



**AGENDA PACKET**  
**VILLAGE OF LAKE ZURICH**  
**Planning and Zoning Commission Meeting Agenda**

**September 15, 2021**  
**07:00 pm**

# **VILLAGE OF LAKE ZURICH**

## **PLANNING AND ZONING COMMISSION MEETING AGENDA**

**SEPTEMBER 15, 2021**  
**07:00 PM**  
**AGENDA**

**1. CALL TO ORDER AND ROLL CALL**

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

**2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Minutes of the Planning and Zoning Commission Meeting, on August 18, 2021.

Attachment: [August 18 minutes.pdf](#)

**3. PUBLIC MEETING - No items at this time.**

**4. PUBLIC HEARING**

(This agenda item includes proposals presented to the Planning & Zoning Commission requiring public testimony, discussion and recommendation to the Village Board for final action.)

**A. 363 Enterprise Parkway -- Special Use Permit (PZC 2021-10):**

Special Use Permit to allow for the establishment of a youth baseball instruction and training facility within a tenant space in a building in the I Industrial District.

Applicant: Lake County Stars Baseball

Owner: Midlothian Partnership, LLC

Attachment: [4A-363 Enterprise\\_SU-Packet.pdf](#)

**B. 570A Telser Road -- Special Use Permit (PZC 2021-11):**

Special Use Permit to allow for the establishment of an indoor badminton sports training facility within a tenant space in a building in the I Industrial District.

Applicant: Chicago Badminton Academy, LLC

Owner: Chicago Title Land Trust Co Trust #114290-08 (Telser Building Account)

Attachment: [4B-570ATelser\\_SU\\_Packet.pdf](#)

**5. OTHER BUSINESS**

**6. STAFF REPORTS**

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

**7. PUBLIC COMMENT**

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

**8. ADJOURNMENT**

Unapproved

**VILLAGE OF LAKE ZURICH  
PLANNING & ZONING COMMISSION MINUTES  
August 18, 2021**

Village Hall  
70 E Main Street, Lake Zurich, IL 60047

The meeting was called to order by Chairman Stratman at 7:00 p.m.

**ROLL CALL:** *Present* – Chairman Stratman, Commissioners Dannegger, Riley, Castillo, Giannini and Muir. Chairman Stratman noted a quorum was present.

Commissioner Schultz was absent and excused.

*Also present:* Community Development Director Sarosh Saher and Management Services Director Michael Duebner.

**CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Approval of the July 21, 2021 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Castillo, seconded by Commissioner Schultz to approve the July 21, 2021 minutes of the Planning and Zoning Commission with changes to a date as recommended by Director Saher .

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

ABSTAIN: Commissioners Dannegger and Muir.

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

**PUBLIC MEETING** – No items were received.

**PUBLIC HEARING:**

MOTION was made by Commissioner Riley, seconded by Commissioner Dannegger to open the following public hearings at 7:05p.m. for Continued application PZC 2021-06, at 708 Telser Road and New application PZC 2021-09 at 495 Enterprise Parkway.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

Those wishing to speak were sworn in by Chairman Stratman.

The following continued application was considered:

- A. 708 Telser Road – Text Amendment and Special Use Permit (PZC 2021-06):

Continued Hearing to consider a Text Amendment and a Special Use Permit to allow for the establishment of "Direct Cremation" services within a tenant space at the currently established building in the I Industrial District.

*Applicant: Steve Cook, Journey Cremation*

*Owner: 708 Telser LLC*

This item was on the agenda as a procedural matter. The public hearing was left open and continued to the September 15 meeting to give the applicant time to search for alternate locations for their "Direct Cremation" business. The applicant had since found a new location at 495 Enterprise Pkwy and was requesting consideration at that property. That was the next item on the agenda. The open hearing was therefore closed by vote of the Commission.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

**B. 495 Enterprise Parkway – Text Amendment and Special Use Permit (PZC 2021-09):**

Text Amendment and a Special Use Permit to allow for the establishment of "Direct Cremation" in a new free-standing building on a vacant property in the I Industrial District.

*Applicant: Steve Cook, Journey Cremation*

*Owner: Lamash Investments, LLC*

The Application for the establishment of a "Direct Cremation" facility in a new free-standing building on a vacant property in the I Industrial District was presented by Paul Chapman of Journey Cremation. Mr. Chapman presented information about the business model, addressed concerns that would typically be associated with such a use and also discussed the development of the subject property with the proposed use. There was no objection to the application either prior to or at the meeting.

MOTION was made by Commissioner Castillo, seconded by Commissioner Muir to close the public hearing.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

Upon further deliberation the PZC added a modified condition allowing the building as proposed at its current floor area and operational capacity to be located either on Lot 7 or Lot 8 of the property.

MOTION was made by Commissioner Dannegger, seconded by Commissioner Castillo, to receive into the public record the staff review of compliance of this Application with the

Planning &amp; Zoning Commission Meeting Minutes, August 18, 2021

3

zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at the Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; AND to recommend that the Village Board approve the Application PZC 2021-09 for a text amendment and special use permit to allow for a new direct cremation facility at the subject property.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

**OTHER BUSINESS** – None.

**STAFF REPORT:**

Director Saher reported that there were two items submitted for the September meeting of the Commission as of that date.

**PUBLIC COMMENT:**

No additional public comment was provided.

**ADJOURNMENT:**

MOTION was made by Commissioner Castillo, seconded by Commissioner Muir, to adjourn the meeting.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, and Giannini.

NAYS: 0

MOTION CARRIED

The meeting was adjourned at 7:50 p.m.

*Submitted by: Sarosh Saher, Community Development Director*

Approved by:



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047

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

**APPLICATION PZC 2021-10**  
**PZC Hearing Date: September 15, 2021**

**AGENDA ITEM 4.A**

**STAFF REPORT**

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

From: Sarosh Saher, Community Development Director

CC: Tim Verbeke, Planner  
Mary Meyer, Building Services Supervisor

Date: September 15, 2021

Re: PZC 2021-10 Zoning Application for 363 Enterprise – Lake County Stars Baseball  
Special Use Permit for a Youth Baseball Instruction and Training Facility

**SUBJECT**

Ms. Cynthia Zarkowsky, Operations Director, Lake County Stars Baseball, (the “Applicant”) requests a Special Use Permit to establish a youth baseball instruction and training facility at the property commonly known as 363 Enterprise Parkway and legally described in Exhibit A attached hereto (the “Subject Property”).

**GENERAL INFORMATION**

Requested Action:	<u>Special Use Permit</u>
Current Zoning:	<u>I Industrial District</u>
Current Use:	<u>Vacant Tenant Space</u>
Proposed Use	<u>Youth baseball instruction and training classified as Membership Sports and Recreation Clubs (7997)</u>
Property Location:	<u>363 Enterprise Parkway</u>
Applicant:	<u>Cynthia Zarkowsky, Lake County Stars</u>
Owner:	<u>Midlothian Partnership LLC</u>

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

Staff Coordinator: Sarosh Saher, Community Development Director

**LIST OF EXHIBITS**

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

**BACKGROUND**

Ms. Cynthia Zarkowsky, Operations Director, Lake County Stars (the “Applicant”), with the consent of the owner, Midlothian Partnership LLC, is proposing to establish their youth baseball training facility, known as Lake County Stars, within a tenant space at the subject property at 363 Enterprise Parkway, and legally described in Exhibit A attached hereto (the “Subject Property”).

The land use is classified as a special use under Membership Sports and Recreation Clubs (7997) in the I Industrial district and as such requires consideration through the public hearing process with Village Board approval.

