



AGENDA PACKET

VILLAGE OF LAKE ZURICH
Planning & Zoning Commission

Wednesday, January 20, 2016

VILLAGE OF LAKE ZURICH
Planning & Zoning Commission

Wednesday, January 20, 2016

AGENDA

1. CALL TO ORDER AND ROLL CALL

Chairperson Orlando Stratman, Vice-Chair McCormack, Kurt Baumann, Antonio Castillo, Ildiko Schultz, William Riley, Tom Tomsovic, and Alternate Dannegger.

2. CONSIDERATION OF MINUTES

Minutes of the Planning and Zoning Commission Meeting, December 16, 2015

Motion to approve the minutes (Voice Vote)

ATTACHMENT 1: [UNAPPROVED MINTUES](#)

3. PUBLIC HEARING

A. 455 South Rand Road – GW Properties (PZC 2015-12 #2)

To consider approval of concept and final Planned Unit Development, Site Plan, Exterior Appearance, and a Special Use Permit to allow outdoor dining at the Subject Property located at 455 South Rand Road and within the B-3 Regional Shopping Business District.

Applicant – Mitch Goltz, GW Properties

Attachment 1: [GW_Properties.pdf](#)

B. 1075-1077 S. Rand Road – Sparrow Ridge Plaza (PZC 2016-01 #1)

To consider approval of Map Amendment to B-3, concept and final Planned Unit Development, Preliminary and Final Plat of Subdivision, Site Plan, Exterior Appearance, and Special Use Permit to allow a gasoline station, drive-thru facility, outdoor dining, Child Day Care, landbanking of parking in excess of 10% above code requirements, and parking in excess of 10% above code requirements, at the Subject Property located at 1075-1077 South Rand Road and currently within the R-1\2 Single Family and B-1 Local and Community Business District.

Applicant – John Sfire, Sparrow Ridge Plaza LLC

Attachment 1: [Sparrow Ridge.pdf](#)

4. PUBLIC MEETING

- A. Sign Code Update –Presentation By Arista Strungys – Principal Consultant Camiros, Ltd.

Attachment 1: [Sign Code Review](#)

5. STAFF REPORT

- A. None

6. 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 and 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 (TDD 847.438.2349) promptly to allow the Village to make reasonable accommodations for those individuals.

Unapproved Minutes - Page 1 of 10

Unapproved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
DECEMBER 16, 2015

The meeting was called to order by Chairman Stratman at 7:02 p.m.

ROLL CALL: *Present* –Chairman Stratman, Commissioners McCormack, Baumann, Castillo, Schultz, Riley, and Tomsovic, and Alternate Dannegger. *Also present:* Director of Community Services Earl and Village Planner Hubbard. Chairman Stratman noted a quorum was present. Due to all members being present, Commissioner Dannegger will be serving as an alternate this evening.

CONSIDERATION OF MINUTES:

APPROVAL OF THE NOVEMBER 18, 2015 MEETING MINUTES OF THE PLANNING & ZONING COMMISSION:

MOTION was made by Commissioner McCormack, seconded by Commissioner Tomsovic, to approve the November 18, 2015 minutes of the Planning and Zoning Commission as submitted. Voice Vote, all in favor. MOTION CARRIED.

Chairman Stratman informed the audience that the proposed development south of Binny's was not up for consideration this evening but likely would be on the January 20, 2016 planning and Zoning Commission's agenda.

PUBLIC HEARINGS:

955 S. Rand Road - House of Hope (PZC 2015-12#1): To consider a Special Use Permit to allow a used merchandise store, including clothing resale (SIC #593) at the Subject Property located at 955 South Rand Road and within the B-3 Regional Shopping Business District - Applicant John Sfire, Fidelity Group

MOTION was made by Commissioner Baumann, seconded by Commissioner McCormack, to open the public hearing on Application PC 2015-12 #1 at 7:04 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Chairman Stratman swore in those wishing to testify.

John Sfire, owner of Deerpath Commons Retail Center, presented their petition to operate a used merchandise store at 955 S. Rand Road. He provided an overview of House of Hope, which is affiliated with St. Anne's Church in Barrington and is under the Archdiocese of Chicago. All their proceeds are given to charity. It is currently operating in that location with a temporary special use permit issued by the Board of Trustees due to an emergency situation.

Unapproved Mintues - Page 2 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

2

MOTION was made by Commissioner Baumann, seconded by Commissioner Tomsovic, to close the public hearing on Application PC 2015-12 #1 at 7:11 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

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

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Castillo, seconded by Commissioner McCormack, to recommend that the Village Board approve the Special Use permit to allow a used merchandise store, including used clothing (SIC #593) on the Subject Property.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

455 South Rand Road - GW Properties (PZC 2015-12 #2): To consider approval of preliminary and final PUD, a Special Use Permit to allow outdoor dining, Site Plan, and Exterior Appearance at the Subject Property located at 455 South Rand Road and within the B-3 Shopping Business District - Applicant Mitch Goltz, GW Properties

MOTION was made by Commissioner Tomsovic, seconded by Commissioner Riley, to open the public hearing on Application PC 2015-12 #2 at 7:13 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Chairman Stratman swore in those wishing to testify.

Principal developer Mitch Goltz, GW Properties, showed a PowerPoint presentation that included an aerial photograph, site plan, landscape plan, elevation showing 3-4 tenants, and a rendering. Building material samples were displayed and reviewed. GW Properties is the contract purchaser of the former Giordano's site on the southwest corner of Routes 12 and 22. They propose to demolish the existing building and reposition it to accommodate a new multi-tenant retail building

Unapproved Mintues - Page 3 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

3

and parking lot. GW Properties anticipates three tenants with a mix of retail including service retail, general retail, and possibly two "fast casual" restaurants with outdoor seating. The final size of the building would depend on the specific users.

Planner Hubbard said the petitioner submitted a revised plan today, but staff has not had time to adequately review it. It appears that they cannot comply with the landscape plan, and there are still questions regarding the photometric plan, parking, and drive aisle as well as other outstanding details.

Mr. Golz said truck loading will be off to the side or rear and take place during off hours so it will not obstruct access. There will not be a drive-through. Regarding maintenance, he will reach out to John Sfire, owner of Village Square Shopping Center, to see if he could enter into a contract for maintenance but stated he will ultimately be responsible for landscaping and maintenance. Mr. Golz said they are willing to consolidate the PIN numbers. Project architect Mark Decansor said their civil engineer has made revisions to the site plan so the parking no longer encroaches in the drive aisles. Mr. Decansor addressed the screening of the rooftop units and said the exact location of the units will depend upon what type of tenants they have. He also discussed the building materials.

John Sfire, Fidelity Group and owner of Village Square Shopping Center, said he owns 75 acres on the corner surrounding this property and wants the neighboring development to be attractive and well maintained. He stated concerns about setbacks and safety because 15 parking spaces fall onto the access aisle. He is also concerned about cut-through traffic, delivery trucks encroaching on his property, and believes the proposed development is too big for this site. Mr. Sfire asked that the developer be required to meet requirements on landscaping, parking, and screening. He is not willing to enter into a shared-parking arrangement.

Discussion followed on the site plan and traffic/safety issues. Planner Hubbard pointed out that the parking space fronting on the access aisle is an existing condition throughout the Village. He offered to do a search of police calls and accidents at that part of the shopping center.

Mr. Golz said due to the odd configuration of the property, their options were limited. Mr. Golz and Mr. Sfire discussed stop signs and speed bumps. Mr. Sfire pointed out that they would need to be placed on his property and not on the subject property. He was concerned that accidents would occur on his property and affect his profitability.

Commissioner Castillo noted a smaller building footprint would allow the building to be moved back and alleviate many of the concerns. Commissioner Tomsovic questioned if the screening of the mechanical units was sufficient. Gary Odom addressed the site line and said they would not be visible. Mr. Golz concurred and will produce the studies verifying it. Landscaping was discussed with Planner Hubbard recommending additional materials be added on the north side of the site. Planner Hubbard said the changes required are not significant enough to require a continuance unless the Planning and Zoning Commission would like the petitioner to return.

MOTION was made by Commissioner McCormack, seconded by Commissioner Tomsovic, to close the public hearing on Application PC 2015-12 #2 at 8:30 p.m.

Upon roll call vote:

Unapproved Minutes - Page 4 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

4

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Commissioner Castillo referred to the Zoning Code and thought this proposal would adversely effect its neighbors while other members were comfortable relying on the police department review which did not require any concerns with the site layout.

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

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Tomsovic, to recommend that the Village Board approve the Preliminary and Final PUD on the Subject Property, subject to the following conditions:

1. The total gross floor area of all eating places (SIC #5812) located on the Subject Property must not exceed 4,000 square feet. Should the Applicant secure a perpetual cross parking agreement with a neighboring property owner or provide another means to meet parking requirements for all uses on the Subject Property, this condition will not apply.
2. A revised photometric plan is required prior to permit issuance, for review and approval by the Building & Zoning Division.
3. Allowance for minor revisions to the proposed site plan to conform to parking space size and drive aisle width requirements shall be at the discretion of Village staff. Such revised plan shall be submitted prior to permit issuance.
4. A revised landscape plan showing additional plantings that meets 100% of Village requirements shall be submitted for review and approval by Village staff.
5. Consolidation of both PIN's is required prior to permit issuance.
6. RTU screening will be provided as a condition of approval

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

Unapproved Minutes - Page 5 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

5

MOTION was made by Commissioner Baumann, seconded by Commissioner McCormack, to recommend the Village Board approve the Special Use Permit to allow outdoor dining at the Subject Property.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Tomsovic, to recommend that the Village Board grant Site Plan approval for the Subject Property, subject to the following conditions:

1. A revised photometric plan is required prior to permit issuance, for review and approval by the Building & Zoning Division.
2. Allowance for minor revisions to the proposed site plan to conform to parking space size and drive aisle width requirements shall be at the discretion of Village staff. Such revised plan shall be submitted prior to permit issuance.
3. A revised landscape plan that meets 100% of Village requirements showing additional plantings shall be submitted for review and approval by Village staff.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

MOTION was made by Commissioner McCormack, seconded by Commissioner Tomsovic, to recommend the Village Board grant Exterior Appearance approval for the Subject Property.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

C. 300 East Main Street - U-Haul (PZC 2015-06 #1): To consider a Special Use Permit to allow mini warehouse warehousing and self-storage warehousing (SIC #4225), truck rental, except industrial: without drivers (SIC #7513), and trailer and utility trailer rental (SIC #7519), and Exterior Appearance approval on the Subject Property located at 300 East Main Street and within the I Industrial District. Applicant - Heather Skelton, U-Haul of Northwest Chicago Suburbs

MOTION was made by Commissioner McCormack, seconded by Commissioner Tomsovic, to open the public hearing on Application PC 2015-06 #1 at 8:44 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

Unapproved Mintues - Page 6 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

6

NAYS: 0
MOTION CARRIED

Chairman Stratman swore in those wishing to testify.

Heather Skelton, Marketing Company President with U-Haul, provided historical information about the proposed development. After Planning and Zoning Commission review in June and July 2015, the Board of Trustees voted on August 3, 2015, to send this item back to the Planning and Zoning Commission for further review to allow the applicant an opportunity to significantly revised their proposal and application. Planner Hubbard referred to staff preliminary findings and said staff has advised the applicant that they may move forward with the special use permit application without concurrently obtaining site plan approval. If the Planning and Zoning Commission believe the special use meets the necessary standards of approval, then a special use permit can be granted conditioned upon addressing site issues through the site plan approval process prior to occupancy of the structure. Planner Hubbard said the site plan could be rescinded if the conditions were not met. Ms. Skelton said she understood, she then summarized the revisions to the plan and responded to the conditions recommended by staff. She said they would add screening for the RTU, fix the water issues, clean up the site, tuck point the brick, and paint the exterior. Ms. Skelton agreed to the condition that the water tower and water overflow repair be completed by November 2016.

Discussion followed on mitigating the impact to the neighbors on the west, evening drop-offs, 24-hour access to lockers, and lighting. Ms. Skelton said there would be "a lot" of storage units (1,200). Planner Hubbard said through site plan review and approval, the staff and the applicant could endeavor to mitigate the impact to the neighbors on the west.

