



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 2018-4
PZC Hearing Date: March 21, 2018

AGENDA ITEM 5.B

STAFF REPORT

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

From: Sarosh Saher, Community Development Director

CC: Katie Williams, Associate Planner

Date: March 21, 2018

Re: PZC 2018-4 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:	<u>Planned Unit Development</u>
Current Zoning:	<u>B-1 Local & Community Business/R-4 Single Family Residential</u>
Existing Use	<u>Vacant Restaurant Building/Vacant Land</u>
Proposed Uses:	<u>Physical Fitness Facility (SIC #7991) with Accessory Child Daycare Services (SIC #835), Accessory Beauty Salon (SIC #723) and Accessory eating place (SIC #5812)</u>
Property Location:	<u>880 North Old Rand Road</u>

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

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 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.

BACKGROUND

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 February 20, 2018 (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 & 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 subject application is a new substantially revised proposal for development of the property. A recent application by the developer was considered and recommended for denial by the Planning and Zoning Commission as it did not meet the zoning and land development standards, or the desires and aspirations of the community. The applicant chose to withdraw that application prior to the Village Board consideration where a final decision would be made. This application is considered a new zoning application for the property.

Changes to the project since the 2017 Proposal:

The applicant considered the comments and feedback provided at the Planning and Zoning Commission meeting and has resubmitted the proposal. Further, changes were also made following a courtesy update to the village board on March 5, 2018 when additional feedback on the project was provided by Trustees and members of the community. A comparison of the new project as revised from the previously withdrawn project are summarized below.

1. Modified the building to be two stories (39'-11") instead of the previously-proposed three stories (58'-0").
2. Modified the access on Old Rand Road to eliminate left-turns out and right turns into the site. All traffic leaving the site will now be directed towards Rand Road.
3. Relocated the building to be closer to Rand Road. The building is now approximately 564' from the eastern property line as opposed to 462' in the previous plan. The entirety of the building is now located on the portion of the Property that is currently zoned for commercial uses.
4. Reduced the pool deck area from approximately 50,000 square feet to approximately 46,616 square feet.
5. Reduced the total amount of parking on the property from 537 spaces to 522 spaces. This has been accomplished by redesigning the building to accommodate a smaller footprint thereby reducing the occupant load from 1,611 to 1,548 persons. The proposed parking exceeds the zoning code requirement of 516 parking spaces by 6 spaces.

Additionally, 40 spaces have been removed from the easterly lot and relocated on the northwest portion of the property along the north side of the building. The relocation of these parking spaces allows for the increase in the landscape buffers along the north side of the property.

The remaining parking spaces within the easterly lot are proposed to be constructed with permeable pavers to assist with stormwater management on the property.

6. Increased the size of the landscaped buffer on the east and north sides of the Property.
 - a. The landscape buffer on the east side is now proposed to be 81' wide where it was previously 62'.
 - b. The landscape buffer on the north side of the property is proposed to be a minimum of 60 feet where it was previously 28.7 feet. In certain locations such as the pool deck, the buffer along the north portion of the property is approximately 100 feet or greater.
 - c. The building is located approximately 144 feet from the north lot line.
7. Increased the landscape yards along the street frontage of the property by locating the parking lots further back from the street as follows:
 - a. The landscape yard along Old Rand Road is increased to a minimum of 37.5 feet where it was previously at 15 feet from the south lot line.
 - b. The landscape yard along Rand Road is increased to a minimum of 29 feet where it was previously at 10 feet from the west lot line.

The increase in the landscape yards along these street lot lines provides the ability to install additional landscape material, to screen adjacent properties to the south particularly across Old Rand Road that comprise the Bayshore Village residences.
8. Operational Hours. Life Time has indicated that they intend to reduce the hours of operation from a 24/7 cycle and keep the facility open from 4:00 a.m. to 12:00 a.m., seven days a week.

Background on Life Time

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 2-story 125,000 square foot building with an approximately 46,600 square foot pool area. The building and pool areas will be accompanied by a 516 space vehicular parking area. The facility is proposed to be open between 4:00 a.m. and 12:00 a.m. 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 two stories with an average height of 40 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

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. 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 pond 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 March 6, 2018 in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for March 21, 2018, to consider the Application. On March 6, 2018 the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. Courtesy Review and Update.** The revised project to redevelop the property at 880 North Old Rand Road was presented to the Village Board for Courtesy Review and an update on March 5, 2018.