The Applicant has therefore filed an application with the Village of Lake Zurich received on August 19, 2021 (the “Application”) seeking:

- Special Use Permit for a youth baseball instruction and training establishment classified under Membership Sports and Recreation Clubs (7997)

The Subject Property is located within the Village’s I Industrial Zoning District. The subject property contains a 47,864 square-foot multiple-tenant industrial building on 4.8 acres of land. The Applicant intends to occupy the easterly 14,480 square-foot tenant space. The remaining two tenant spaces are currently occupied by other industrial uses. The building is served by a parking lot containing 101 parking spaces. Due to their operating hours during the evenings, the Applicant has been granted the use of all available shared parking spaces on the lot after the remaining tenants have left for the day. However, most students are dropped off by their parents. At the most the facility will have 2 teams and 4 coaches at the facility at any given time with approximately 28 - 30 cars dropping off and picking up students at the beginning and end of each session.

The facility is intended to be used only for training and practice. No games or tournaments are proposed at this facility. All activity is proposed to be conducted indoors within the tenant space. The primary season for operation extends from October to April during weekday evenings from 4:00 p.m. to 9:00 p.m. and weekends from 9:00 a.m. to 7:00 p.m. During the summer (for the remainder of the year) activity takes place at ball fields at other locations. The facility will employ

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

contract workers including 25 coaches who will work for the business on a yearly basis and their hours will vary during and off season.

No permanent alterations to the interior are proposed. A 66-foot by 74-foot area of the main floor will be set up with netting dividers to divide the space into 12-foot wide practice areas, and provided with artificial turf and equipment. The netting dividers will be anchored in place from either the floor or ceiling as required. There will also be a 13.5-foot x 60-foot open turf practice area within the tenant space. No food concessions are proposed to be offered within the facility.

Lake County Stars Travel Baseball was formed in 2008 by a group of parents who wanted to offer youth with "...professional coaching, a focus on fundamentals and none of the politics so often found in local travel baseball clubs." Prior to moving to this address, the program operated out of the former Main Street Sports as well as Home Run Sports both in Lake Zurich. With 21 teams age 9-17 the subject property accommodates their needs.

Pursuant to public notice published on August 28, 2021, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for September 15, 2021, to consider the Application. On August 30, 2021 the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. Courtesy Review.** Due to the low impact of this project, courtesy review was not recommended.
- B. Zoning History.** The property is located on Lot 1 within the API Consolidation of Lots 13, 14 and 15 of Lake Zurich Midlothian Court Subdivision, which was recorded on December 20, 2005 in Lake County and is zoned within the I-Industrial District. The existing industrial warehouse building was constructed in 2007 by the current owners Midlothian Partnership, LLC represented by Byung D. Moon and Min Soo Han with a provision for four tenants. Since that time, tenants have used either an individual or combined space within the building. The subject tenant space at 363 was most recently occupied by Advanced Plastics, Inc who continue to occupy one of the two remaining tenant spaces. Records indicate that the third tenant space is occupied by Chelsea Framing Products, Inc. Both remaining tenants are under the parent ownership of Midlothian Partnership, LLC, the owners of the building.
- C. Surrounding Land Use and Zoning.** The subject property is located on Enterprise Parkway on the northern end of the Industrial Park. The land to the north, south, and east of the Subject Property is zoned I-Industrial and improved with a variety of Industrial and service uses. In particular, the property immediately to the east at 405 Enterprise Parkway is occupied by US Gymnastics Training Center, which is a land use similar to the use that is subject to this review.

The land to the west across Church Street (Midlothian Road) is zoned R-6 multiple-family residential district and contains the Cedar Lake Assisted Living and Memory Care facility.



**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

To the southwest and northwest across Church Street are properties within unincorporated Lake County and improved with residential uses.

- D. Trend of Development.** The subject property is located within Lake Zurich's thriving Corporate Industrial Park. The industrial park allows for the establishment of a number of offices, research, industrial and manufacturing uses, as well as service uses that include automotive repair, physical fitness and certain educational uses. Other similar fitness and recreational uses located in the industrial park include MVP Sports Academy on Oakwood Road, US Gymnastics Training Center on Enterprise Parkway, Flight Athletic Performance and CrossFit Lykos on East Main Street (but within Industrial Zoned properties) and Formula One Cheer on Oakwood Road that was recently approved.

The trend for sports, recreation and physical fitness was established on this block by US Gymnastics immediately to the east. The proposed use is in keeping with that trend.

- E. Zoning District.** The I-Industrial district is intended to provide for a range of nuisance free manufacturing, warehousing, transportation, wholesaling, and industrial uses that are compatible with the suburban residential character of the village. The industrial district is also meant to accommodate certain professional offices and similar uses that may provide services to the industrial users and are compatible with the industrial character of the district. It is the goal of these regulations to provide and preserve an area within the village for industrial uses that create employment and economic benefits for the village and the industrial district.

**GENERAL FINDINGS**

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

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

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

- A. General Standards:** No special use permit shall be recommended or granted unless the applicant shall establish substantial conformance with the following:
1. **Zoning Code and Plan Purposes:** The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

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

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

**Staff Response: Standard met. The business is a land use that is allowed as a special use within the I Industrial district. All activities will take place within the enclosed tenant space and have minimal impact only to the immediately adjacent property to the east which contains a similar use. The area to the north is vacant and the areas to the west are buffered by the presence of Church Street (Midlothian Road) and as such will not be impacted by the proposed use.**

**The business has demonstrated that it will not have any substantial or undue adverse effect upon any adjacent properties and does not adversely impact the public health, safety, and general welfare of the Village.**

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

**Staff Response: Standard met. The entirety of the business and its activities will be operated within a 14,480 square-foot enclosed tenant space within the building.**

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

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

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

**Staff Response: Standard met. Enterprise Parkway has adequate capacity to accommodate the traffic generated by vehicles of parents that will drop of and pick up students at the facility.**

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

The property is located at the corner of Enterprise Parkway and Church Street. It is anticipated that traffic approaching the property from the north, west and south will access the property from Church Street, while only traffic from the east will approach the property from Enterprise Drive to the east, thereby minimizing the amount of traffic through the industrial park.

Additionally, due to the hours of operation in the evening, the likelihood of traffic congestion is minimized.

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

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

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

**Staff Response: Standard met. There are no additional standards imposed on the land use by the zoning code.**

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

**Staff Response: Standard met. The proposed land use will continue to have a positive effect on the zoning district by utilizing the available list of special uses within the I-Industrial district to fill an otherwise vacant tenant space.**

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

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

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

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

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

**Staff Response: Standard met. The proposed land use will allow an existing use within the community to continue to offer its services within the boundaries of the village. Residents of the village will be provided with a convenient establishment for youth to receive instruction and training in baseball.**

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. There is no evidence that the proposed location is inappropriate for the proposed land use, so an alternative location would not be any more appropriate than the proposed location. The youth baseball instruction and training facility is in keeping with a trend already established by the immediately adjacent gymnastics training facility.**

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 warehouse building with its large floor plate and high ceilings offers an ideal location for the proposed land use. The baseball training facility will be established and operated in a manner to prevent any undue adverse effect on itself or on adjacent surrounding property in relation to its location, design and operation. All primary activities of the proposed use are to be conducted within the enclosed 14,480 square-foot tenant space.**