MOTION was made by Commissioner Reilly, seconded by Commissioner McCormack, to close the public hearing on Application PC 2015-06 #1 at 9:20 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

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

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Unapproved Mintues - Page 7 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

7

MOTION was made by Commissioner McCormack, seconded by Commissioner Tomsovic, to recommend that the Village Board approve the Preliminary and Final PUD on the Subject Property, subject to the following conditions:

1. That these special use permits are hereby granted only to the U-Haul Company of Northwest Chicago and their subsidiaries and are non-transferable to another user.
2. The Applicant must apply for and be approved for Site Plan approval prior to the issuance of a building permit for the interior remodel of the Subject Property.
3. The Applicant must work with the Village Public Works and Engineering division to propose and execute an acceptable solution to the flooding of the retention pond by the water tower and pump house, which must be completed by November of 2016, and the water tower and pump house must be removed by November 2016.
4. The diamond/argyle pattern proposed on the west elevation of the building must be removed and replaced with a solid color to match the building.
5. Truck display shall be limited to eight trucks and only allowed in the location as shown on the Conceptual Site Plan dated 11/06/15. Any revision to the number of display trucks or the location of display trucks will require an amendment to this Special Use Permit.
6. Outdoor equipment parking shall be limited to the approx. 50' x 101' location as shown on the Conceptual Site Plan dated 11/06/15. Any revision to location or size of the exterior equipment parking area will require an amendment to this Special Use Permit.
7. The D&R bay doors will remain closed during repair operations.
8. At the time that occupancy is granted, the RTU's, as shown on the Rooftop Mechanical Unit Exhibit dated 12/16/2015, must have screening installed that covers 100% of the unit.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

MOTION was made by Commissioner Reilly, seconded by Commissioner McCormack, to recommend that the Village Board grant Exterior Appearance approval for the Subject Property.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, McCormack, Riley, and Schultz, and Tomsovic.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

Unapproved Minutes - Page 8 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

8

STAFF REPORT:

Planner Hubbard provided an update on the sign code revisions. He is hoping the revisions will be ready for review at the January 20, 2016 Planning and Zoning Commission meeting.

ADJOURNMENT:

MOTION was made by Commissioner Tomsovic, seconded by Commissioner McCormack, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED

The meeting was adjourned at 9:30 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:

Unapproved Minutes - Page 9 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

9

LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS
FOR 300 EAST MAIN STREET
JULY 15, 2015

The Planning & Zoning Commission hereby certifies that the standards for special use permit approval, as contained within Section 9-19-3 of the Zoning Code, for Application PZC 2015-06 #1 have been met and recommends approval of the Application, subject to the conditions listed below:

1. That the Special Use Permits be granted only to the U-Haul Company of Northwest Chicago and their subsidiaries and are non-transferable to another user.
2. That all trucks and trailers be screened per staff review.
3. That the water tower and pump shed on site be removed.
4. That a 3' berm be installed along the southern and western property lines, subject to IDOT review and approval should the berm fall within IDOT Right-of-way.
5. That the Dispatch and Repair (D&R) overhead doors be closed during repair operations.



Without any further additions, changes, modifications and/or approval conditions.



With the following additions, changes, modifications and/or approval conditions:



Orlando Stratman

Orlando Stratman - Planning & Zoning Commission Chairman

Unapproved Mintues - Page 10 of 10 - sub

Planning & Zoning Commission Meeting Minutes, December 16, 2015

10

**LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS
FOR 300 EAST MAIN STREET
JULY 15, 2015**

The Planning & Zoning Commission hereby certifies that the standards for special use permit approval, as contained within Section 9-19-3 of the Zoning Code, for Application PZC 2015-06 #1 have been met and recommends approval of the Application, subject to the conditions listed below:

1. That the Special Use Permits be granted only to the U-Haul Company of Northwest Chicago and their subsidiaries and are non-transferable to another user.
2. That all trucks and trailers be screened per staff review.
3. That the water tower and pump shed on site be removed.
4. That a 3' berm be installed along the southern and western property lines, subject to IDOT review and approval should the berm fall within IDOT Right-of-way.
5. That the Dispatch and Repair (D&R) overhead doors be closed during repair operations.



Without any further additions, changes, modifications and/or approval conditions.



With the following additions, changes, modifications and/or approval conditions:


Orlando Stratman

Orlando Stratman – Planning & Zoning Commission Chairman

• Page 10

Date



COMMUNITY SERVICES DEPARTMENT
Building and Zoning Division

505 Telser Road
Lake Zurich, Illinois 60047

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Fax (847) 726-2182
LakeZurich.org

At the Heart of Community

APPLICATION PZC 2015-12 #2

AGENDA ITEM 3A

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission
From: Sam Hubbard, Acting Director of Building & Zoning
CC: Michael J. Earl, Director of Community Services
Date: January 13, 2016
Re: **PZC 2015-12 #2 Zoning Application for GW Properties, 455 S. Rand Rd.**

Summary: Mitch Goltz (the “*Applicant*”) of GW Properties is the proposed developer for the property located at 455 South Rand Road, as legally described in **Exhibit A** attached hereto (the “*Subject Property*”). The Applicant filed an application with the Village of Lake Zurich received November 16, 2015 (the “*Application*”) seeking:

- Preliminary and Final Planned Unit Development
- A Special Use Permit to allow outdoor dining
- Site Plan approval
- Exterior Appearance approval

The Subject Property is within the Village’s B-3 Regional Shopping Business District.

Pursuant to public notice published on November 24, 2015, in the *Daily Herald*, a public hearing was scheduled with the Lake Zurich Planning & Zoning Commission for December 16, 2015. This project was recommended for approval with certain conditions and was scheduled to be heard by the Board of Trustees on January 4, 2016. Prior to discussion with the Village Board, the Applicant submitted a revised plan and therefore the Village Board asked that the Planning and Zoning Commission review the project changes and offer a recommendation.

Pursuant to public notice published on January 4, 2016, in the *Daily Herald*, a public hearing was scheduled with the Lake Zurich Planning & Zoning Commission for January 20, 2016. On November 30, 2015, the Village posted a sign notifying the public of the pending zoning Application on the Subject Property (**Exhibit B**).

Preliminary Findings: The Applicant has proposed the redevelopment of the site at 455 South Rand Road (Route 12), which was previously occupied by Giordano’s, and is located at the southwest corner of Route 12 and Route 22. The Applicant would demolish the existing single tenant building (approx. 6,000 sq. ft.), and replace it with an 8,400 sq. ft. multi-tenant building. The applicant would reconfigure the existing parking lot, which contains 48 parking spaces, creating a new parking area with 68 parking spaces.

The Applicant has targeted at least one “fast-casual” dining establishment for the development, with the potential for two depending on tenant interest. An example of a “fast-casual” restaurant would be a Noodles & Company or Chipotle. The Applicant has requested a Special Use Permit to allow outdoor seating for both potential “fast-casual” tenants.

The proposed development includes substantial upgrades to the on-site landscaping, and plans have been revised to comply with landscaping code requirements and fully irrigation. The exterior lighting has been decreased to comply with footcandle illumination.

The design and materials on the building, which is composed of primarily brick with an architectural stone base course and EFIS accents, are above the quality found on most neighboring retail buildings. The aesthetic of the building is appealing and it would be a beneficial addition to the Route 12 corridor. Rooftop mechanical screening has been increased to fully screen equipment from all sides.

Staff would like to highlight some of the notable areas of relief as requested via the PUD:

1. The existing parking lot does not conform to required setbacks. However, the location of the parking lot as encroaching on the front, side, and rear yard setbacks is typical throughout the Route 12 corridor.
2. The proposed building encroaches on side and rear yard setbacks. Given that this is typical on outlet buildings located in proximity to larger retail shopping centers, staff believes relief in this regard is warranted. Furthermore, the existing building encroaches on both of these setback areas without having had a detrimental impact on the site design.
3. The proposed landscaped surface area (greenspace) does not conform to minimum requirements. However, due to the upgrades proposed to the site landscape plantings and the fact that the existing site likely did not conform to this requirement without creating major concerns, staff believes that relief from this requirement is acceptable.
4. The site plan does not include the extension of the existing sidewalk, which existing sidewalk is along Route 22, south along Route 12. Due to numerous utility infrastructure in the area, lack of significant pedestrian traffic, and lack of a connection point south along Route 12, staff believes that this is acceptable. A compensating amenity has been proposed, which may be used for a sidewalk in this location is the Village desires.
5. No loading space for truck deliveries has been provided. Relief can be granted via the PUD. The Applicant has noted their delivery options on their attached January 13, 2016 response letter so that deliveries are made on this property and not obstructing handicapped parking.

To offset the relief requested, the Applicant has proposed a \$6,500 donation intended for improvements to nearby Paulus Park, or to be used for the provision of a sidewalk along Route 12 should the Village feel that one may be necessary.

Staff notes that the Subject Property is composed of two separate PIN's. Since the property functions as one singular development, staff recommends that the Applicant consolidate the two PIN's into one so as to avoid confusion in the future. The Applicant has agreed to this consolidation.

Staff had concerns regarding the uncertainty of final tenants within the proposed development, the possibility of two “fast-casual” dining establishments with outdoor seating, and the lack of on-site parking to accommodate such users. Although parking may exist within the abutting Village Square retail center, the Applicant has not secured a perpetual parking agreement to allow for shared cross parking. Absent this shared parking agreement, and in order to avoid creating a parking shortage on site, staff believes that food establishment uses should be limited to 4,000 gross sq. ft. on the Subject Property.

The Applicant has increased their number of parking spaces to 68 for this development. The Lake Zurich Police Department is satisfied with the traffic pattern for this project. Furthermore, the Applicant has

revised the site plan so that the number of parking spaces directly exiting to the southern easement area remains at the existing amount of five.

Detailed staff reviews from the Building and Zoning Division, Public Works, Manhard Engineering, Fire/Rescue Department, Police Department, and Rolf Campbell & Associates (landscape consultant) are attached.

Recommendation: Your recommendation should be based on the standards included in Section 9-22-5 Standards for Planned Unit Developments, the standards in Section 9-19-3 Standards for Special Use Permits, the standards in Section 9-21-3 Standards and Considerations for Exterior Appearance Approval, and the standards in Section 9-20-3 Standards for Site Plan Disapproval.

*Please refer to **Exhibit C** for Staff's responses to these zoning standards. The Zoning Code requires that a recommendation of approval should be made only after all standards of approval have been met.*

Recommended Conditions of Approval:

1. The total gross floor area of all eating places (SIC #5812) located on the Subject Property must not exceed 4,000 square feet. Should the Applicant secure a perpetual cross parking agreement with the neighboring property owner or provide another means to meet parking requirements for all uses on the Subject Property, this condition will not apply.
2. Consolidation of both PIN's is required prior to permit issuance.

Should you have any questions, please call me at 847-540-1759.

STAFF REPORT EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1: THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE NORTH 89 DEGREES 10 MINUTES 25 SECONDS EAST ALONG TH NORTH LINE OF SAID SOUTH EAST 1/4 OF SECTION 19, 978.46 FEET; THENCE SOUTH 0 DEGREES 0 MINUTES AND 35 SECONDS EAST, 61.56 FEET TO THE EXISTING SOUTHERLY RIGHT OF WAY OF STATE ROUTE 22 FOR A POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 05 MINUTES 30 SECONDS EAST, 190.17 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST 307.55 FEET TO THE SOUTHWESTERLY RIGHT OF WAY OF U.S. ROUTE 12; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY OF U.S. ROUTE 12 SAID RIGHT OF WAY BEING A CURVED LINE TO THE RIGHT HAVING A RADIUS OF 3445.46 FEET, AN ARC DISTANCE OF 129.51 FEET TO A POINT OF REVISE CURVE; THENCE CONTINUING ALONG SAID SOUTHWESTERLY RIGHT OF WAY OF U.S. ROUTE 12 SAID RIGHT OF WAY BEING A CURVED LINE TO THE LEFT HAVING A RADIUS OF 276.07 FEET AN ARC DISTANCE OF 235.10 FEET TO A POINT OF TANGENCY; THENCE WESTERLY ALONG THE SOUTHERLY RIGHT OF WAY OF STATE ROUTE 22, A DISTANCE OF 13.0 FEET TO THE POINT OF BEGINNING, ,(EXCEPT PART CONVEYED TO PEOPLE OF THE STATE OF ILLINOIS, DEPT. OF TRANSPORTATION BY DEED DOC 5560623 RECORDED MAY 17, 2004) IN LAKE COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF THE NORTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 19, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE 960.28 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 25 SECONDS EAST 61.28 FEET TO THE SOUTH LINE OF ROUTE 22 FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 25 SECONDS EAST 190.17 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST 18.49 FEET, MORE OR LESS, TO THE WEST LINE OF A TRACT OF LAND DESCRIBED IN TRUSTEE'S DEED RECORDED FEBRUARY 21, 1978 AS DOCUMENT 1899484; THENCE NORTH 00 DEGREES 05 MINUTES 30 SECONDS WEST 190.17 FEET ALONG SAID WEST LINE TO THE SOUTHERLY RIGHT OF WAY OF ROUTE 22 ; THENCE WESTERLY ALONG THE SOUTHERLY RIGHT OF WAY OF ROUTE 22 TO THE POINT OF BEGINNING, (EXCEPT PART CONVEYED TO PEOPLE OF THE STATE OF ILLINOIS, DEPT. OF TRANSPORTATION BY DEED DOC 5560623 RECORDED MAY 17 2004) IN LAKE COUNTY, ILLINOIS.