At the courtesy review, the developer introduced a revised concept for the redevelopment of the property which included the 2-story 125,000 square foot building with an approximately 46,600 square foot pool area. After hearing the proposal, Trustees provided their feedback on the proposal. These are highlighted below:

1. Location of the 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 will generate a higher traffic volume on to and off the site than the current conditions provide. Trustees recommended minimizing the traffic onto Old Rand Road, specifically, through recommending a reconfiguration of the access to the property from Old Rand Road as a “right-out” only access drive. This would direct traffic to the property from the Rand Road access point.

It was also recommended that the impact of the resultant “right-out” access drive be minimized by screening it from the residences of Bayshore Village across the street. The construction of a landscape berm along the frontage of the property along Old Rand Road would also screen the building from the residences at Bayshore Village.

2. Parking. It was recommended that the green space on the northwest corner of the property be utilized for parking thereby increasing the buffer on the east side of the property. An additional exit from the property onto Rand Road could be added at

the northwest corner and additionally relieve the traffic leaving the site from the currently proposed Rand Road access.

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

Additionally, the buffers should be designed to minimize the impact even before the landscape material matures.

Additionally, a recommendation to construct a concrete wall along the eastern lot line was recommended as an additional measure to screen the development from the residences to the east.

4. Lighting. Adjacent property owners were concerned with the amount of parking and the light that would be required to illuminate the parking lot.
5. Staff was asked to look at dedicating revenues (property tax) from the project towards future maintenance of Old Rand Road.

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=375>

- B. **Informal Open House.** On Thursday, March 15, 2017, Life time conducted an informal open house between 5:00 p.m. and 7:00 p.m. at the Holiday Inn Express at 197 South Rand Road. The intent of the open house was to provide the opportunity for residents to learn more about the resubmitted development proposal in an informal setting and ask questions directly to Life Time representatives. The event was attended by over 60 residents both in favor of and opposed to the development. They used the opportunity to ask questions and discuss the project on a one-on-one basis.
- 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.

- 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 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 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 various 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. 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.

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 2-story 125,000 square foot building with an approximately 46,600 square foot pool area. The building and pool areas will be accompanied by a 522 space vehicular parking area and stormwater detention areas. The configuration of the development is intended to use the property in a manner that provides adequate area for the building footprint, parking areas, landscape yards and buffers and stormwater management, while 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 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 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.

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 with 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 minimum 60-foot landscape area at the easterly parking lot and increases to an approximately 100-foot buffer between the north lot line and the pool deck area.

Along the east lot line, the buffer comprises of an 81-foot landscaped area consisting of a mix of evergreen and deciduous trees to screen the development from adjacent properties.

Along the south lot line with frontage along Old Rand Road, a buffer comprising of a 37.5-foot landscape area is provided while along the west lot line with frontage on Rand Road, a buffer comprising of 29 feet is proposed.

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.

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.

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 exists along the Old Rand Road frontage of the Subject Property. This sidewalk is proposed to be replaced with a new sidewalk that extends along the entire frontage of the property with Old Rand Road. Additionally, a new sidewalk is also proposed along the Route 12 frontage of the property.

The Applicants have also proposed offsite pedestrian improvements that include a landscaped median within Old Rand Road at the access to the property and crosswalks at the north and east leg of the intersection of Rand Road and Old Rand Road to facilitate pedestrian crossing in a safe and controlled manner.

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 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:

- Two-story building with a maximum height of approximately 40 feet and located 564 feet from the east lot line and 144 feet from the north lot line.
- Landscape buffers along the north and east interior perimeter lot lines to screen the development from adjacent residential development, as well as along the south lot line to screen the development from residences across Old Rand Road.
- 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. The site lighting within the eastern and northern portion of the parking areas will be dimmed after 9:00 p.m.
- Traffic control measures along Rand Road and Old Rand Road to accommodate and direct the flow of traffic onto and off the site primarily from Rand Road. Emergency and delivery truck traffic onto the property will be maintained solely from Rand Road. The access to

the property at Old Rand Road will be designed to eliminate left-turns out and right turns into the site requiring all traffic leaving the site to be directed towards Rand Road.

- Stormwater measures on and off the site. The development does not take credit for the existing impervious development on the site – Hackney’s restaurant building and its parking areas – rather it calculates its detention requirements based on an undeveloped site. Additionally, the site will also take stormwater runoff from the northern half of Old Rand Road into its stormwater facilities rather than allowing that runoff to flow into the lake. Stormwater is intended to be treated using best management practices prescribed by the Watershed Development Ordinance of Lake County and released in a controlled manner into the drainage systems located north of the property. The controlled release of stormwater into the adjacent system is intended to improve the drainage and flow of stormwater to its ultimate point at Flint Creek to the north.