**RECOMMENDATION**

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

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

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

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

Staff of the Community Development Department therefore recommends the approval of Application PZC 2021-10, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - a. Zoning Application and Cover Letter dated August 19, 2021, prepared by Ms. Cynthia Zarkowsky of Lake County Stars Baseball.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Site Plan for Lake County Stars dated August 19, 2021.
  - d. Floor Plan entitled "333-363 Enterprise Parkway, Lake Zurich, Illinois, Exhibit "A", Unit 363" depicting the location of the proposed land use within the building.
  - e. Indoor Plans, Sheets (Version) 1 and 2 prepared by Collins Company dated May 17, 2021.
2. All activity related to the operation of the business shall be conducted within the enclosed tenant space. The special use constituting this youth baseball instruction and training facility shall be located within the 14,480 square feet of tenant space within the industrial building and addressed at 363 Enterprise Parkway as depicted on the Site and Floor Plans submitted by Ms. Cynthia Zarkowsky, dated August 19, 2021, and shall expire if youth baseball instruction and training business ceases operating at the subject property.
3. Such land use shall be allowed to relocate within any of the remaining tenant spaces so long as the operation of such land use does not substantially increase in floor area utilization or create a negative impact on itself or on surrounding property with respect to any of the standards of this ordinance. Such relocation within the building shall not require amendment to this special use permit.
4. Any expansion of the proposed land use within the remaining tenant spaces of the building shall require amendment of such special use permit through the public hearing process and Village Board approval.
5. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Sarosh Saher  
 Community Development Director

**Staff Report**  
APPLICATION PZC 2021-10

**Community Development Department**  
PZC Hearing Date: September 15, 2021

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

**FOR 363 ENTERPRISE PARKWAY  
September 15, 2021**

The Planning & Zoning Commission recommends approval of Application PZC 2021-10, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **September 15, 2021** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - a. Zoning Application and Cover Letter dated August 19, 2021, prepared by Ms. Cynthia Zarkowsky of Lake County Stars Baseball.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Site Plan for Lake County Stars dated August 19, 2021.
  - d. Floor Plan entitled "333-363 Enterprise Parkway, Lake Zurich, Illinois, Exhibit "A", Unit 363" depicting the location of the proposed land use within the building.
  - e. Indoor Plans, Sheets (Version) 1 and 2 prepared by Collins Company dated May 17, 2021.
2. All activity related to the operation of the business shall be conducted within the enclosed tenant space. The special use constituting this youth baseball instruction and training facility shall be located within the 14,480 square feet of tenant space within the industrial building and addressed at 363 Enterprise Parkway as depicted on the Site and Floor Plans submitted by Ms. Cynthia Zarkowsky, dated August 19, 2021, and shall expire if youth baseball instruction and training business ceases operating at the subject property.
3. Such land use shall be allowed to relocate within any of the remaining tenant spaces so long as the operation of such land use does not substantially increase in floor area utilization or create a negative impact on itself or on surrounding property with respect to any of the standards of this ordinance. Such relocation within the building shall not require amendment to this special use permit.
4. Any expansion of the proposed land use within the remaining tenant spaces of the building shall require amendment of such special use permit through the public hearing process and Village Board approval.
5. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

- ☐ Without any further additions, changes, modifications and/or approval conditions.
- ☐ With the following additions, changes, modifications and/or approval conditions:

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Planning & Zoning Commission Chairman

**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

**EXHIBIT A**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

LOT 1 IN THE API CONSOLIDATION PLAT OF LOT(S) 13, 14, & 15 IN MIDLOTHIAN COURT SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF CONSOLIDATION RECORDED DECEMBER 20, 2005 AS DOCUMENT NUMBER 5917934, IN LAKE COUNTY, ILLINOIS.

Parcels Involved: 14-16-104-021



**Staff Report**  
**APPLICATION PZC 2021-10**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

**EXHIBIT B**  
**PUBLIC HEARING SIGN PRESENT AT SUBJECT PROPERTY**





## Lake County Stars 363 Enterprise Parkway

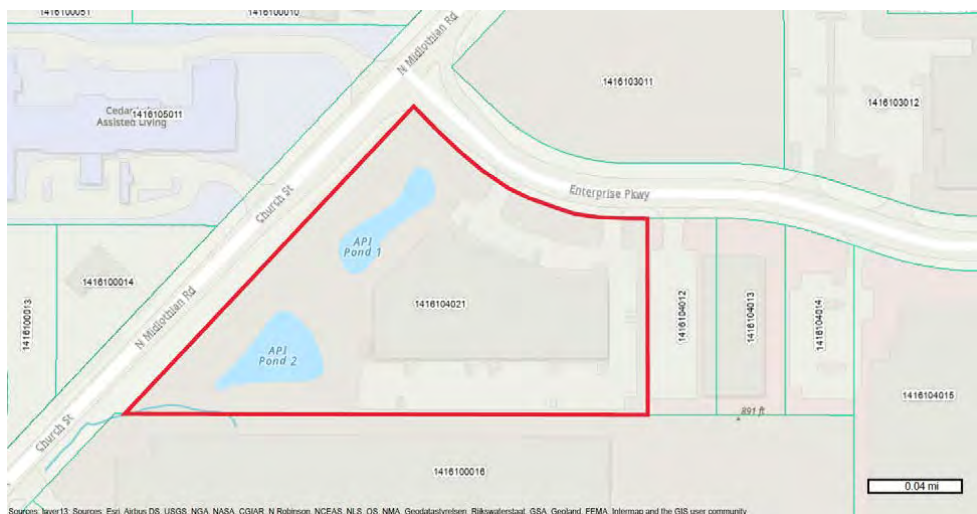


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## Lake County Stars 363 Enterprise Parkway

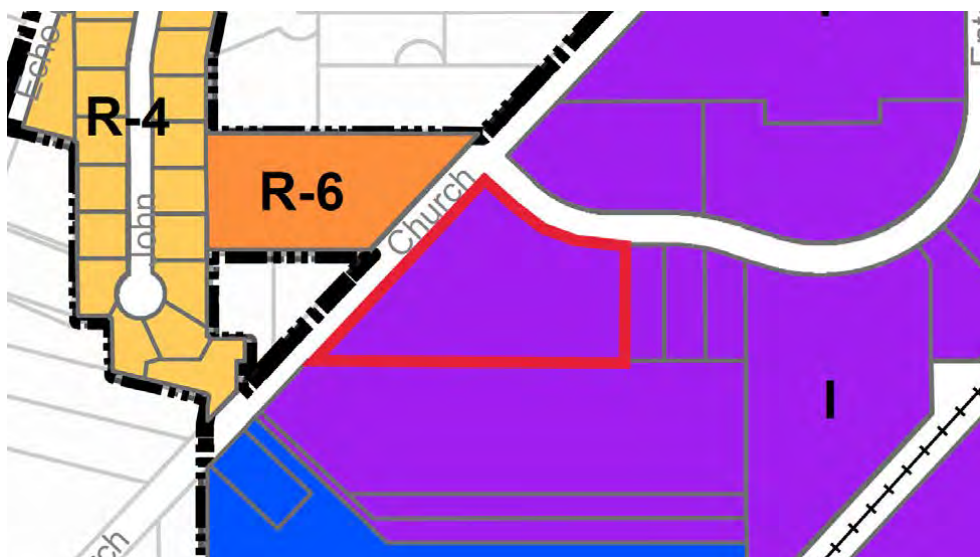


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**Lake County Stars  
363 Enterprise Parkway**



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**ZONING APPLICATION**

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

(Please Type or Print)

1. Address of Subject Property: 363 Enterprise Parkway, Lake Zurich
2. Please attach complete legal description
3. Property Identification number(s): 1416104021
4. Owner of record is: Midlothian Partnership LLC Phone: 847-550-5556  
E-Mail Sam.Ko.apinow.com Address: 333 Enterprise Parkway, Lake Zurich
5. Applicant is (if different from owner): Lake County Stars Phone: 847-845-1889  
E-Mail info@lakecountystars.org Address: 363 Enterprise Parkway, LZ
6. Applicant's interest in the property (owner, agent, realtor, etc.): tenant
7. All existing uses and improvements on the property are: complete
8. The proposed uses on the property are: youth baseball instruction and training
9. 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/a
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
We are tenants so this would be for the owners.
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

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.