STAFF REPORT EXHIBIT B
PUBLIC HEARING SIGN ON SUBJECT PROPERTY



STAFF REPORT EXHIBIT C
REVIEW OF COMPLIANCE WITH ZONING STANDARDS
FOR 455 SOUTH RAND ROAD

9-22-5 STANDARDS FOR PLANNED UNIT DEVELOPMENTS

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 Code.

Staff Response: Standard met. See below.

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 property will be a singular PIN under single ownership.

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. Restrictions on the size restaurant uses will ensure that size of the site in relation to parking and usage is sufficient.

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. There will be no CCR's as the development will be one zoning lot under singular ownership.

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: Standard met. The proposed development will contribute \$6,500 that may be used towards public open space improvements within the vicinity.

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 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 the preceding subparagraph 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 by-laws 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 Subparagraph; 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 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 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. Common open space is not required due to the scope of the project and the lack of provision of common open space, which would not be practical for a development of this size.

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 man-made buffers.

Staff Response: Standard met as landscaping has been increased.

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 Subparagraph B5(d) of this Section.

Staff Response: Standard met. There are no private street proposed within this PUD.

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. Sidewalks exist along Route 22, pedestrian access towards the south and Route 12 is provided via sidewalks around the building.

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

Staff Response: Standard met. Sanitary and water lines will be underground.

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.

Staff Response: Standard met. No such additional standards exist for this specific PUD.

9-19-3

STANDARDS FOR SPECIAL USE PERMITS

A. **General Standards.** No special use permit shall be recommended or granted pursuant to this Chapter unless the applicant shall establish that:

1. **Code and Plan Purposes.** The proposed use and development will be in harmony with the general and specific purposes for which this 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. One of the purposes of the Zoning Code is to "enhance the taxable value of land". The allowance of outdoor seating at this location will facilitate the revitalization of this site through the construction and occupancy of the proposed development on the Subject Property. This location,

at the corner of Route 22 and Route 12 will be heavily trafficked and provide sales tax revenue to the Village.

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 location of the outdoor seating is not nearby to any residential areas and will not create an undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare of the Village. The outdoor use seating use is compatible to adjacent commercial developments.

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 outdoor seating will not dominate the immediate vicinity or interfere with the use and development of neighboring properties.

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 outdoor seating will not create a need for additional public utilities above and beyond the capacity of public utilities that already serve the area.

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. Outdoor dining at the Subject Property will not create undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

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 issuance of a Special Use Permit for outdoor seating will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

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: Not applicable. There are no additional standards imposed by the Code in relation to the proposed use.

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: One of the purposes of the B-3 district is to “provide a location for major retail centers”. Issuance of the Special Use Permit for outdoor seating will facilitate the construction and success of a retail center on the Subject Property, which conforms to the purpose of the B-3 district. This creates a positive effect for the Village and the district.

- 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 has not identified any additional special standards required for the proposed Special Use.

- 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 creation of an outdoor seating option is desirable amenity within the Village and its location along the heavily trafficked intersection of Route 12 and Route 22 provides a perfect setting for utilization of “fast-casual” outdoor dining.

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. Staff has not identified an alternative location as more appropriate than the Subject Property.

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 location of the outdoor seating, which is not within proximity of neighboring residential areas, does not create any substantial or undue adverse effects that would need to be mitigated. Staff has not identified additional steps that should be taken in this regard.

9-21-3 STANDARDS AND CONSIDERATIONS FOR EXTERIOR APPEARANCE APPROVAL

In their consideration of applications for exterior appearance approval, the Plan Commission and the Board of Trustees shall consider and evaluate the propriety of granting the approval in terms of the effect of the application on the purposes for which exterior appearance approval is required. In addition, the Plan Commission and the Board of Trustees shall be guided by the following standards and considerations:

A. General Quality of Design and Site Development. New and existing buildings and structures and appurtenances thereof which are constructed, reconstructed, materially altered, repaired, or moved shall be evaluated under the following quality of design and site development guidelines:

1. Open Spaces. The quality of the open spaces between buildings and in setback spaces between street and facade.

Staff Response: Standard met. The proposed building is designed in the traditional suburban retail/commercial orientation with parking in front and the building towards the rear. Ample open spaces exist in the front of the building. In areas where the building encroaches on the rear yard setback, the space on the adjacent property to the rear is open in this location so as to provide further open space behind the building, mitigating the rear yard setback encroachment of the building on the Subject Property.

2. Materials. The quality of materials and their relationship to those in existing adjacent structures.

Staff Response: Standard met. The proposed building is primarily brick with an architectural split faced faux stone block base course. EIFS areas are only for accent materials and are not the primary construction material on the building. The proposed materials are at or above the quality of materials on adjacent commercial buildings.

3. General Design. The quality of the design in general and its relationship to the overall character of neighborhood.

Staff Response: Standard met. The general design is consistent with neighboring commercial developments and is consistent with the current trend of suburban retail developments in the neighborhood and overall Chicagoland area.

4. General Site Development. The quality of the site development in terms of landscaping, recreation, pedestrian access, automobile access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible.

Staff Response: Standard met. Landscaping has been changed to provide additional screening, and an underground irrigation system was added. Optional delivery proposals have been provided.

B. **General Standards for Visual Compatibility.** New and existing buildings and structures, and appurtenances thereof, which are constructed, reconstructed, materially altered, repaired, or moved shall be visually compatible in terms of the following guidelines:

1. **Height.** The height of the proposed buildings and structures shall be visually compatible with adjacent buildings.

Staff Response: Standard met. The proposed structure is within code requirements for building height and is compatible with adjacent buildings.

2. **Proportion of Front Façade.** The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.

Staff Response: Standard met. The proportion of the front façade is compatible to the surrounding buildings, public ways, and places to which it is visually related.

3. **Proportion of Openings.** The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.

Staff Response: Standard met. The window sizes are similar to adjacent commercial buildings and are compatible with buildings, public ways, and places to which the building is visually related.

4. **Rhythm of Solids to Voids in Front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.

Staff Response: Standard met. The façade contains with large expanses of windows within the front façade (the front façade being the solid), which provides viewing into the interior of the space (the void). This rhythm is compatible to the buildings, public ways, and places to which it is visually related.

5. **Rhythm of Spacing and Buildings on Streets.** The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.

Staff Response: Standard met. The proposed building facilitates a rhythm of spacing which is compatible to the places to which it is visually related.

6. **Rhythm of Entrance, Porch, and Other Projections.** The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.

Staff Response: Standard met. The entrance, as being on the front façade, is consistent with other buildings within the neighborhood. Entrances on the front façade are typical within the B-3 District. This rhythm is compatible with buildings, public ways, and places to which the Subject Property is visually related. There is no porch proposed.

7. **Relationship of Materials and Texture.** The relationship of the materials and texture of the facade shall be visually compatible with the predominant materials used in the buildings and structures to which it is visually related.

Staff Response: Standard met. The proposed building materials, composed of primarily brick with a base course of ornamental stone and EFIS accents, are above the quality of neighboring retail buildings and would be a welcome addition to the Route 12 corridor.

8. **Roof Shapes.** The roof shape of a building shall be visually compatible with the buildings to which it is visually related.

Staff Response: Standard met. Flat roofs are the predominant roof type for buildings within the vicinity and the proposed roof shape is therefore visually compatible.

9. **Walls of Continuity.** Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.

Staff Response: Standard met. There is no established wall of continuity at this location.

10. **Scale of Building.** The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related.

Staff Response: Standard met. The size and mass of the building is not out of scale in relation to the open spaces, windows, door openings, porches, and balconies of the buildings, public ways, and places to which it is visually related.

11. **Directional Expression of Front Elevation.** A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.

Staff Response: Standard met. The directional expression of the building is towards the front, which is typical throughout the B-3 District and is consistent with the character of the area.

- C. **Additional Standards Applicable to Development in the B-2 Central Business District.** New and existing buildings and structures and appurtenances thereof in the B-2 Central Business District which are constructed, reconstructed, materially altered, or moved shall

be evaluated under the following quality of design and site development guidelines in addition to the standards set in Subsections A and B of this Section:

1. Overall Compatibility. The proposed improvements should be compatible with adjacent structures and with the overall redevelopment strategy for the B-2 District set forth in the Official Comprehensive Plan.
2. Building Frontage Lines. Buildings along Main Street and Old Rand Road should have frontage directly adjacent to the sidewalk right-of-way line. Building setbacks may be permitted if the area between the building face and the sidewalk is used for outdoor retailing, seating, or usable public-access open space and is compatible with adjacent properties.
3. Principal Entrance. Buildings along Main Street and Old Rand Road should have the principal store entrance accessible directly from the public sidewalk. A short private walkway to the entrance may be permissible if it is consistent with the character of the building and adjacent properties.
4. Entrance Highlights. Store entrances should be highlighted with architectural features compatible with the overall building design.
5. Windows. Windows should be subdivided to emphasize vertical proportions.
6. Story Distinctions. The first story of the building should be distinguished from the second story by means of a horizontal lintel, second floor overhang or setback, or similar detail.
7. Building Materials. Exterior building materials should be any of the following: brick, masonry, stucco, cementitious products, wood-like vinyl siding, and/or natural wood siding.
8. Signs. Sign materials, forms, and designs shall be integral with the building architecture. Custom designed individual letters, carved wood, or etched metal signs will be strongly encouraged. Perpendicular signs extending over the sidewalk may be permitted if limited in size and if compatible with adjacent properties and safety concerns. Back-lighted fluorescent box signs shall be prohibited.

Staff Response: Not applicable as this property is not within the B-2 District.

D. Additional Standards Applicable to Development in the LP Lake Protection District. New and existing buildings and structures and appurtenances thereof in the LP Lake Protection District which are constructed, reconstructed, materially altered, repaired, or moved shall be evaluated under the following development guidelines in addition to the standards set in Subsections A, B, and, if applicable, C of this Section:

1. No Adverse Impact on Views. The proposed development should create no undue adverse impact on existing views of the lake, subject to the other guidelines in this Subsection D.

2. Diminution of value. Impacts on existing views of the lake may be offset by the degree to which the value of the subject property would be diminished by avoidance or elimination of such impacts on existing views.
3. Protection of Lake Features. Such diminution in value may be offset, however, by the protection of a valuable existing feature of the lake.
4. Value of Adjacent Properties. The use and enjoyment, or value, of adjacent properties should not be adversely affected by the proposed use or development.

Staff Response: Not applicable as this property is not located within the Lake Protection District.

E. Special Considerations for Existing Buildings. For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

Staff Response: Not applicable as this is not an existing building.

9-20-3 STANDARDS FOR SITE PLAN DISAPPROVAL

A. Standards. The Board of Trustees shall not disapprove, and the Plan Commission shall not recommend disapproval of, a site plan submitted pursuant to this Chapter except on the basis of specific written findings directed to one or more of the following standards:

1. Application Improper. The application is incomplete in specified particulars or contains or reveals violations of this Code or other applicable regulations that the applicant has failed or refused to supply or correct.