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 height of the building at 39’ 11” feet exceeds the 35-foot allowable height of the zoning district, the bulk of the building is proposed to be mitigated by locating the building at a distance away from the north and east lot lines – 144 feet from the north lot line and 564 feet from the east lot line. Additionally, landscape screening material is proposed along such lot lines to further mitigate the impact 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 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 pedestrian accommodations.
6. Provide an eastbound left-turn lane on Old Rand Road (to access the site), as a back-to-back left-turn with the westbound left-turn lane at Rand Road.
7. A continental style crosswalk with ADA curb ramps, should be provided on the north (site access) leg of the intersection.
8. Remove the crosswalk, and associated signage, on the west leg of the 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 Old Rand Road from its current terminus westerly to Rand Road.
9. Provide a third shared through/right-turn lane on northbound Rand Road, extending from Old Rand Road and terminating at the existing right-turn lane at Golfview Road.

The applicants have designed the access on Old Rand Road to eliminate left-turns out and right turns into the site. All traffic leaving the site will now be directed towards Rand Road, thereby alleviating the impact of traffic onto the easterly portion of Old Rand Road.

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.

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. The determination requires that a 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.

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.

Zoning Relief

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

Modifications to the Zoning Code

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 district. The development proposes a maximum structure height of 39 feet and 11 inches at its highest point to the top of the parapet above the front entryway.
3. **Off Street Parking.**
 - a. Required Spaces; Physical Fitness Facilities. Section 9-10-1.F.e.5 requires that physical fitness facilities provide 1 parking space for every 3 people of occupancy.

The applicants have provided a designed occupancy of 1548 persons, which requires 516 parking spaces. The development proposes 522 parking spaces.

Note: The revised project no longer requires previously requested modifications to the minimum yard requirements of the zoning code.

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.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2018-4, 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 dated February 20, 2018 and prepared by LTF Real Estate Company, INC. and Cover Letter dated February 19, 2018, 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 February 19, 2018.
 - g. Preliminary Off-Site Roadway Improvements Plan Sheet 2 of 4 prepared by Manhard Consulting LTD. dated February 19, 2018.
 - h. Preliminary Grading Plan Sheet 3 of 4 prepared by Manhard Consulting LTD. dated February 19, 2018.
 - i. Preliminary Utility Plan Sheet 4 of 4 prepared by Manhard Consulting LTD. dated February 19, 2018.
 - 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 February 2018.
 - m. Building Elevations prepared by Life Time dated February 2018.
 - n. Traffic Impact Study prepared by Gewalt Hamilton Associates Inc. dated February 19, 2018.
 - o. Subsurface Drainage Inventory Sheet 1 prepared by Hey and Associates, Inc. dated September 22, 2017.
 - p. Wetland/Waters Assessment Report prepared by Christopher B. Burke Engineering, Ltd. dated May 2015.
2. Any further revisions to the submittal that are recommended by the Planning and Zoning Commission and agreed upon by the applicant must be incorporated into all submitted material prior to consideration of the petition by the Village Board.
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 the approval of a Final Plan for the project.
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 raised landscaped berms to enhance the effect of the plant material screening. Finally, the screening landscape yards should also be designed and structured to provide screening in the interim until landscape material has fully matured.
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

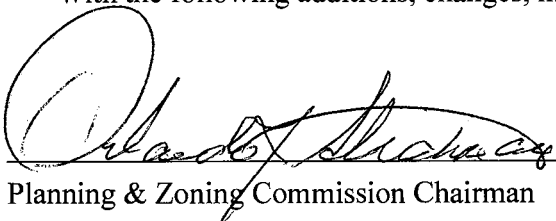
**LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS**

**FOR 880 OLD RAND ROAD
March 21, 2018**

The Planning & Zoning Commission recommends approval of Application PZC 2018-4, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **March 21, 2018** 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 dated February 20, 2018 and prepared by LTF Real Estate Company, INC. and Cover Letter dated February 19, 2018, and prepared by Ms. Katherine Jahnke Dale of DLA Piper LLP.
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2. Any further revisions to the submittal that are recommended by the Planning and Zoning Commission and agreed upon by the applicant must be incorporated into all submitted material prior to consideration of the petition by the Village Board.
 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 the approval of a Final Plan for the project.
 4. The landscape material along the north, south, 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 raised landscaped berms to enhance the effect of the plant material screening. Finally, the screening landscape yards should also be designed and structured to provide screening in the interim until landscape material has fully matured.
 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

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.