Lake County Stars  
(Name of applicant)

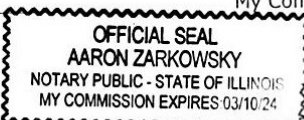
A. Zarkowsky  
(Signature of applicant)

Subscribed and sworn to before me this 19 day of August, 2021

[Signature]  
(Notary Public)

My Commission Expires 3/10/2024

Midlothian Partners  
(Name of Owner, if different)



(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(Notary Public)

My Commission Expires \_\_\_\_\_

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

- ☐ Zoning Code **Map** Amendment to change zoning of Subject Property from \_\_\_\_ to \_\_\_\_
- ☐ Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. 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 Membership Sport+Recreation Club (7997)

(See Section 19-103 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.)

- ☐ Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

- ☐ 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.)

- ☐ Preliminary Plat of Subdivision

- ☐ Final Plat of Subdivision or Amendment to Plat of Subdivision

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

- ☐ Site Plan Approval/Major Adjustment/Amendment

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

- ☐ Exterior Appearance Approval or Amendment

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

#### 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

#### COMPREHENSIVE PLAN APPLICATION

- ☐ Comprehensive Plan **Map** Amendment for \_\_\_\_\_

- ☐ Comprehensive Plan **Text** Amendment for \_\_\_\_\_

August 19, 2021

Lake County Stars Baseball  
363 Enterprise Parkway  
Lake Zurich, IL 60047

To Whom It May Concern,

I am reaching out on behalf of the Lake County Stars Baseball program to tell you a little more about us and our plans for our new facility. We have been around as a successful, growing youth based baseball program for 13 years now. Prior to moving to this address, we were at the former Main Street Sports as well as Home Run Sports both in Lake Zurich. We have grown despite the pandemic and now have 21 teams age 9-17 which predicated a move to find a space that would better accommodate our growing needs and offer a permanent home. When we were looking for new space last winter, we very seriously considered moving to Vernon Hills or Buffalo Grove, but ultimately decided we would best serve our families by staying in Lake Zurich. We have over 250 families committed to us for the 2022 season and close to half of them are Lake Zurich residents with many other from Kildeer, Hawthorn Woods and Long Grove.

We were just named in Baseball Connected Magazine as a Top 10 Baseball Program in all of Illinois. We work closely with Lake Zurich High School with their baseball and football programs and have let both use our indoor facilities for no charge to practice indoors as needed. In addition, eight of this year's winning baseball Varsity players also play for us and we have sent over 40 players on to play college level baseball. We support other local Lake Zurich business with fundraisers that we hold there and for our own needs with painting (Painting 360') and alarm/locks (Active Alarm). We plan to be in Lake Zurich to stay as a permanent home and would like to get involved on the Chamber as well.

As far our our faculty usage goes, all baseball actives are for training and practice only; there will be no games or tournaments held on our grounds. All of our training takes place indoors by professional coaches and parents for the most part drop off and go. We share our building with our adjacent landlords who found it appealing the we are there at basically opposite hours. Our general hours are between October and April from 4:00pm-9:00pm Monday thru Friday and 9am-7pm on weekends. During the summer, our hours are very sporadic with often no one there at all. This works out great for parking as we use the spots when our landlords' business is already gone so we have more than ample parking. All parking spots are shared with all tenants of the building. Most of our parents drop off and go and we encourage parents to patronize businesses in the industrial park (Brewery, food) and other close by Lake Zurich shopping and eateries while they wait for their kids. We never have more than two teams at a time in the facility so traffic is really non existent. Additionally we have 20 coaches who work

for us at all different times as not all teams are there at the same time or day and again in the summer, it is very empty as teams are playing their games elsewhere.

We are a unique program that focus on giving ALL kids a place to play baseball and work with kids of all skill levels. We encourage our teams to do charity work as well as most go to Feed My Starving Children and help at a thrift store restocking merchandise as well. Our building is a second home to our players and the best place for them to go and destress after a long day of school. Our families come back year after year and bring more players based on their own passions for the program. We firmly feel that we serve and represent Lake Zurich very well and contribute a great benefit to the community.

We look forward to many years to come as a successful business in Lake Zurich.  
Thank you for your time and cooperation.

Cynthia Zarkowsky  
Operations Director, Lake County Stars  
[info@lakecountystars.org](mailto:info@lakecountystars.org)  
847-845-1889



8/19/2021

## Lake County, IL Property Tax Information

[Home](#) [Property Records](#) [County Assessor](#) [County Clerk](#) [County Treasurer](#)

## GENERAL

- Profile
- Legal Description
- Map
- Owner
- TAX
  - Tax Summary
  - Taxes Due
  - Tax Payment History
  - Tax Redemption
  - Tax Adjustment
  - Tax Status
- Special Assessments
- Mobile Home Information
- ASSESSOR
  - Residential Building
  - Commercial Building
  - Other Building & Yard
  - Land Information
  - Agricultural Land Info
  - GAMA Summary
  - Values Current
  - Values History
  - Property Transfer History
  - Conveyance History
  - Exemptions Current
  - Exemptions History
  - Preferential Application
  - Appeal History
  - Appeals Comparables (Shortlist)
  - Appeals Comparables (All)
  - Documents
    - Permits
    - Photos
    - Sketch
    - Split/Combine History

PARID: 1416104021  
 NBHD: 1565150  
 MIDLOTHIAN PARTNERSHIP, LLC  
 Tax Year: 2021 (Taxes Payable in 2022)  
 Parcel

ASSESSOR #: 049

ROLL: RP

333 ENTERPRISE PKWY

Select Tax Year on the right

1 of 1

[Return to Search Results](#)

Tax Year: 2021

Assessment Year: 2021  
 Pay Year: 2022  
 Property Location: 333 ENTERPRISE PKWY  
 Building/Unit #:   
 City/State/Zip: LAKE ZURICH IL 60047  
 Mailing Address: 333 ENTERPRISE PKWY  
 LAKE ZURICH IL 60047-6733  
 Split/Combine Occurred: Yes - see Split/Combine History tab for more info  
 Living Units:   
 Neighborhood: 1565150 - Industrial  
 Class: IND - Industrial  
 Property Use Code: 80 - Industrial Improvements  
 Acres: 4.791  
 Square Feet: 208,696  
 GIS Acres: 4.7795  
 Subdivision #:   
 Subdivision Name: API CONSOLIDATION  
 Lot: 1  
 Block:   
 Legal 1: API CONSOLIDATION SUB; LOT 1  
 Legal 2:   
 Legal 3:   
 Tax Code Area: 15059 - ELA TWP 059  
 Mortgage Company: -  
 ACH: No

## Alternate Address

Address Type	Address
P - Postal	333 ENTERPRISE PKWY, LAKE ZURICH, IL 60047-6733

## Parcel Status

Tax Year: 2021  
 Active/Deactive: Active

## Tax Status

Tax Year: 2021  
 In Forfeiture: No  
 In Bankruptcy: No  
 Taxes Due: Yes - see Taxes Due tab for more information  
 Tax Lien on Property: No  
 Tax Adjustment: No