Staff Response: Standard met. The application is complete.

2. Failure of Condition Precedent. The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has failed to secure approval of that application.

Staff Response: Standard met. The Application has been submitted in conjunction with a request for PUD, exterior appearance approval, and special use permit approval. All requests will be heard simultaneously at the Planning & Zoning Commission and will appear for approval at the Village Board at the same time.

3. Failure to Meet Standards. The site plan fails to adequately meet specified standards required by this Code with respect to the proposed use or development, including special use standards where applicable.

Staff Response: Standard met. The proposed site plan meets the standards as required by Code. The retail portion of the use is permitted within the B-3 district and the outdoor seating use will be granted via the special use permit process.

4. **Interference With Right-Of-Way.** The proposed site plan interferes with easements or rights-of-way.

Staff Response: Standard met. The building and parking areas will not encroach on any easement or Right-of-Way.

5. **Interference with Features.** The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site.

Staff Response: Standard met. There are no significant natural, topographical, or physical features on the site that warrant preservation.

6. **Traffic Problems.** The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably create hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off site.

Staff Response: Standard met. The existing street network is designed to accommodate any increase in traffic which may result from the proposed development. The proposed parking lot will conform to all engineering standards for circulation and vehicular access.

7. **Inadequate Screening.** The screening of the site does not provide adequate shielding from or for nearby uses.

Staff Response: Standard met. Additional landscape screening has been added on the north property line

8. **Lacking Amenity.** The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses.

Staff Response: Standard met. Landscaping has been upgraded significantly and revised plans indicate added landscaping along the north property line.

9. **Lack of Open Space.** In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance.

Staff Response: Standard met. Open space will be preserved per code requirements.

10. **Drainage or Erosion Problems.** The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned drainage system serving the Village.

Staff Response: Standard met. The proposed development will comply with the requirements of the Municipal Code and the Lake County Watershed Development Ordinance. As such, no drainage or erosion problems will be created with the proposed development site plan.

11. **Burdens on Utilities.** The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility systems serving the Village.

Staff Response: Standard met. Adequate utilities exist in the area to accommodate the proposed development and it will not create a burden on utilities.

12. **Lack of Public Uses.** The proposed site plan does not provide for required public uses designated on the Official Map.

Staff Response: Not applicable. The Official Map does not require public uses on the Subject Property.

13. **Other Adverse Effects.** The proposed site plan otherwise adversely affects the public health, safety, or general welfare.

Staff Response: Standard met. No evidence has been found that shows the development will adversely affect the public health, safety, or general welfare.

B. **Alternative Approaches.** In citing any of the foregoing standards, other than those of Paragraphs A1 and A2, as the basis for disapproving a site plan, the Plan Commission or the Board of Trustees shall suggest alternate site plan approaches that could be developed to avoid the specified deficiency or shall state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives.

Staff Response: The Applicant has modified plans based on previous discussions, and has added landscaping.

**LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS
FOR 455 SOUTH RAND ROAD
JANUARY 20, 2016**

The Planning & Zoning Commission hereby recommends approval of Application PZC 2015-12 #2, subject to the findings as contained within the Staff Report dated January 15, 2016 for this Application and subject to the condition of approval as follows:

Condition of Approval:

1. The total gross floor area of all eating places (SIC #5812) located on the Subject Property must not exceed 4,000 square feet. Should the Applicant secure a perpetual cross parking agreement with the neighboring property owner or provide another means to meet parking requirements for all uses on the Subject Property, this condition will not apply.
2. Consolidation of both PIN's is required prior to permit issuance.

Without any further additions, changes and modifications.
 With the following additions, changes and modifications:

Orlando Stratman - Planning & Zoning Commission Chairman

January 13, 2016

1

Mr. Sam Hubbard - Village Planner
Ms. Mary Meyer
Village of Lake Zurich
505 Telser Rd.
Lake Zurich, IL 60047

RE: 455 S Rand Rd. Project Submittal - January 20th Plan Commission Meeting

Dear Sam and Mary,

Per your request...all modifications and changes made to the proposed 455 S. Rand Rd. Project since the December 2015 Plan Commission meeting...have been re-submitted for the January 20th Plan Commission meeting...and all these above items are hereby summarized below :

- 1) All 'new' proposed Parking Stalls located on the South property line of the Project Site have been relocated to other areas within the Project Site...that do not access the adjacent property. The remaining 5 Stalls on the South property line are as per the existing parking lot condition.
- 2) Additional Parking Stalls have been added to the Proposed Project. The Parking Stall count is now 68 total Stalls, including 3 Handicap Stalls...as per code. This total Stall count complies with all parking stall requirements for all Tenant usages...including, seat counts, peak period employees, and retail sq. footage.
- 3) All Landscape areas, including all Landscape perimeter areas along both Hwy 22 and 12, have been revised, and new Landscape areas added...that comply with, or exceed, all requirements for Plant counts, sizes, & number of species. All Landscaping on the Project Site is specified to have a dedicated irrigation system...annotated on the revised Landscape Plan as submitted .
- 4) The Trash Enclosure has been relocated to the Northwest corner of the Project Site...and does not require access or use of the access easement, nor any access at all of the adjacent property. All trash access/ removal can be accomplished directly within the boundaries the Project Site.
- 5) All parapet walls, including parapets on the West, South, and North of the building have been increased in height to the top of the roof top RTU's, so 'Full' screening, actually far in excess full screening, of the Mechanical units has been achieved.

January 13, 2016

2

- 6) Deliveries to all Tenant spaces for the Proposed Project are provided two (2) location options, both of which are legal. Option # 1 is a front delivery option for each Tenant space using non-Handicap dedicated space for delivery vehicle access. Option # 2 is a rear delivery option, that allows Tenants to receive deliveries through the rear service doors of their respective space(s) by vehicles that park on the North side of the building, using the wide access walkways along the North, & West (rear) sides of the building. Both options are shared options for all Tenants.
- 7) Finally, the Photometric Plan...including fixture locations & fixture lamping, has been revised to meet the 10 Foot candle average illumination level requested by the Village of Lake Zurich.

I hope this letter, and information, helps to clarify, and assist, the Village staff & Board members to quantify and qualify the substantial modifications, changes and good faith effort made to make this project a beautiful, functional, fully compliant, and economically viable addition to this Lake Zurich intersection, and business community.

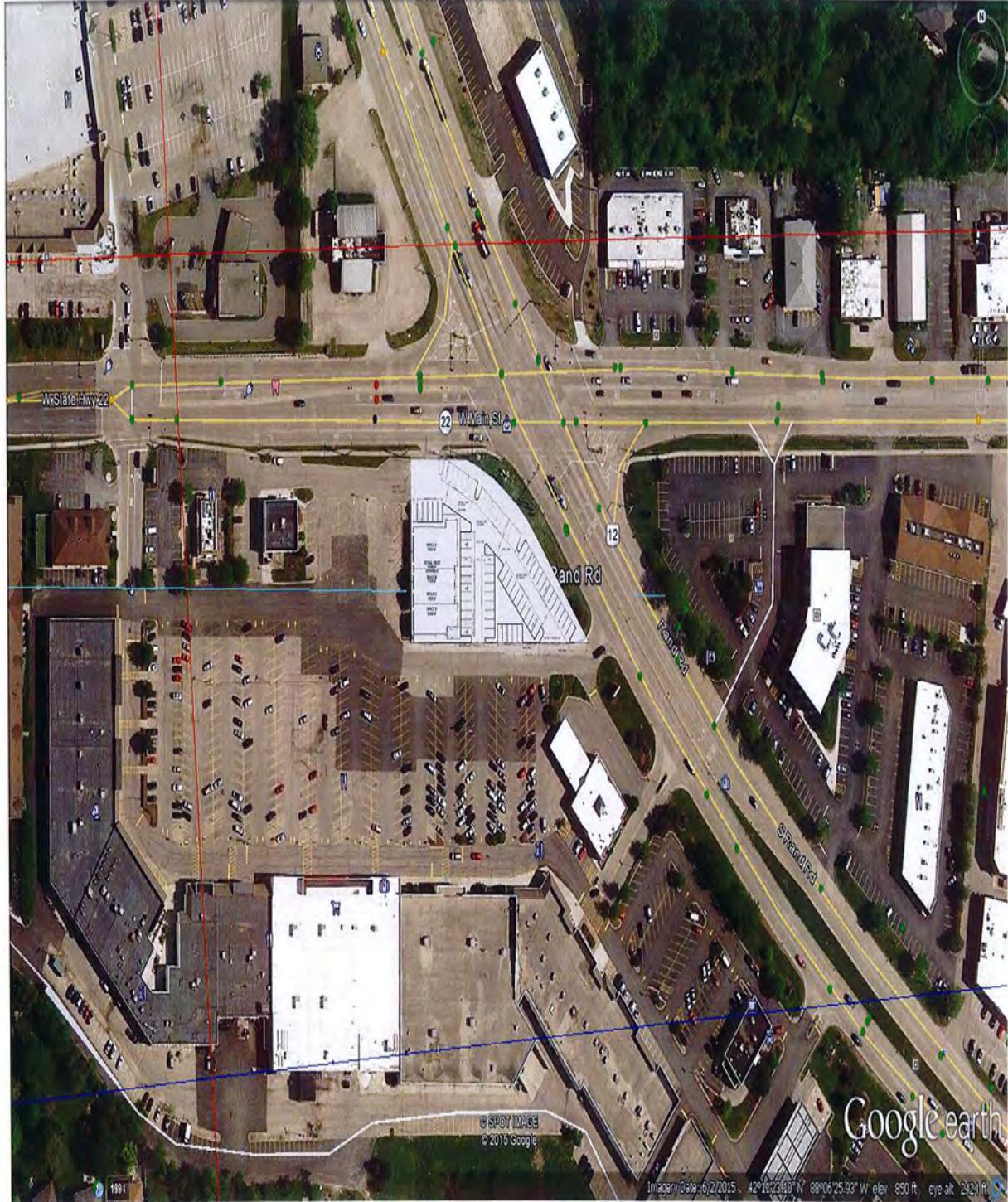
Once again, we look forward to presenting our revised Proposed Project to the Plan Commission on January 20th.