EXHIBIT B
PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY



Exhibit C: Site Photos



Figure 1: Looking north from Old Rand Road towards the adjacent restaurant and office building



Figure 2: Looking north towards the adjacent office building and rear yards of the single family homes adjacent to the Subject Property.



Figure 3: Looking northeast towards the adjacent single family homes and Lakebreeze Villa townhomes.



Figure 4: Looking north towards the adjacent single family homes on Pamela Road.



Figure 5: Looking northeast towards the adjacent single family homes and Lakebreeze Villa townhomes.



Figure 6: Looking east towards the adjacent Lakebreeze Villa townhomes.



Figure 7: Looking southeast towards the grove of trees adjacent to Old Rand Road.



Figure 8: Looking southeast towards the line of trees along Old Rand Road.



Figure 9: Looking south towards the line of trees adjacent to Old Rand Road.



Figure 10: Looking south towards the line of trees adjacent to Old Rand Road.



Figure 11: Looking south from the existing parking lot of the Subject Property to Old Rand Road and the lake.



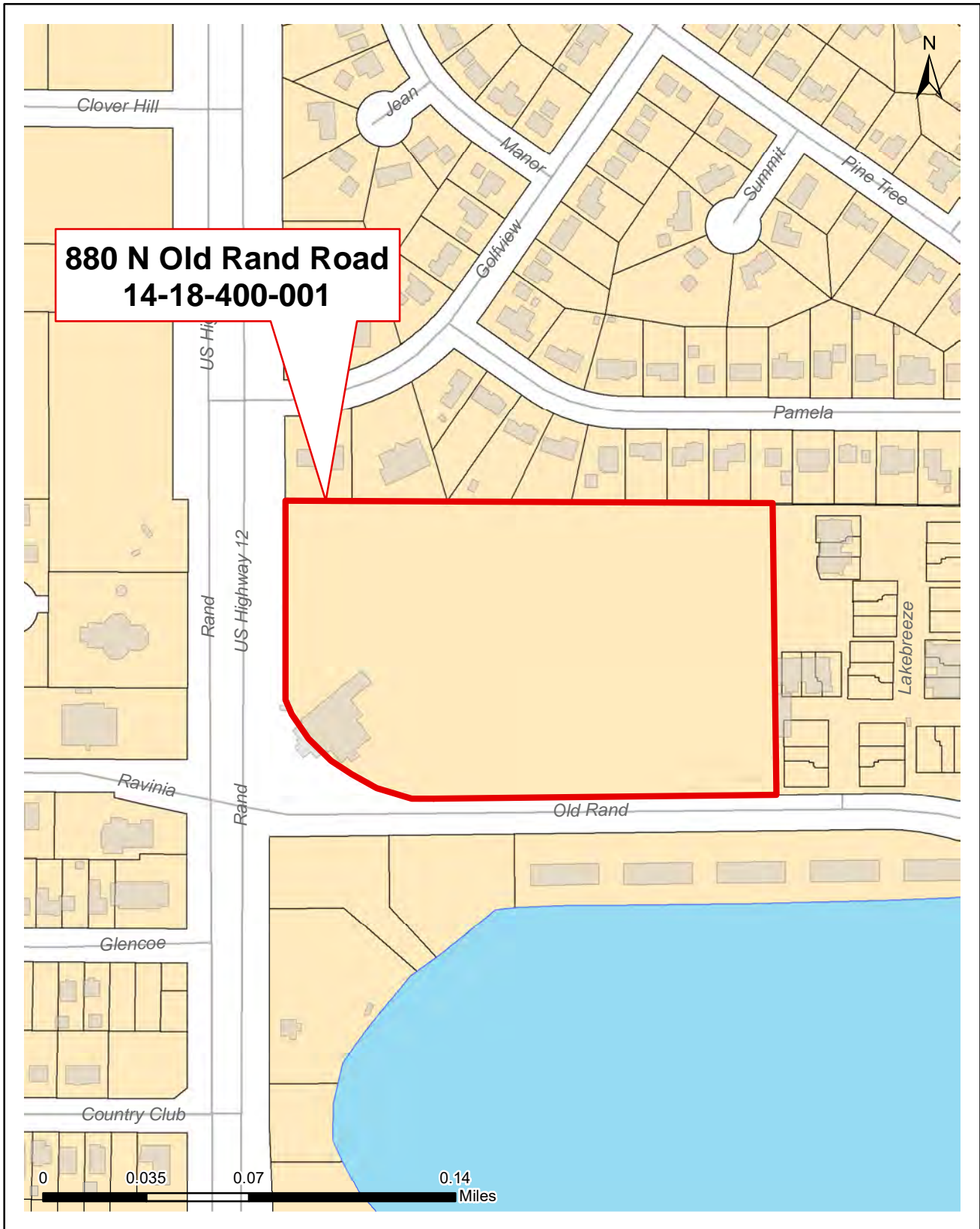
Figure 12: Looking southwest towards the intersection of North Rand Road and Old Rand Road.