## Tax District Information

Township: TOWNSHIP OF ELA  
 Road & Bridge: ROAD AND BRIDGE-ELA  
 Municipality: VIL OF LAKE ZURICH  
 Community College: COLLEGE OF LAKE COUNTY #532

## Actions

- [Neighborhood Sales](#)
- [Create Comparables](#)
- [Printable Summary](#)
- [Printable Version](#)

## Reports

- [CSV Export](#)
- [CSV Export \(Commercial\)](#)
- [CSV New Sales](#)
- [CSV New PINS](#)
- [Mailing List](#)
- [Envelope](#)
- [Residential PRC](#)
- [Commercial PRC](#)
- [Redemption Estimate](#)
- [Tax Bill Mobile Home](#)
- [Calendar Year Tax Paym](#)
- [Tax Bill](#)
- [Redemption Receipts](#)

[Go](#)
<https://tax.lakecountyil.gov/datalets/datalet.aspx?mode=profileall&slIndex=9&idx=1&LMparent=20>

1/2

8/19/2021

Lake County, IL Property Tax Information

Elementary School:

High School:

Unit K-12 School District

Park:

Fire Protection:

Library:

Sanitary:

Mosquito Abatement:

Central Lake Cty Joint AC:

Special Service Area:

Tax Increment Finance Area:

LAKE ZURICH COMM UNIT SCHOOL DIST #95

ELA AREA PUBLIC LIBRARY DIST

Exemption Credits

Tax Year

Prorated Exemption:

Fully Exempt:

Senior Freeze:

Home Improvement:

General Homestead:

Senior Homestead:

Disabled Persons:

Disabled Veterans:

Disabled Veterans Standard:

Returning Veterans:

Natural Disaster:

Mobile Home Exemption:

Lake County  
10 N County Street  
Waukegan, IL 60085

Central IL  
Monday-Friday 8:00am-5:00pm

Location: Google Map

Website: Disclaimers

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<https://tax.lakecountyil.gov/datalets/datalet.aspx?mode=profileall&sIndex=9&idx=1&LMparent=20>

2/2

8/19/2021

Lake County, IL Property Tax Information

HomeProperty Records▼County AssessorCounty ClerkCounty Treasurer

GENERAL

Profile

Legal Description

Map

Owner

TAX

Tax Summary

Taxes Due

Tax Payment History

Tax Redemption

Tax Adjustment

Tax Status

Special Assessments

Mobile Home Information

ASSESSOR

Residential Building

Commercial Building

Other Building & Yard

Land Information

Agricultural Land Info

CAVA Summary

Values Current

Values History

Property Transfer History

Conveyance History

Exemptions Current

Exemption History

Preferential Application

Appeals History

Appeals Comparables (Smart) Filter

Appeals Comparables (all) Filter

Drawings

Permits

Photos

Sketch

Split Comparables History

PARID: 1416104021

NBHD: 1565150

MIDLOTHIAN PARTNERSHIP, LLC

Tax Year: 2021 (Taxes Payable in 2022).

Legal Description

ASSESSOR #: 049

ROLL: RP

333 ENTERPRISE PKWY

Select Tax Year on the right.

1 of 1

Return to Search Results

Tax Year 2021▼

Actions

Neighborhood Sales

Create Comparables

Printable Summary

Printable Version

Reports

CSV Export

CSV Export (Commercial)

CSV New Sales

CSV New PINS

Mailing List

Envelope

Residential PRC

Commercial PRC

Redemption Estimate

Tax Bill Mobile Home

Calendar Year Tax Paym

Tax Bill

Redemption Receipts

Go

Property Location: 333 ENTERPRISE PKWY LAKE ZURICH 60047

Deeded Acres: 4.7910

Square Feet: 208,696

Legal 1: API CONSOLIDATION SUB; LOT 1

Legal 2:

Legal 3:

Town/City: Y – MUNICIPALITY

Tax Legal: API CONSOLIDATION SUB; LOT 1

Tax Code Area: 15059 - ELA TWP 059

Lot: 1

Block:

Act Front: .0000

Act Depth: 0

Subdivision ID:

Subdivision Name: API CONSOLIDATION

Dimensions:

Tax District Information

Township: TOWNSHIP OF ELA

Road & Bridge: ROAD AND BRIDGE-ELA

Municipality: VIL OF LAKE ZURICH

Community College: COLLEGE OF LAKE COUNTY #532

Elementary School:

High School: LAKE ZURICH COMM UNIT SCHOOL DIST #95

Unit K-12 School District

Park:

Fire Protection: ELA AREA PUBLIC LIBRARY DIST

Library:

Sanitary:

Mosquito Abatement:

Central Lake Cty Joint AC:

Special Service Area:

Tax Increment Finance Area:

Lake County

10 N County Street

Waukegan, IL 60085

Contact Us

Monday-Friday 9:30am-5:00pm

Location

Google Map

Website Disclaimer

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https://tax.lakecountyil.gov/datalets/datalet.aspx?mode=legal\_main&slIndex=9&idx=1&LMparent=20

1/1



## Lease Availability Report

### 333-363 Enterprise Pky

Lake Zurich, IL 60047 - South Lake County Ind Submarket

★★★★★



#### BUILDING

Type:	Class B Industrial
Subtype:	Warehouse
Tenancy:	Multiple
Year Built:	2006
RBA:	47,864 SF
Floors:	1
Typical Floor:	47,864 SF
Ceiling Ht:	24'

#### AVAILABILITY

Min Divisible:	14,480 SF
Max Contig:	14,480 SF
Total Available:	14,480 SF
Asking Rent:	\$8.45/MG

#### EXPENSES PER SF

Taxes:	\$0.88 (2019)
--------	---------------

#### SPACES

Floor	Suite	Use	Type	SF Avail	Fir Contig	Bldg Contig	Rent	Occupancy	Term
P 1st	363	Industrial	Direct	14,480/2,413 ofc	14,480	14,480	\$8.45/MG	Vacant	Negotiable

High image building. Well designed office space with an excellent window line; 400 amp/480 volt electrical service

#### LOADING

Docks:	4 int	Drive Ins:	4 tot./12'w x 14'h
Cross Docks:	None	Cranes:	None

#### POWER & UTILITIES

Power:	400a/480v 3p
Utilities:	Heating - Gas

#### LAND

Land Area:	4.79 AC
Zoning:	I-1; Lake Zurich
Parcel:	14-16-104-020

#### TRANSPORTATION

Parking:	101 free Surface Spaces are available; Ratio of 2.11/1,000 SF
Commuter Rail:	13 minute drive to Barrington Station Commuter Rail (Union Pacific Northwest Line)
Airport:	37 minute drive to Chicago O'Hare International Airport



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3/2/2021  
Page 6

# Lease Availability Report

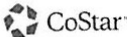
**333-363 Enterprise Pky**  
Lake Zurich, IL 60047 - South Lake County Ind Submarket