Regards,

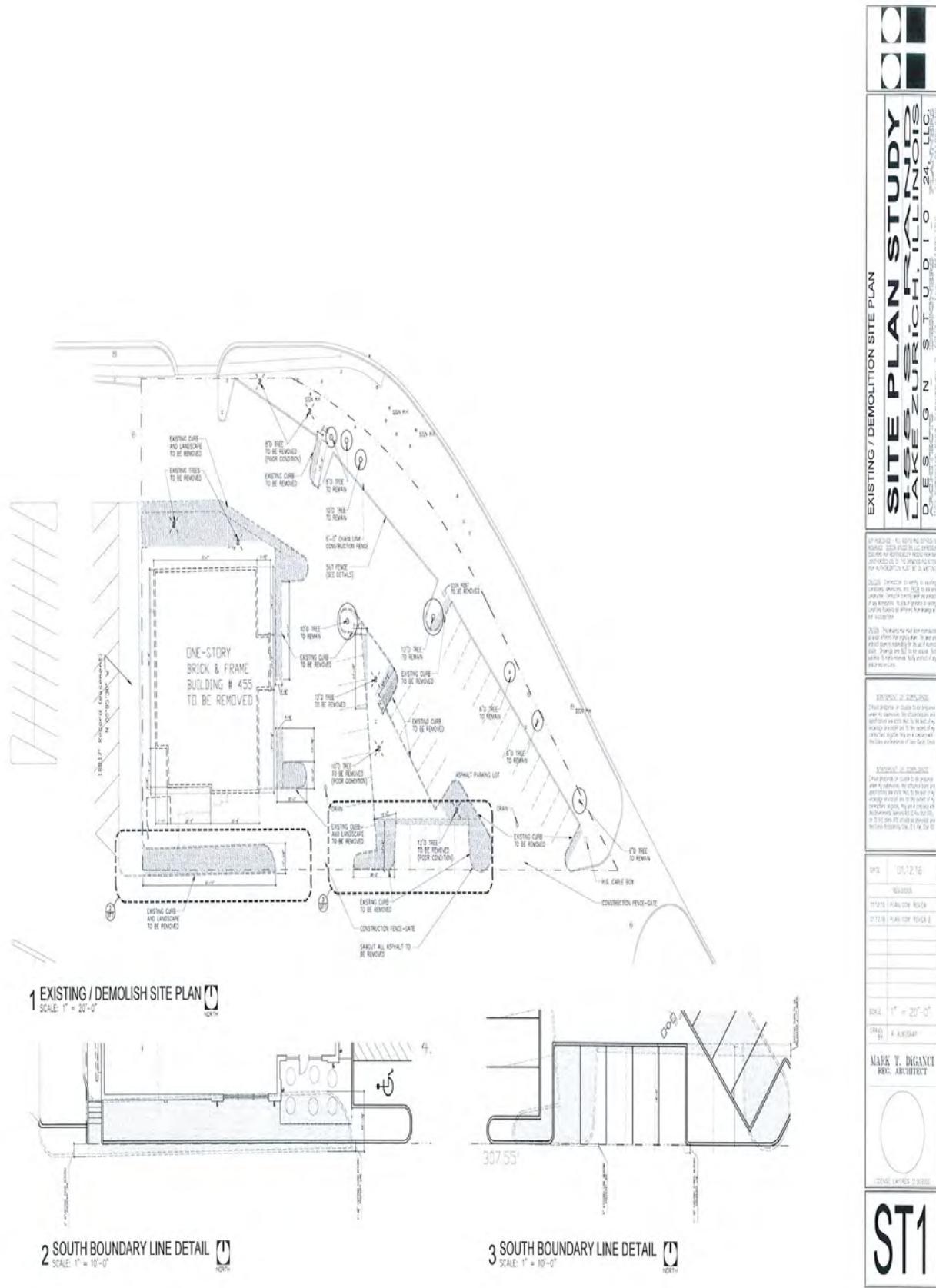


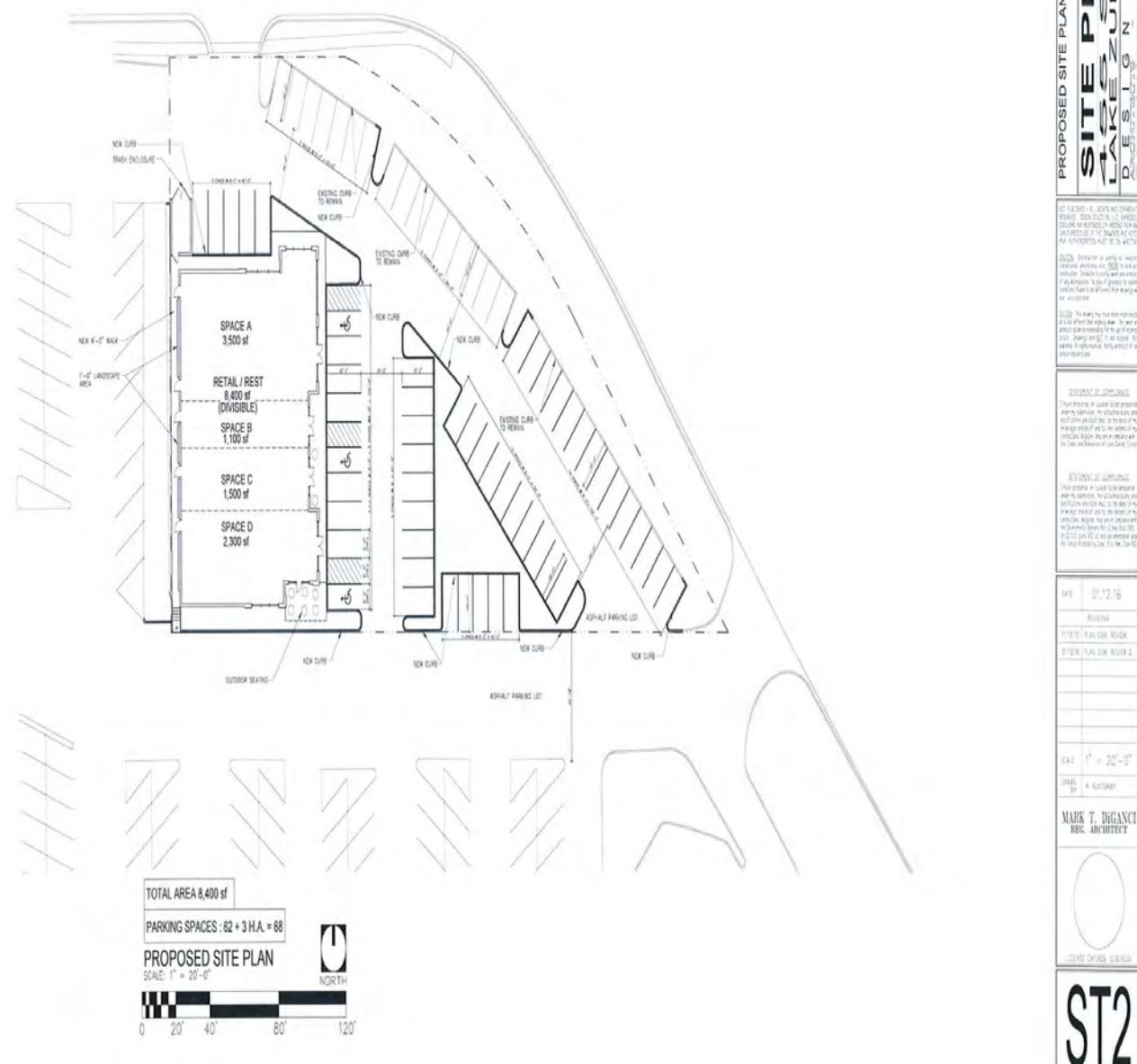
Mitch Goltz

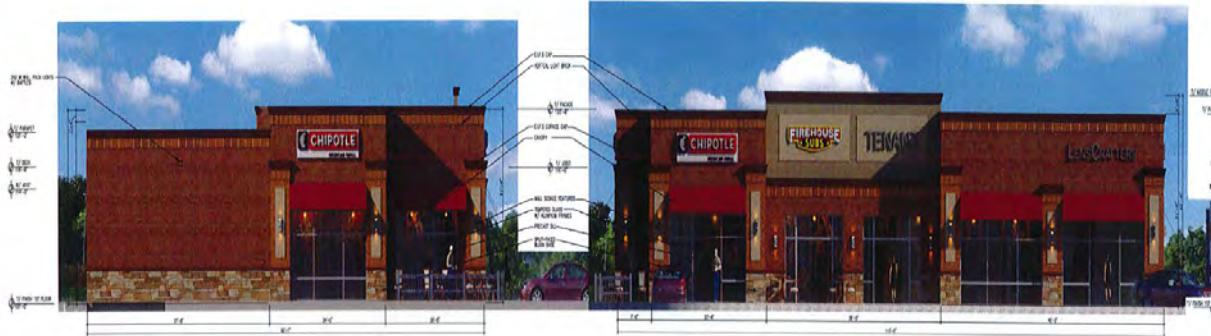
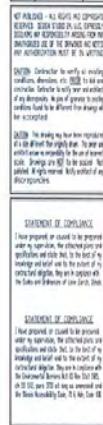
GW Properties



- 35 -



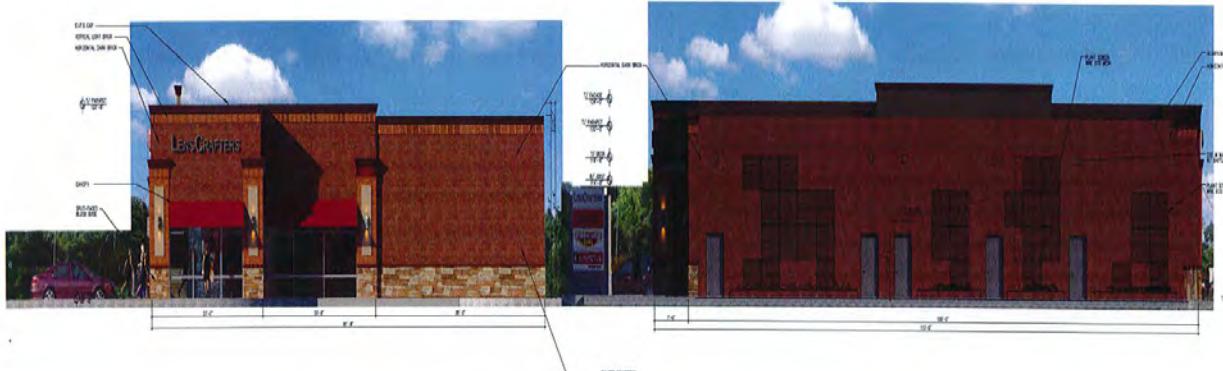




SOUTH ELEVATION

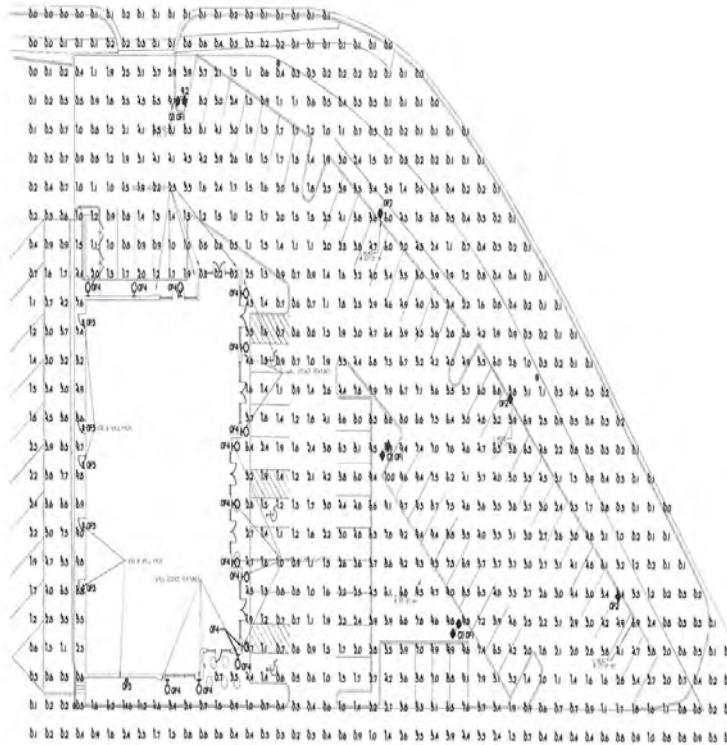
EAST ELEVATION

SPECIFICATIONS TABLE	
ELEMENT	DETAILS
LAST FUTURE	DISCRETE LAST FUTURE - RELATOR JONES
CHARACTER	SABRELLA HARRIS FIRE - NAME CLUB - THUNDERBIRD # 402-0001
MEMORY	PIRE STONE - REINHOLDSON BURG - "WHITE" 4109 - GUN SER. INCH 102 - MUNITION REC'D. GUN SER. INCH 102 - "THUNDER" GUN KOBUT - GUN SER. INCH
DATA	ENDS 1015 MARATHON 1010 - THE TOPIC - FINGER



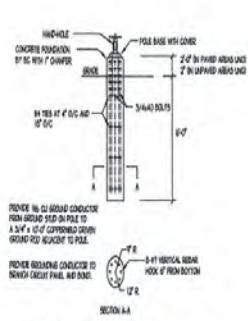
NORTH ELEVATION
SCALE: 1/8" = 1'-0"

WEST ELEVATION
SCALE: 1/8" = 1'-0"



