IL	60047	
1429211006	Peter G & Stacy Annis	331 Denberry Dr.	Lake Zurich	IL	60047	
1429210012	Thomas A & Elizabeth A Little	340 Denberry Dr.	Lake Zurich	IL	60047	
1429210013	Michael & Ewa Greenier	344 Denberry Dr.	Lake Zurich	IL	60047	
1429211019	Nancy Caravello	341 Denberry Dr.	Lake Zurich	IL	60047	
1429210014	Steve M Wallace	348 Denberry Dr.	Lake Zurich	IL	60047	
1429210027	Village of Lake Zurich	70 E Main St	Lake Zurich	IL	60047	933 S Rand Rd

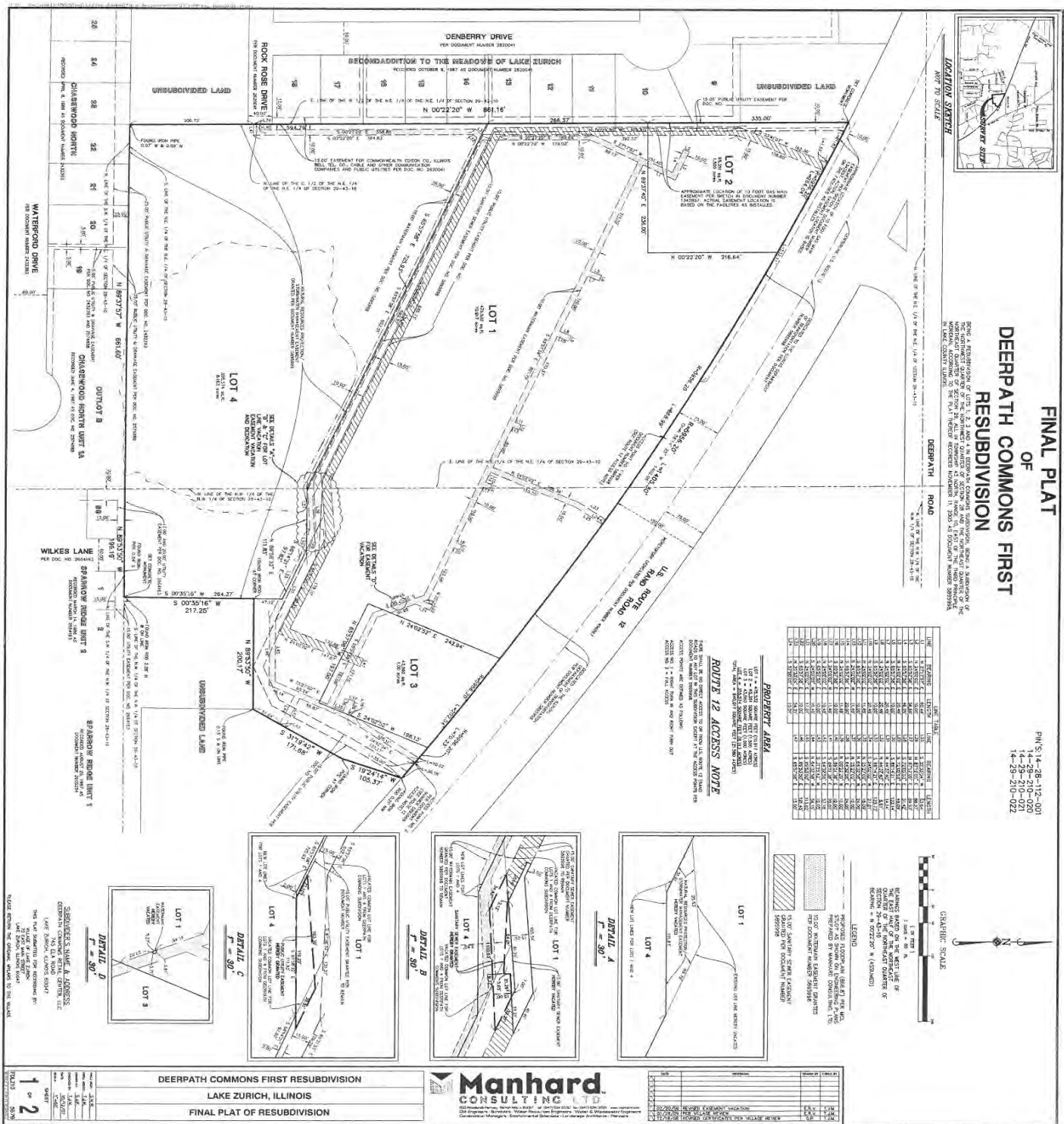
LEGAL DESCRIPTION OF LOT 2

Lot 2 in Deerpath Commons Subdivision, Being a Subdivision of Northwest Quarter of the Northwest Quarter of Section 28 and Northeast Quarter of the Northeast Quarter of Section 29, All in Township 43 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded November 11, 2005 as Document Number 5895998, in Lake County Illinois.