Figure 13: Looking west towards North Rand Road and the adjacent restaurant.

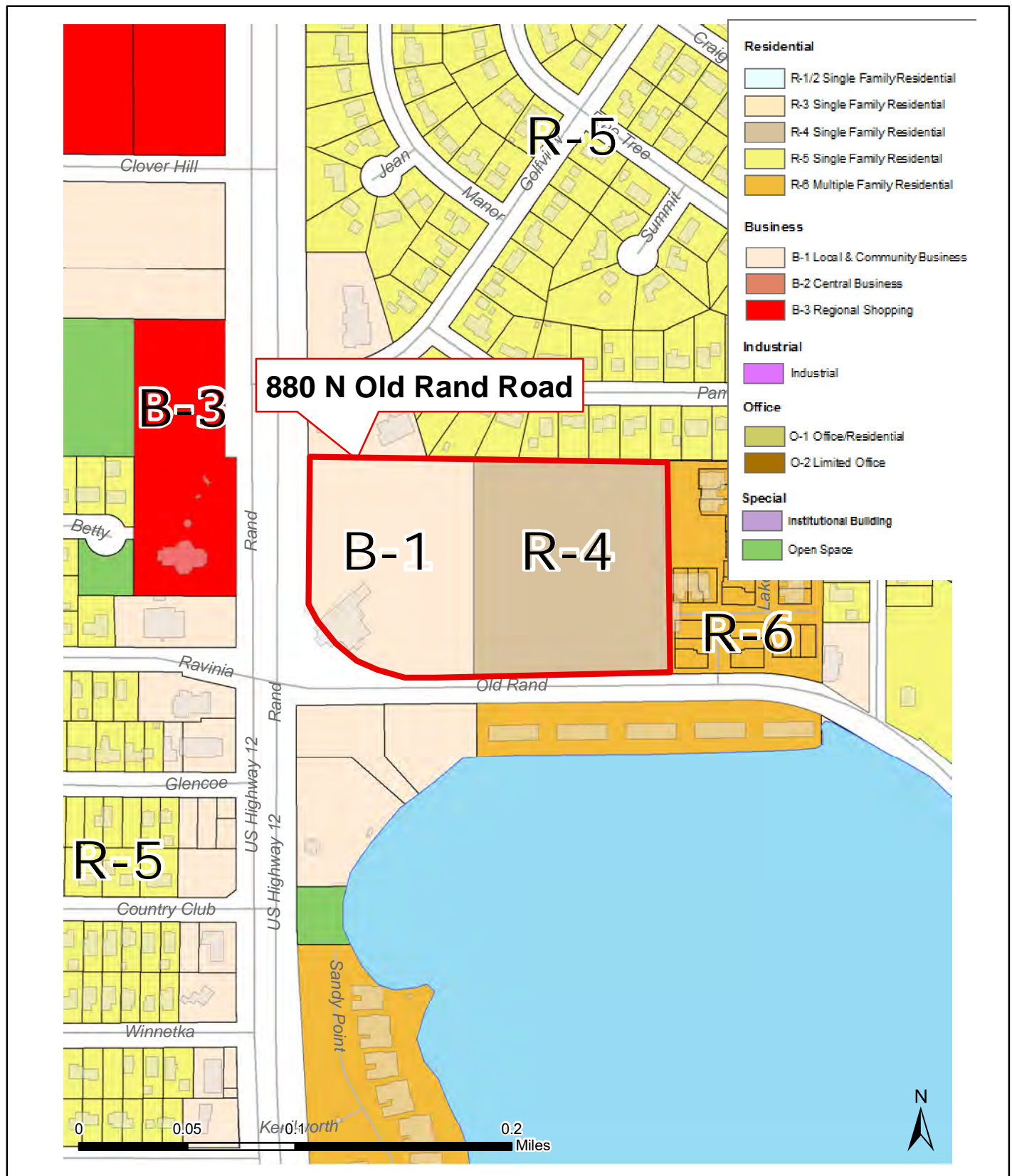


Figure 14: Looking west towards the line of trees which line North Rand Road.