SITE PLAN - PHOTOMETRICS

SCALE 1:2000



LIGHTING FIXTURE BASE DETAIL
NOT TO SCALE

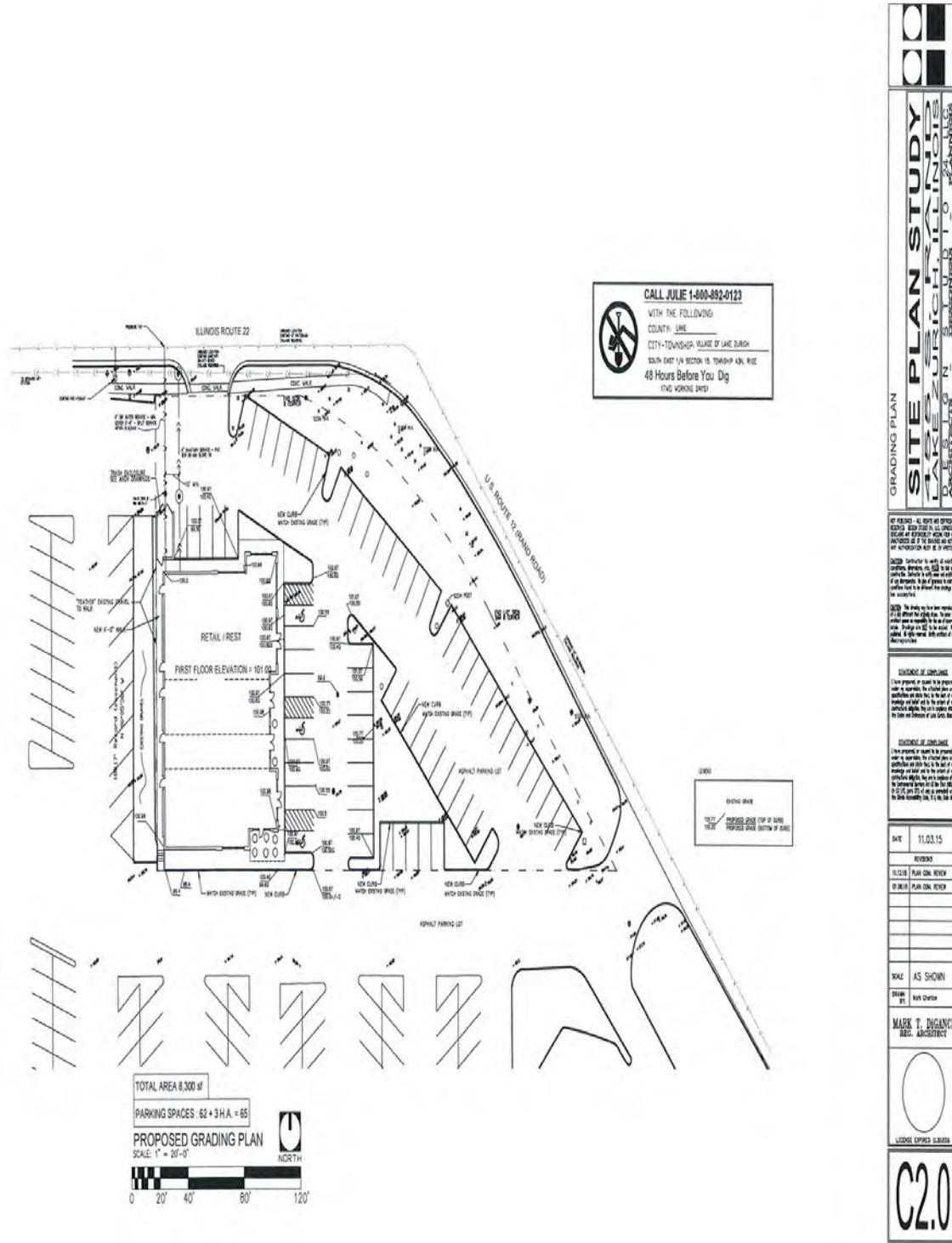
1178

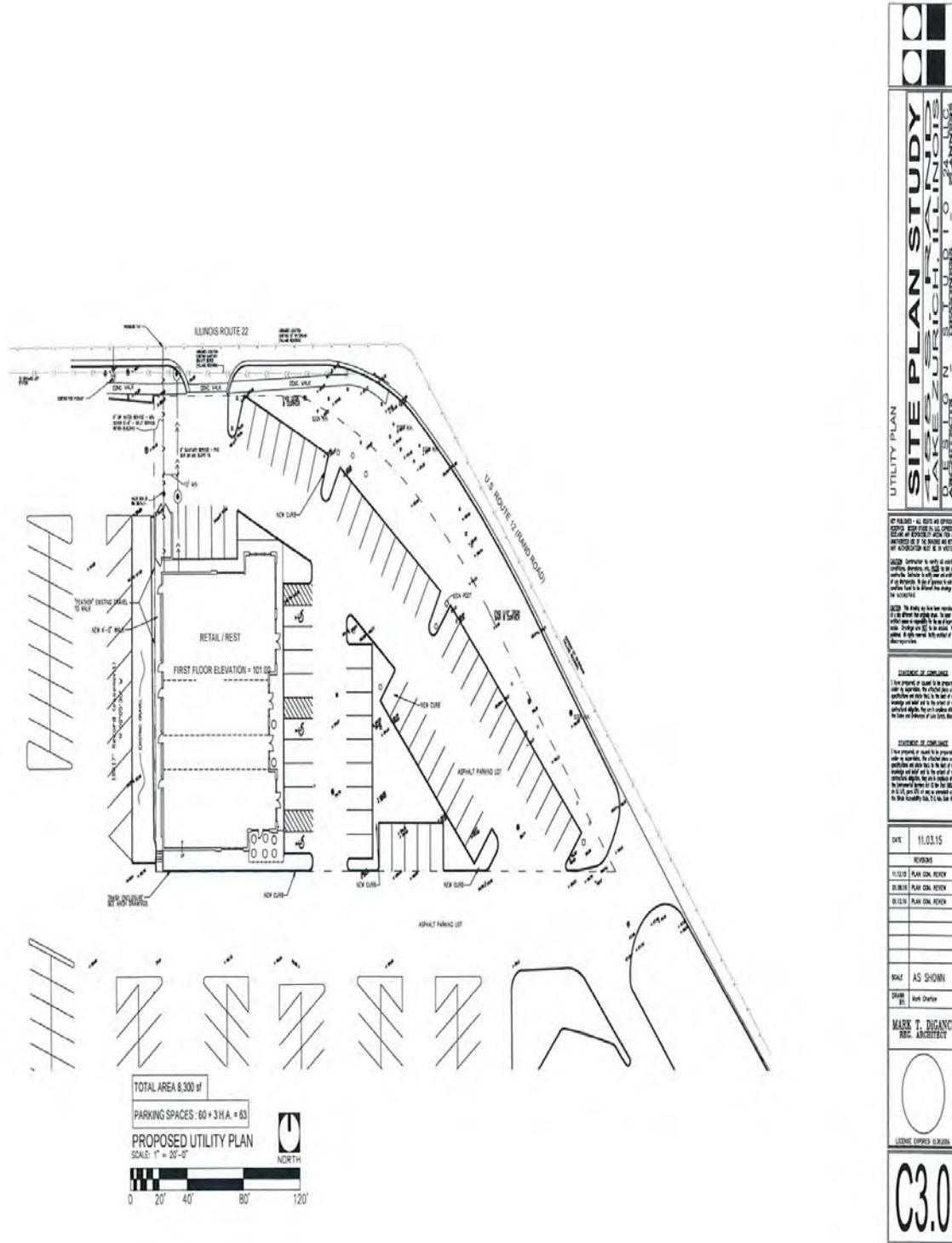
#	LIGHT LOSS FACTOR	LUMENS PER LAMP	LUMENS W/M HEIGHT	SITE LIGHTING DATA
01	0.4	22000	20	AVENUE POLE CANDLES
02	0.5	22000	20	AVENUE POLE CANDLES
03	0.9	14000	12	AVENUE POLE CANDLES
04	0.9	4800	12	UNIVERSITY EAST AVENUE
-	-	-	-	WAC 1% AT RESIDENTIAL RL
-	-	-	-	WAC 1% AT PUBLIC ROW LINE

PLAN NOTES

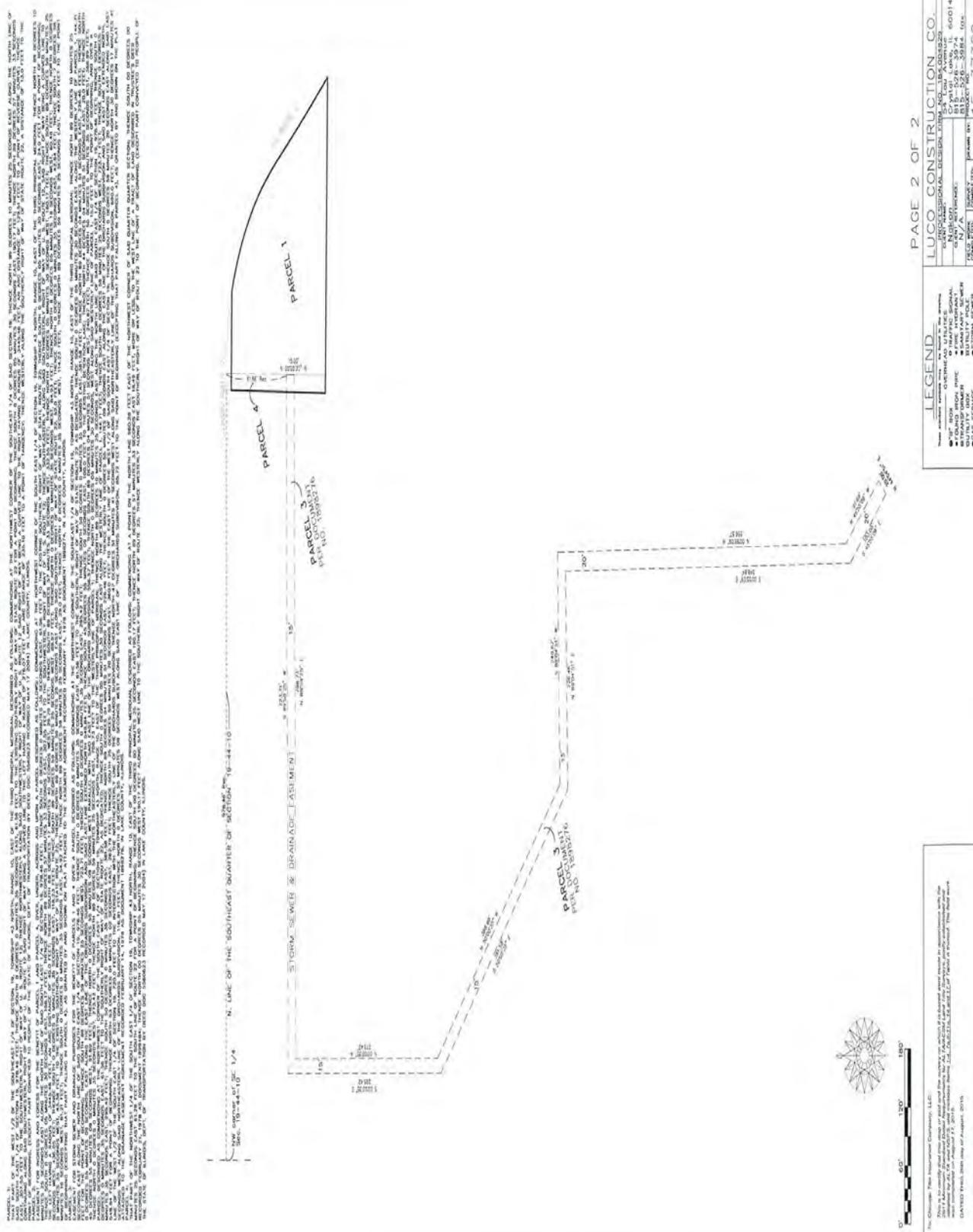
1. LIGHTING LEVELS INDICATED INCLUDE CONTRACTIONS FROM POLE MOUNTED AND BUILDING FIXTURES IN THE SITE ONLY. CITY STREET LIGHTS AND ANY OTHER SOURCES HAVE NOT BEEN ACCOUNTED FOR.
2. ARROWS ASSOCIATED WITH POLE MOUNTED FIXTURES INDICATE THE PREDOMINANT DIRECTION OF LIGHT DISTRIBUTION.
3. SITE LIGHTING DATA INCLUDES PARKING AND DRIVING AREAS ONLY. CANOPY OR Walkway LIGHTING HAS NOT BEEN ACCOUNTED FOR.