PIN: 14-29-210-025

Street Address: 927 S. Rand Road
Lake Zurich, IL 60047





1409-722592

5940182

FILED FOR RECORD BY:
 MARY ELLEN VANDERVENTER
 LAKE COUNTY, IL RECORDER
 02/02/2006 - 09:09:22 A.M.
 RECEIPT #: 268314
 RMSP \$10.00
 DRAWER # 25

This instrument was prepared by and after recording please return to:

Sanford R. Gail, Esq.
Bell, Boyd & Lloyd LLC
70 W. Madison St., Suite 3100
Chicago, Illinois 60602

SPECIAL WARRANTY DEED

THIS AGREEMENT dated as of this 27th day of December, 2005, between **DEERPATH COMMONS RETAIL CENTER LLC**, an Illinois limited liability company (the "Grantor"), and **JAS DEVELOPMENT, L.L.C.**, an Illinois limited liability company, of 745 Ela Road, Lake Zurich, Illinois (the "Grantee"), **WITNESSETH** that the Grantor, for and in consideration of Ten and 00/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, by these presents does **REMISE, RELEASE, ALIEN AND CONVEY** unto Grantee, and to its successors and assigns, **FOREVER**, all of the following described real estate, situated in the County of Lake and State of Illinois, known and described as follows, to wit:

See Exhibit A attached hereto and made a part hereof.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Grantor either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances:

TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the Grantee, its successors and assigns forever.

And the Grantor, for itself and its successors, does covenant, promise and agree, to and with the Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to

516891/C/1

④

claim the same, by, through or under it, Grantor **WILL WARRANT AND DEFEND** subject to the permitted exception set forth in Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has caused its name to be signed to these presents by its duly authorized signatory on the day and year first above written.

DEERPATH COMMONS RETAIL CENTER LLC, an Illinois limited liability company

By: **JAS MANAGEMENT LLC**, Manager

By: *John Alan Sfire*
Authorized Signatory

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

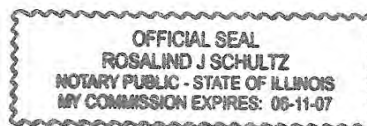
On this 27th day of December, 2005, before me appeared John Alan Sfire, to me personally known, who being by me duly sworn, did say that he is an authorized signatory of **JAS Management LLC**, the Manager of **Deerpath Commons Retail Center LLC** ("Company"), an Illinois limited liability company, and that said instrument was signed on behalf of said Company, and said authorized signatory acknowledged said instrument to be the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid on the day and year first above written.

Rosalind J. Schultz
Notary Public

My commission expires:

06-11-07



LLC taxes to:
JAS Development LLC
745 EIA ROAD
LAKE ZURICH, ILL. 60047

41# 209.00



LEGAL DESCRIPTION OF LOT 2

- Lot 2 in Deerpath Commons Subdivision, Being a Subdivision of Northwest Quarter of the Northwest Quarter of Section 28 and Northeast Quarter of the Northeast Quarter of Section 29, All in Township 43 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded November 11, 2005 as Document Number 5898998, in Lake County Illinois.

PIN: 14-29-210-025

Street Address: 925 S Rand Road
Lake Zurich, Illinois

EXHIBIT B

PERMITTED EXCEPTIONS

- (a) General real estate taxes for 2005 and subsequent years;
- (b) Covenants, conditions, and restrictions of record;
- (c) All private, public and utility easements and roads and highways if any;
- (d) Existing leases and tenancies, if any;
- (e) Special taxes or assessments for improvements not yet completed; and
- (f) Installments not due at the date hereof of any special tax or assessment for improvements heretofore completed.



At the Heart of Community

COMMUNITY SERVICES DEPARTMENT
Building and Zoning Division

505 Telser Road
Lake Zurich, Illinois 60047

(847) 540-1696
Fax (847) 726-2182
LakeZurich.org

ZONING REVIEW

PROJECT: Meat & Potatoes Eatery Drive-through
LOCATION: 927 S Rand Road
REVIEWED BY: Katie Williams
DATE: December 20, 2017

DOCUMENTS: APPLICATION, PLAT OF SURVEY, COVER
LETTER, SITE PLAN

The Fidelity Group, owners of Deerpath Commons, proposes the operation of a drive-through lane accessory to a permitted eating place. This development will require a Special Use Permit. Review is as follows:

I ZONING DISTRICT REQUIREMENTS

- A. **Zoning:** B-3 Regional Shopping
- B. **Use:** Drive-through accessory to a permitted eating place
Relief is sought via Special Use Permit
- C. **Parking:** Required: 1 for each 3 persons of design capacity
Existing: >200 spaces available for all tenants
Total # of parking spaces provided: >200

Conclusion

- Consideration for Special Use Permits shall be based on standards outlined in Zoning Code Chapter 19.