★★★★★

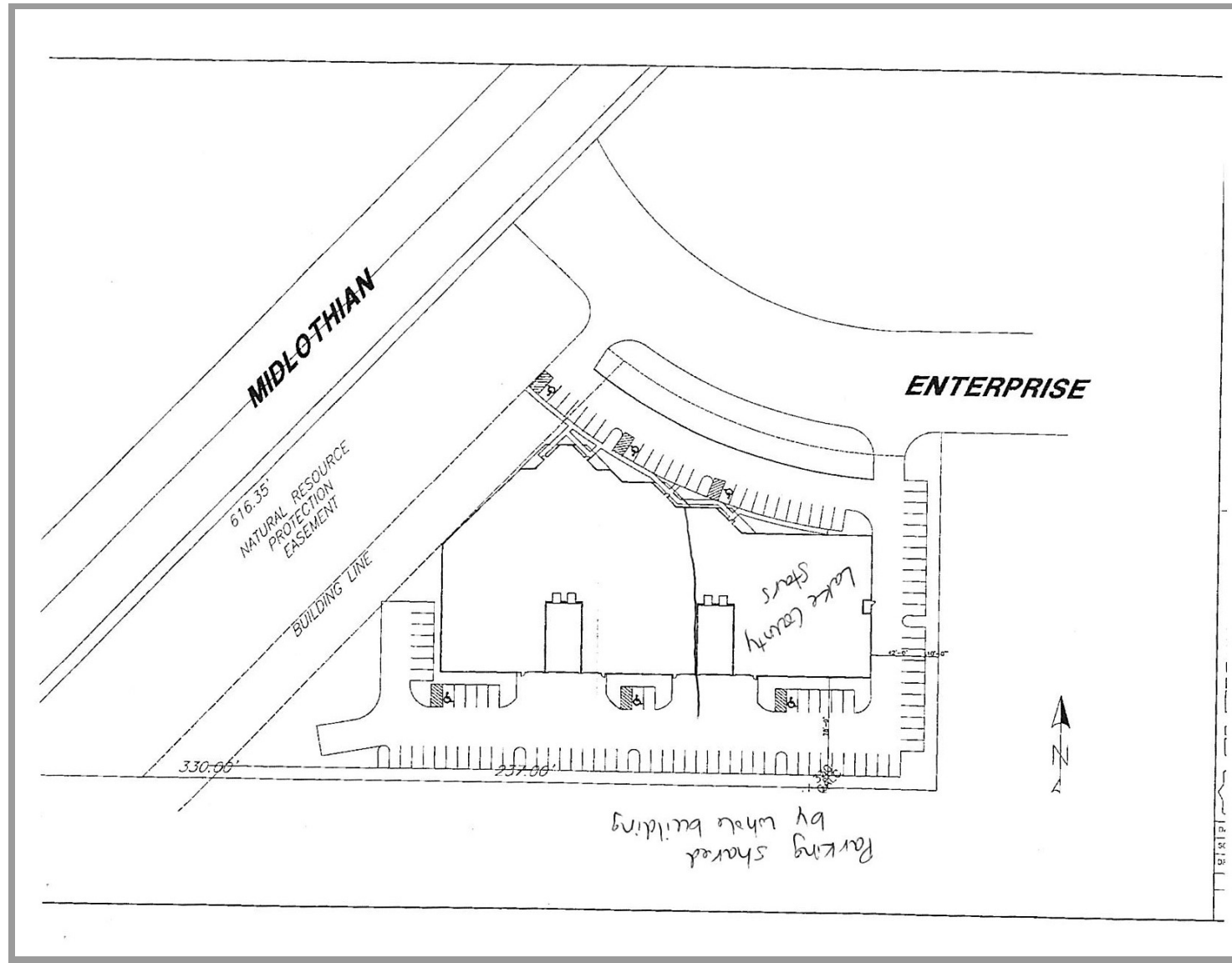
KEY TENANTS			
Chelsea Framing Products Inc	15,876 SF	Advanced Plastics Inc.	15,875 SF



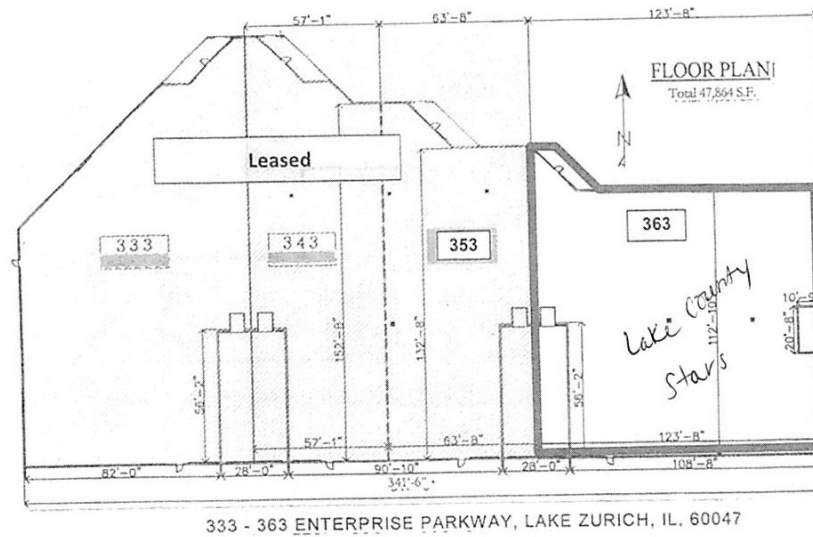
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3/2/2021  
Page 7



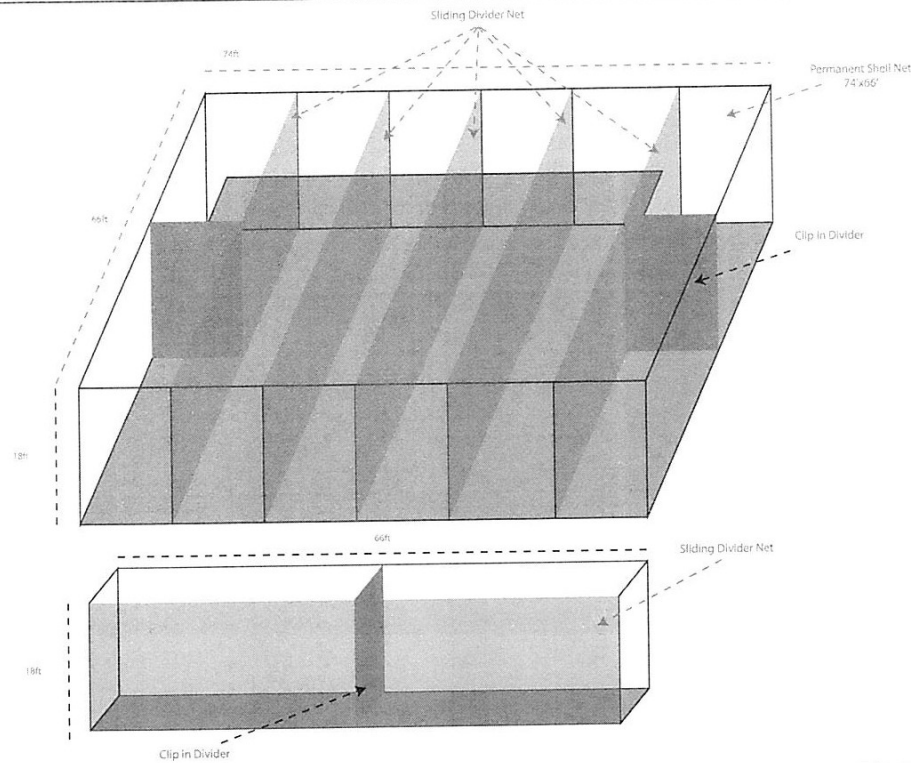
333 - 363 Enterprise Parkway  
Lake Zurich, Illinois  
Exhibit "A"  
Unit 363