LIGHTING FIXTURE SCHEDULE						
WARM	TYPE	MANUFACTURER	MODEL NUMBER	LAMP	WATTS	NOTES
01	POLE	LARME	WFLP-45-250-W	250W MH	265	
02	POLE	LARME	WFLP-35-250-W#5	250W MH	265	
03	WALL	LARME	WFLP-PC-200-W	200W MH	175	
04	WALL	SELECTED BY ARCH	-	BLOW INC	N/A	
-	-	-	-	-	-	
-	-	-	-	-	-	
-	-	-	-	-	-	





ALTA - ASCM LAND TITLE SURVEY
455 S. Rand Road, Lake Zurich, IL





(Please Type or Print)

- Address of Subject Property: 455 S. RAND RD. LAKE ZURICH, IL.
- Legal description: Lot 500 FT. BY 100 FT. SUBJECT TO ATTACHED SURVEY
Please attach complete legal description and email a copy to planning staff at sam.hubbard@lakezurich.org
Property dimensions are: 100 FT. BY 500 FT. ATTACHED SURVEY square feet
If more than two acres, then give area in acres: 42,800.10 SQ. FT.
- Property Identification number(s): 14-10-400-407, 14-19-400-403
- Owner of record is: SHEFIKU LLC Phone: 608.322.5355
Fax: 954.522.5355 E-Mail: SALIUGAM@GMAIL.COM
Address: _____
- Applicant is (if different from owner): GW PROPERTIES Phone: 773.332.0445
Fax: _____ E-Mail: MATCH@GWPROPERTIES.COM
Address: 2211 N. ELSTON AVE. CHICAGO, IL. 60614
- Applicant's Interest in the property: CONTRACT PURCHASER
(owner, agent, contractor, Realtor, etc.)
- 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 Lake Zurich Zoning Code visit 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 DISASTER SHELTER

(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: FORMER RESTAURANT9. The proposed uses on the property are: NEW RETAIL/RESTAURANT10. 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:
N/A11. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:
PURCHASE UNDER CONTRACT TO GW PROPERTIES12. Protected Soils: Identify all soils on the Subject Property that are subject to natural resource protection standards. (See Sections 8-302 and 8-303 of the Zoning Code.)

13. 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 should be notified by the Applicant prior to the public hearing. (Refer to detailed instructions on Page 7.) Staff will provide the required notice to the Applicant. The required sign(s) will be erected by the Village of Lake Zurich.

Property Identification Number (PIN)	Owner's Name	Mailing Address
14-19-200-010-0000	Local Manager LLC	2199 Ponce De Leon Blvd #301, Coral Gables, FL
14-19-803-021-0000	Perry Gowan's Trust Dated 3/23/01	909 Fortress Dr., McHenry, IL
14-19-401-010-0000	Matthew Baumann	3543 N. Pulaski Rd., Chicago, IL
14-19-402-095-0000	Fidelity (John SFire)	472 E. Oxford Rd., North Bellington
14-19-402-094-0000	Fidelity (John SFire)	
14-19-402-092-0000	Steven Swanson	326 E. First St., Mundelein, IL
14-19-200-028-0000	George Kourkareas	2932 Irregular Rd., Wilmette, IL

(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.

GW Properties
(Name of applicant)

Matthew Soto
(Signature of applicant)

Subscribed and sworn to before me this 16 day of November, 2015.

M. L. M.
(Notary Public)

My Commission Expires 4-16-19

ACIM SALIV
(Name of Owner, if different)

Acim Saliv
(Signature of Owner, if different)

Subscribed and sworn to before me this 16 day of November, 2015.

M. L. M.
(Notary Public)

My Commission Expires 4-16-19

Official Use Only

Zoning Case Number: PZC 2015-12 #2 Date of Public Hearing: 12-16-15

Application Fees: \$3,925.00 Annexation Fees: /

Escrow Deposit for consultant fees: \$5,000.00

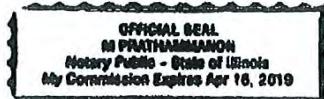
Is a Courtesy Review by the Village Board required? Yes No

Traffic study required? Yes No

Any Impact fees/contributions required? Yes No

Compensation amenities required? Yes No

Application accepted by: STH Date: 11-13-15





November 13, 2015

Mr. Orlando Stratman
Chairman, Planning & Zoning Commission
Village of Lake Zurich
505 Telser Road
Lake Zurich, IL 60047

Re: GW Properties - Proposed Redevelopment of the former Giordano's site at 455 S. Rand Rd.

Mr. Orlando Stratman,

GW Properties is the contract purchaser for the former Giordano's restaurant property located at 455 S. Rand Road, commonly referred to as the southwest corner of Rand and Route 22. This property has been vacant for many years and has left as a prime development site in the heart of the retail corridor.

GW Properties is a full service real estate development and investment firm with a focus on retail projects. The principals of GW, including myself are experienced real estate developers who have been involved in the acquisition, development, leasing and disposition of more than two million square feet of retail, residential, industrial and office properties in the Chicagoland area.

Our plans for this property include demolition of the vacant restaurant building and repositioning of the site in order for us to construct a new multi-tenant retail building and parking lot, signage and landscaping as outlined on the proposed plans presented here. The new building would be approximately 8,500 sf, with the final size dependent on the specific users secured. We anticipate having a total of three tenants ranging in square footage between 2,300 and 3,500 square feet each. We are hoping for a balanced mix of retail type tenants including service retail, general retail and likely one or possibly two fast casual restaurants where we note outdoor seating. The building will be of a high quality construction and should fit in architecturally with other newer buildings constructed in the area, including the new Sleepy's and Vitamin Shoppe across the street. Subject to city approvals, we would hope to be under construction toward the early part of 2016, depending on weather and other factors. We would anticipate tenants opening for business to the public in the summer of next year.

GW Properties LLC
2211 N Elston Ave, Suite #304
Chicago, IL 60614
www.gwproperties.com (773) 382-0590

To execute on this exciting project in a manner that is feasible to us, we are proposing this project as a PUD development, to mitigate certain variance requirements that may otherwise be necessary based on the irregular configuration of the site, design criteria for our tenants and reuse of the existing access points. We feel that this plan under your review takes in consideration the site dynamics, maximizes the parking onsite as well as provides for an upgraded image of at this high profile intersection within the community.

If you have any questions or need additional information, please do not hesitate to contact me,

Sincerely,



Mitch Goltz
GW Properties
773.382.0590
mitch@gwproperties.com

GW Properties LLC
2211 N Elston Ave, Suite #304
Chicago, IL 60614
773.382.0590



At the Heart of Community

COMMUNITY SERVICES DEPARTMENT
Public Works Division

505 Telser Road
Lake Zurich, Illinois 60047

(847) 540-1696
LakeZurich.org

January 13, 2016

Sam Hubbard, Interim Building and Zoning Manager
Village of Lake Zurich
505 Telser Road
Lake Zurich, Illinois 60047

PRELIMINARY ENGINEERING REVIEW #2

DEVELOPMENT: GW Properties, LLC.
455 S. Rand Road

ITEMS RECEIVED:

- 1) Site Plan Study (Sheets ST0-ST4) prepared by Design Studio 24, LLC. dated January 12, 2016.
- 2) Site Plan Study (Sheets C2.0-C4.0) prepared by Design Studio 24, LLC. dated November 3, 2015 and revised January 12, 2016.
- 3) Site Photometrics Plan prepared by Design Studio 24, LLC. and Cartland Kraus Engineering, Ltd. dated October 28, 2015 and revised January 11, 2016

On behalf of the Village of Lake Zurich, Manhard Consulting, Ltd. has completed a preliminary review of the above referenced material for conformance with the Village ordinances and general accepted engineering practices. We reserve the right to generate additional comments on future submittals. The comments below are preliminary in nature. A detailed review will be provided with the final plan set. By copy of this letter we request that the Developer address all comments in a response letter and submit the appropriate revisions for further review.

The following comments are in addition to the *Preliminary Engineering Review #1* letter dated December 4, 2015.

- 1) Label existing easements, including the ingress/egress easement, on the site plan.

If you should have any questions, please do not hesitate to contact me.

Yours truly,
MANHARD CONSULTING, LTD.

A handwritten signature in black ink that reads "Peter Stoehr".

Peter Stoehr, P.E.
Village Engineer

LZLZ8/1548/Documents/Preliminary Review #2

cc: Betty Harrison, EQC Supervisor
Mary Meyer, Zoning & Code Enforcement Officer

ROLF C. CAMPBELL & ASSOCIATES
A MANHARD CONSULTING DIVISION 

910 Woodlands Parkway, Vernon Hills, IL 60061
Ph: (847) 735-1000 Fax: (847) 735-1010 www.rccai.com

Consultant Memorandum
Via Email

To: Sam Hubbard, Acting Manager of Building & Zoning
Village of Lake Zurich

Fr: Rolf C. Campbell & Associates

Date: January 13, 2016

Re: **455 South Rand Road**
Landscape Plan Review and Comments – 2nd Review

Pursuant to your request we have reviewed the revised Landscape Plan for the referenced project dated 1-12-16. The plan consists of one sheet at 24" x 36". In addition to the Landscape Plan, we reviewed additional information as it relates to the Landscape Plan, including a Cover Letter, Annexation and Zoning Application, Site Plan and Engineering Drawings, including an Existing Conditions/Demo Plan, Geometric Plan, Grading Plan, Utility Plan, and Construction Details, in 24" x 36" format. The following comments relating to the landscape plans are offered for your consideration.

1. Section 8-103 through 8-106 of the Zoning Ordinance, address the landscaping that is required along the lot lines. The Applicant is requested to provide a table indicating the Unit numbers used for each of the lot lines and the amount of landscaping proposed as shown below:

Highlight = difference from Zoning Ordinance Chapter 8.

North Lot Line Landscaping (B-3 Zoning Adjacent to Arterial Street (IL Route 22))			
30% Opacity Required	10' Width Min. (0-13' Provided)	2 Plant Units per 100'	
102.57 Linear Feet	2 Standard Plant Unit E provided as example		
2 Plant Units Required			
Types of Plants	Required	Rev. Plan 1-12-16 Proposed	Difference
3" Caliper Shade Trees	4	4	0
6' Evergreen Trees	0	0	0
36" Shrubs	18	25	+7

Rolf C. Campbell & Associates
- 2 -

Northeast Lot Line Landscaping (B-3 Zoning Adjacent to Arterial Street (IL Route 12 – Rand Road))			
30% Opacity Required	10' Width Min. (8-20' Provided)	2 Plant Units per 100'	
292.3 Linear Feet	5 Standard Plant Unit E provided 1 Standard Plant Unit D provided as example		
6 Plant Units Required	Required	Rev. Plan 1-12-16 Proposed	Difference
3" Caliper Shade Trees	10	15	+5
6' Evergreen Tree	3	4	+1
36" Shrubs	60	91	+31

South Lot Line Landscaping (B-3 Zoning Adjacent to B-3 Zoning)			
10% Opacity Required	3' Width Min. (3.5' Provided)	1 Plant Units per 100'	
307.55 Linear Feet	3 Standard Plant Unit E provided as example		
3 Plant Units Required	Required	Rev. Plan 1-12-16 Proposed	Difference
3" Caliper Shade Trees	6	6	0
36" Shrubs	27	30	+3
Perennials		34	+34

West Lot Line Landscaping (B-3 Zoning Adjacent to B-3 Zoning)			
10% Opacity Required	3' Width Min. (0-5' Provided)*	1 Plant Units per 100'	
180.87 Linear Feet	2 Standard Plant Unit E provided as example		
2 Plant Units Required	Required	Rev. Plan 1-12-16 Proposed	Difference
3" Caliper Shade Trees	4	1	-3
36" Shrubs	18	18	0
Perennials		18**	+18

*Existing Lot Line and Existing Parking Lot

(Note: the Landscape Plan is based on some existing conditions and the width of the landscaping setback may be limited. Therefore, the amount of typically required plantings may not be able to be located in the existing landscape setback.

**On the previous plan dated 11-3-15, it appears that the Applicant had provided approximately 66 perennials in this area. While this number of Perennials has been reduced in this area along the west lot line, perennials have been added in other areas including along the northeast area of the building and to the south of the building to address this revision. We find the proposed relocation of the Perennials to be appropriate, subject to the approval of the Village.