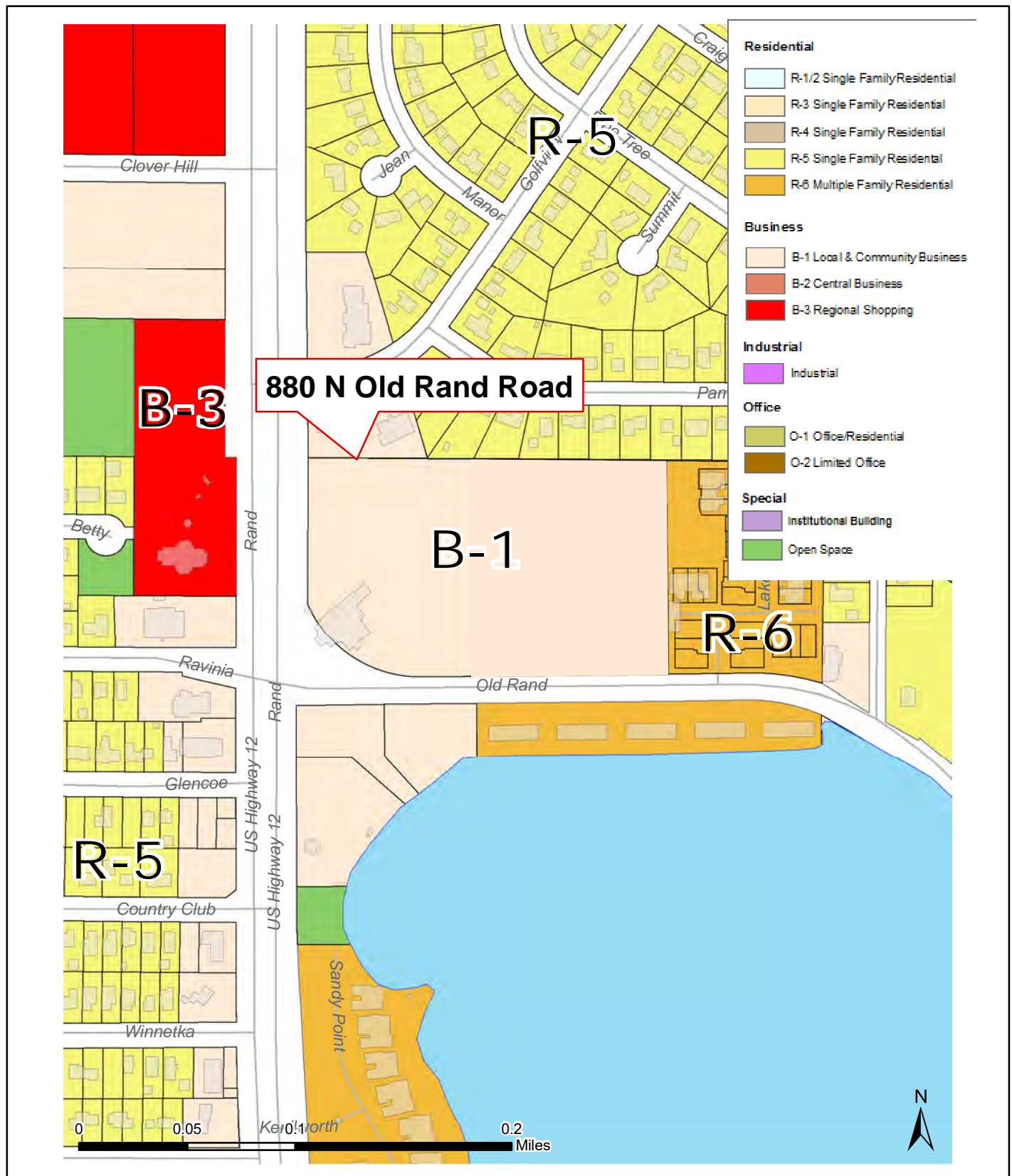


Parcel Map of 880 N Old Rand Road, Lake Zurich





Existing Zoning of 880 N Old Rand Road, Lake Zurich



Proposed Zoning of 880 N Old Rand Road, Lake Zurich



Aerial Map of 880 N Old Rand Road, Lake Zurich



Comparing LZ Building Heights