12FT		66FT		Open Turf Area 13.5x60	
74FT	12FT				
	12FT				
	12FT				
	12FT				
	14FT				
	12FT				
12FT					
Proof Date: <u>5/17/2021</u>		Lettering Font _____		Production Coordinator <u>Scott Fritz</u>	
Drawn By: <u>Darrell C</u>		Version #: <u>1</u>		Pantone Colors	
 <b>COLLINS</b> COMPANY <i>"Proudly Serving Since 1974"</i> <small>5470 Daniels St. Clarks Summit, PA 17710          www.collinscompany.com</small>					

## Indoor Plans

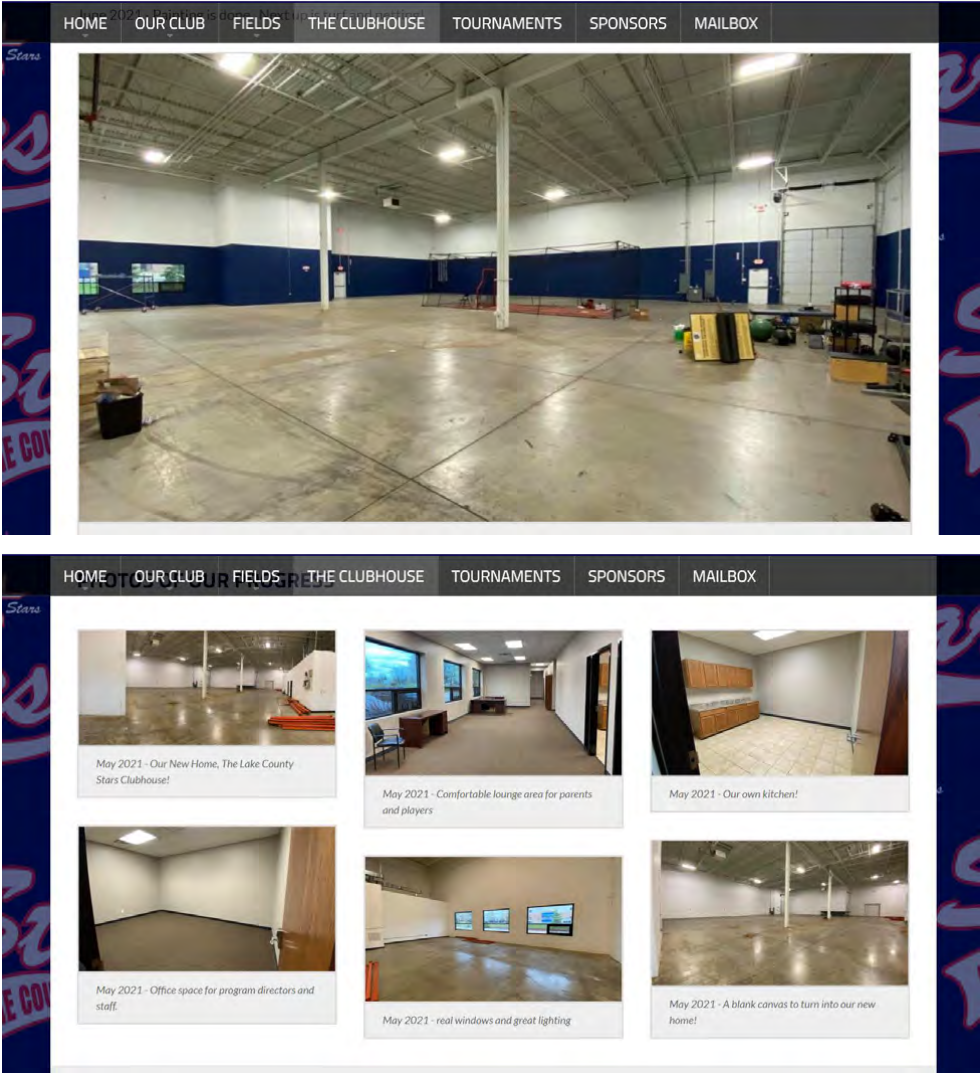
Proof Date: 5/17/2021

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Production Coordinator Scott FritzDrawn By: DarrellVersion #: 2

Pantone Colors \_\_\_\_\_

**COLLINS**  
COMPANY  
"Proudly Serving Since 1974"  
5420 Daniels St., Cheno, CA 91710  
www.collinscompany.com



363 Enterprise Parkway - Pictures of the Interior  
(as depicted on LC Stars Website – [www.lakecountystars.org](http://www.lakecountystars.org))

*At the Heart of Community*

## COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org**APPLICATION PZC 2021-11**  
**PZC Hearing Date: September 15, 2021****AGENDA ITEM 4.B****STAFF REPORT**

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

From: Sarosh Saher, Community Development Director

CC: Tim Verbeke, Planner  
Mary Meyer, Building Services Supervisor

Date: September 15, 2021

Re: PZC 2021-11 Zoning Application for 570A Telser Road  
Special Use Permit for an Indoor Badminton Sports Training Center

**SUBJECT**

Jimmy Sun of Chicago Badminton Academy, LLC and represented by Counsel Mr. Robert K. Naumann (the "Applicant") requests a Special Use Permit to allow an indoor badminton sports training center at the property commonly known as 570A Telser Road, within an industrial condominium building, and legally described in Exhibit A attached hereto (the "Subject Property").

**GENERAL INFORMATION**

Requested Action: Special Use Permit

Current Zoning: I Industrial District

Existing Use: Vacant Unit in Existing Industrial Condo Building

Proposed Uses: Indoor Badminton Sports Training Center  
Membership Sports and Recreation Clubs (7997)

Property Location: 570A Telser Road

Applicant: Jimmy Sun of Chicago Badminton Academy, LLC

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

Owner: Chicago Title Land Trust Co Trust #114290-08  
(Telser Building Account)

Staff Coordinator: Sarosh Saher, Community Development Director

**LIST OF EXHIBITS**

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

**BACKGROUND**

Jimmy Sun of Chicago Badminton Academy, LLC (the “Applicant”), with the consent of the representative of the owners, Chicago Title Land Trust Co Trust #114290-08, is proposing an indoor badminton sports training center and legally described in Exhibit A attached hereto (the “Subject Property”).

The land use is classified as a special use under Membership Sports and Recreation Clubs (7997) in the I Industrial district and as such requires consideration through the public hearing process with Village Board approval.

The Applicant has therefore filed an application with the Village of Lake Zurich received on August 23, 2021 (the “Application”) seeking:

- Special Use Permit approval for an indoor badminton sports training center classified under Membership Sports and Recreation Clubs (7997)

The Subject Property is located within the Village’s I Industrial Zoning District. The subject property contains 69,916 square feet of multiple-tenant industrial/warehouse buildings on approximately 4.6 acres of land. The Applicant intends to occupy a centrally located 14,272 square-foot tenant space. The remaining tenant spaces are currently occupied by other industrial uses. The building is served by a parking lot containing 110 parking spaces located both in front of and at the rear of the building. 30 parking spaces are dedicated for use by the subject condominium space.

The interior of the condominium space contains a large warehouse floor which will be set up for six new badminton courts. Adequate facilities for office space and restrooms are also provided within the space. No food concessions are proposed to be offered within the facility. Due to the older construction of the building which only included fan ventilation, the Applicant intends to air

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

condition the space requiring the installation of condensers on the rooftop of the building. The Applicant has acknowledged the need for screening of these units from view from the street.

The academy intends to employ 6 staff per shift. Together with the approximate 24 players (the maximum number on court), it is anticipated that there will be no more than 30 persons on the premises at any given time.