- 2 The northeastern portion of the property is located along Rand Road which has its own set of guidelines for the Route 12 corridor guidelines. It appears that most of the proposed landscaping conforms to the standards of the Route 12 corridor design guidelines, however, with the revised landscaping features in this area, there may be an opportunity to provide berms that won't disturb the existing landscaping and the potential for a sidewalk along this property in this area to comply with the Route 12 corridor design guidelines.

Rolf C. Campbell & Associates
- 3 -

- 3 According to the Zoning Ordinance in Section F under 10-6-18 of the Municipal Code, all trees located in the parking islands are to be installed at 4" caliper. The Applicant has proposed 3" caliper trees in all of the parking islands, however the Village may wish to increase this number up to the Municipal Code standard of 4" caliper.
- 4 On the revised landscape plans dated 1-12-16, a trash enclosure has been proposed northwest of the proposed building with a note stating "see architectural plans". However, there is not a detail provided on the landscape plans or supplemental plans showing the type of material of the trash enclosure that we received from the Village. A fence or wall must be proposed around the trash receptacle or otherwise landscaping must be provided to screen the trash receptacle. The Applicant is requested to provide a detail of the materials of the trash enclosure and comment on how the trash receptacle will be screened appropriately.
- 5 As previously mentioned in our review memo dated 12-4-15, according to Section 10-6-18A 1 of the Village Code, the Landscape Architect should sign and seal the Landscape Plans.

Please contact our office, if you have any questions or comments.

bd:am:p:lakezurich/ 445 South Rand Road/2ndLAreview011316

**Village of Lake Zurich
Utilities Division of
Public Works**

Memo

To: Sam Hubbard, Village Planner
From: Betty Harrison, EQC Supervisor
CC:
Date: January 11, 2016
Re: Staff Review – January 20th Plan Commission Meeting

1. Mitch Goltz/GW Properties – 455 S Rand Rd.
 - Hydrants must be located at a maximum distance of 250 feet and at a minimum distance of 50 feet from the building fire connection.
 - Existing water and sewer connections must be disconnected at the point of connection to the Village mains.
 - Water and sewer mains are located in the IDOT right of way; IDOT permits are required.
 - All utility crossings must adhere to proper separation and material standards.
 - Recommend an outside grease interceptor.
 - Water/sewer connection fee is based on the size of the domestic water service. A minimum 2-inch domestic water service is required on all non-residential service lines. The property is a multi-tenant development so a water connection fee of \$ 5,000 per unit over one is required.
 - Developer must submit plans to Lake County for the Lake County sewer connection fees.
 - An irrevocable letter of credit (LOC) will be required for this development. The LOC will be in amount of 110% of the Engineer's Opinion of Construction Costs.

ZONING REVIEW

PROJECT: 455 S. RAND – REDEVELOPMENT OF FORMER GIORDANO'S SITE
SITE PLAN, EXTERIOR APPEARANCE, PLANNED UNIT
DEVELOPMENT (PUD), SPECIAL USE PERMIT

LOCATION: PREVIOUSLY KNOWN AS 455 S. RAND ROAD, SW CORNER ROUTES 12 & 22

REVIEWED BY: MARY MEYER

DATE: JANUARY 13, 2015

DOCUMENTS

REVIEWED: COVER LETTER DATED 1/13/16, PLANS ST0-ST4 DATED 1/12/16,
PHOTOMETRICS SL1.0 DATED 1/11/16, PLANS C3.0 AND C4.0 DATED 1/12/16,
APPLICATION PACKET FROM DECEMBER 2015 HEARING, ZONING CODE,
LAND DEVELOPMENT CODE

GW Properties is the contract purchaser of 455 S. Rand, the previous location of Giordano's. They propose demolition of the existing structure, and construction of a new 3-occupant building. Approvals sought include Site Plan, Exterior Appearance, Planned Unit Development, and Special Use permit. They were heard at the December, 2015 Planning & Zoning Commission and recommended for approval. Due to modifications in their plans, they have submitted their revised request for approval. Changes include:

- 1) Number of Parking Spaces: Proposed: 68, including 3 handicapped spaces.
- 2) Exterior Lighting: Lighting has been modified not to exceed 10.0 footcandles on site, or 0.50 at property lines.
- 3) Rooftop Mechanical Units (RTUs): Parapet walls have been increased in height to screen proposed rooftop mechanical units.
- 4) Trash Enclosure: Has been relocated.
- 5) Compensating Amenity: Has been proposed for Board's approval: \$6,500.00.

Conclusion

- Consideration for Site Plan and Exterior Appearance approvals shall be based on standards outlined in Zoning Code 9-20-3 and 9-21-3.
- Consideration for Special Use permit to authorize outdoor seating shall be based on standards outlined in Zoning Code 9-19-3.
- Consideration for PUD approval shall be based on standards outlined in Zoning Code 9-22-5.
- Relief sought via PUD includes: reduction of front yards, corner side yard, interior side yard, and rear yards, reduction of landscaped surface area, increase of number of parking spaces.



At the Heart of Community

FIRE DEPARTMENT
Fire Prevention Bureau

1075 Old McHenry Road
Lake Zurich, Illinois 60047

(847) 540-5073
FAX: (847) 550-1779
LakeZurich.org

MEMORANDUM

Date: January 8, 2016
To: Sam Hubbard
From: Bob Kleinheinz
Subject: PR16-004 – Planning Packet – 455 S. Rand

After reviewing the new site plan, I do not have any further comments. The plan as submitted is approved at this time. Further comments will be made upon receipt of the building drawing.



**VILLAGE OF LAKE ZURICH
POLICE DEPARTMENT
INTERDEPARTMENTAL MEMO
D.C. K. Finlon**



To: Sam Hubbard
Date: January 11, 2016
Subject: GW Properties (455 S Rand Road)

The following recommendations have been made for the GW Properties, 455 S. Rand Road, preliminary plan review;

1. Post a "Right Turn Only" sign at the exit driveway to Route 22.
2. Exterior lighting for buildings on all sides and all door ways.
3. Addresses of buildings to be posted and visible from the roadway.
4. Entrance / exit drives to be unobstructed and well lit.
5. Anticipate growth of landscaping to avoid overgrowth which may limit / reduce visibility.
6. Parking lot to include proper / adequate lighting.
7. Contact the Fire Department for required signage and markings for fire lanes.
8. No trespassing / loitering signs to be displayed.
9. Enter into an intergovernmental agreement with the Village for traffic regulation enforcement.

An onsite inspection of the facility may be available for additional suggestions. An inspection may be scheduled by contacting the Crime Prevention Bureau to set up an appointment.

Additional recommendations may be forthcoming upon further review or as the project progresses.

VILLAGE SQUARE RETAIL CENTER, LLC
745 Ela Road
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January 8, 2016

Mr. Sam Hubbard
Acting Director of Building and Zoning
Village of Lake Zurich
70 East Main Street
Lake Zurich, IL 60047

Re: Re-development of 455 South Rand Road

Dear Mr. Hubbard:

As per our discussion, please find below the concerns that I feel require full resolution prior to any recommendation and/or approvals given to the re-development of 455 South Rand Road. I am basing my concerns on both the staff review dated December 11, 2015 and my own concerns, being the adjacent property owner, which is not contained in your staff report.

1. What is the present status of landscaping achievement and, if not meeting the ordinance, why should it be allowed to be deficient on the 3rd busiest corner in Lake County? The Village has always used a re-development opportunity to correct deficiencies and landscaping is a simple correction and should NOT ever be considered a viable variance.
2. You say that the parking lot configuration is "typical" of those found along Rand Road. I say that it is absolutely NOT typical since it requires use of the adjacent property to access some parking spaces. This definitely creates a potential liability issue as determined by our insurance carrier, Travelers Insurance, who is one of the largest commercial carriers in the country. I have been told that this will definitely increase my liability premiums for Village Square Retail Center. If you disagree, please show me examples of what you consider "typical" parking lots.
3. In the past 30 years of developing property in the Village, never under any circumstances, have we been given any variance in screening of roof-top units, PUD or not.
4. -0- Lotline development. If recommended for approval, please be advised that all construction by local ordinance must be contained within the subject property boundaries unless a construction easement is granted by the adjacent property owner which is NOT the case in this instance. I know with -0- lotline buildings, this cannot be accomplished and will be considered trespassing with intent to do harm to the adjacent property.
5. Significant increases to photometrics are not only an issue around residential areas, but must also be a consideration based on the impact to traffic as well as the adjacent property. The lighting levels should be consistent with Village Square Retail Center, the adjacent property.

6. Front loading by trucks will obstruct handicap spaces, which is NOT allowable at any time according to the Illinois Accessibility Code. Also, I will not allow the loading of garbage trucks to be done using my property. This would be an obstruction of our Access Easement Agreement which is not permitted by the Agreement.

7. The irrigation system must encompass the entire landscape area by Code.

8. Parking spaces encroaching on the drive aisle. This has not been addressed since the new plan has 8 spaces which require the use of adjacent property for access. The Developer has NO cross access easement parking with my property.

9. The new revised plan still shows the new building obstructing the full use and intent of the Easement for Ingress/Egress for both parties. By virtue of the Developer's survey, the building is shown to be obstructing the use of the aforementioned Easement Agreement. It has been my understanding for 30 years that violations of Village Codes and Ordinances should be corrected when any property is to be re-developed within the Village boundaries.

If you have any questions regarding this letter, please feel free to contact me at any time at the number listed above.

Thank you for your consideration in this matter,



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cc: Tom Poynton
Mike Earl
Steve Husak
Planning & Zoning Committee
Board of Trustees

Village of Lake Zurich Board of Trustees Regular Meeting. Monday, January 4, 2016.

3

questions on the multiple conditions to be met. Staff also answered the Board's questions on the multiple conditions. Ms. Skelton asked about timing of an occupancy permit and Mr. Hubbard stated that the occupancy permit would be issued when the conditions have been met, excluding the ones required by November 2016, as recommended by PZC.

Recommended Action: A motion was made by Mayor Poynton, seconded by Trustee Stanovich, to approve Ordinance #2016-1-109 Granting Special Use Approval and Exterior Appearance Approval for U-Haul Company of Northwest Chicago for 300 East Main Street.

AYES: 0

NAYS: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Stanovich.

ABSENT: 1 Trustee Sprawka.

MOTION DENIED.

8. NEW BUSINESS

Agenda Item #8A has been pulled from the Agenda at the request of GW Properties.

A. Ordinance Approving PUD, Special Use, Site Plan, and Exterior Appearance Plan (GW Properties – 455 S. Rand Road)

Summary: GW Properties is seeking approval of a Special Use Permit, Site Plan, Exterior Appearance, and Planned Unit Development for the Subject Property located at 455 S. Rand Road. The Applicant appeared before the Planning and Zoning Commission on December 16, 2015 where they received a recommendation of approval by a vote of 6-1, which contained six conditions of approval.

The PZC thoroughly discussed the issue of the proposed parking spaces along the southern edge of the Subject Property, which are accessed off of the drive aisle. Ultimately, the PZC felt that these parking spaces, while not ideal, did not threaten the safety of the development. Staff notes that the neighboring Village Square Shopping Center, owned by the Fidelity Group, continues to have concerns about the parking spaces and the access easement.

Recommended Action: Given the outstanding issue of the access easement, a continuation to address this item is prudent. However, if this issue can be resolved prior to the Village Board meeting, then Staff is comfortable with the positive recommendation from the Planning & Zoning Commission and the proposed conditions of approval, and recommends that the Village Board proceed with a motion to approve Ordinance #2016-1-110 approving PUD, Special Use, Site Plan, and Exterior Appearance Plan for GW Properties at 455 South Rand Road.

A motion was made by Mayor Poynton, seconded by Trustee Spacone, to remove from the Agenda and refer for consideration by the Planning/Zoning Commission of the revisions.

AYES: 5 Trustees Beaudoin, Halen, Shaw, Spacone, Stanovich.

NAYS: 0

ABSENT: 1 Trustee Sprawka.

MOTION CARRIED.



B. Presentation of Five Year Capital Improvement Plan

Summary: The Capital Improvement Plan (CIP) is the long-term capital spending plan for the Village, a result of a collaborative effort of all municipal operating