Operating hours are staggered with business hours of the industrial park and immediately adjacent tenants/users. Hours of operation are 4:00 p.m. to 10:00 p.m. on Mondays, 12:00 p.m. to 10:00 p.m. on Tuesdays and Thursdays, and 8:00 a.m. to 10:00 p.m. on weekends and holidays. The facility will remain closed on Fridays.

Pursuant to public notice published on August 28, 2021, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for September 15, 2021, to consider the Application. On August 30, 2021 the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. Courtesy Review.** Due to the low impact of this project, courtesy review was not recommended.
- B. Zoning History.** The property is located on Lots 3 through 8 of LZ Industrial Center 4A Subdivision that was platted in the early 1990s. The building was constructed around 1992 and was one of the earlier building constructed along Telser Road. It is configured as a group of three adjacent buildings. Each building was originally constructed to accommodate two units. Following changes in interior reconfiguration, the buildings now consist of a total of 5 units. The subject unit is the 3<sup>rd</sup> unit from the north with its entrance facing Telser Road.
- C. Surrounding Land Use and Zoning.** The subject property is located within the Lake Zurich Corporate and Industrial Park. The land to the north, south, east, and west of the Subject Property is zoned I-Industrial and improved with a variety of office, research and industrial (light manufacturing) uses. Lake Zurich Industrial Center, within which this use is proposed, contains a mix of office and light industrial uses.
- D. Trend of Development.** The subject property is located within Lake Zurich's thriving Corporate Industrial Park. The industrial park allows for the establishment of a number of offices, research, industrial and manufacturing uses, as well as service uses that include automotive repair, physical fitness and certain educational uses. Other similar fitness and recreational uses located in the industrial park include MVP Sports Academy on Oakwood Road, US Gymnastics Training Center on Enterprise Parkway, Flight Athletic Performance and CrossFit Lykos on East Main Street (but within Industrial Zoned properties) and Formula One Cheer on Oakwood Road that was recently approved.

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

The proposed sports and recreation facility is allowed as a Special Use within the Industrial District.

- E. Zoning District.** The I industrial district is intended to provide for a range of nuisance free manufacturing, warehousing, transportation, wholesaling, and industrial uses that are compatible with the suburban residential character of the village. The industrial district is also meant to accommodate certain professional offices and similar uses that may provide services to the industrial users and are compatible with the industrial character of the district. It is the goal of these regulations to provide and preserve an area within the village for industrial uses that create employment and economic benefits for the village and the industrial district.

**GENERAL FINDINGS**

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

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

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

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

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

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

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

**Staff Response: Standard met. The business is a land use that is allowed as a special use within the I Industrial district. All activities will take place within the enclosed condominium space and will have minimal impact to the immediately adjacent spaces. Due to the evening hours of operation, the impact of noise of activity from the subject use is not likely to have any negative impact on the adjacent tenant spaces.**

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

**The business has demonstrated that it will not have any substantial or undue adverse effect upon any adjacent properties and does not adversely impact the public health, safety, and general welfare of the Village.**

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

**Staff Response: Standard met. The entirety of the business and its activities will be operated within a 14,272 square-foot enclosed tenant space within the building.**

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

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

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

**Staff Response: Standard met. Telser Road has adequate capacity to accommodate the traffic generated by vehicles of members that will use the facility. The unit is allocated 30 parking spaces, which have been determined to be adequate by the applicant.**

**Access to the property is provided at four locations – three access points facing Telser Road and a third access point off Heather Drive. The two northerly access points off Telser Road provide access to the two central units facing Telser Road. These spaces are proposed to be used by the Applicant's members. The southerly access and the one access off Heather Drive provide access to the units that face the rear and also serve the loading docks. As such access to the property is well dispersed to create minimal conflict between traffic to different units on the property.**

**Additionally, due to the hours of operation in the evening, the likelihood of traffic congestion is minimized.**



**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

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

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

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

**Staff Response: Standard met. There are no additional standards imposed on the land use by the zoning code.**

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

**Staff Response: Standard met. The proposed land use will continue to have a positive effect on the zoning district by utilizing the available list of special uses within the I-Industrial district to fill an otherwise vacant tenant space.**

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

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

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

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

**Staff Response: Standard met. The proposed land use will bring a new activity to the community. Residents of the village will be provided with a convenient establishment to participate in the sport of badminton.**

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

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. There is no evidence that the proposed location is inappropriate for the proposed land use, so an alternative location would not be any more appropriate than the proposed location. The badminton academy will continue in keeping with a trend already established by the other sports, recreation and fitness facilities already established in the industrial park.**

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 warehouse building with its large floor plate and high ceilings offers an ideal location for the proposed land use. The badminton academy will be established and operated in a manner to prevent any undue adverse effect on itself or on adjacent surrounding property in relation to its location, design and operation. All primary activities of the proposed use are to be conducted within the enclosed 14,272 square-foot tenant space.**

**RECOMMENDATION**

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

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

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

Staff of the Community Development Department therefore recommends the approval of Application PZC 2021-11, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application, Cover Letter, and background information dated August 23, 2021, and prepared by Mr. Robert K. Naumann, Counsel for the Applicant.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Architectural Site Plan of the subject property prepared by Robert M. Jessen and Associates, Inc. last revised on December 17, 1992.

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

- d. Floor Plan/Concept Plan delineating the layout of the badminton courts and existing office space and other facilities within the building, submitted on August 23, 2021.
  - e. Recent deed to the property recorded with the Lake County recorder as Document No 3136732.
2. Where and if required, noise attenuation measures shall be implemented to the satisfaction of the village staff to ensure that no extraordinary noise of the activity within the Applicant's space is allowed to permeate the adjacent units.
3. All activity related to the operation of the business shall be conducted within the enclosed condominium space. The special use constituting this indoor badminton sports training center shall be located within approximately 14,272 square feet of space within the industrial tenant condominium addressed at 570A Telser Road as depicted on the Site and Floor Plans submitted by Mr. Robert Nauman, dated August 23, 2021, and shall expire if this indoor badminton sports training center ceases operating at the subject property.
4. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Sarosh Saher  
Community Development Director

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

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

**FOR 570A TELSER ROAD**  
**September 15, 2021**

The Planning & Zoning Commission recommends approval of Application PZC 2021-11, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **September 15, 2021** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
    - a. Zoning Application, Cover Letter, and background information dated August 23, 2021, and prepared by Mr. Robert K. Naumann, Counsel for the Applicant.
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    - c. Architectural Site Plan of the subject property prepared by Robert M. Jessen and Associates, Inc. last revised on December 17, 1992.
    - d. Floor Plan/Concept Plan delineating the layout of the badminton courts and existing office space and other facilities within the building, submitted on August 23, 2021.
    - e. Recent deed to the property recorded with the Lake County recorder as Document No 3136732.
  2. Where and if required, noise attenuation measures shall be implemented to the satisfaction of the village staff to ensure that no extraordinary noise of the activity within the Applicant's space is allowed to permeate the adjacent units.
  3. All activity related to the operation of the business shall be conducted within the enclosed condominium space. The special use constituting this indoor badminton sports training center shall be located within approximately 14,272 square feet of space within the industrial tenant condominium addressed at 570A Telser Road as depicted on the Site and Floor Plans submitted by Mr. Robert Nauman, dated August 23, 2021, and shall expire if this indoor badminton sports training center ceases operating at the subject property.
  4. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
- ☐ Without any further additions, changes, modifications and/or approval conditions.
- ☐ With the following additions, changes, modifications and/or approval conditions:

---

Planning & Zoning Commission Chairman

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

**EXHIBIT A**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

LOTS 3, 4, 5, 6, 7 AND 8 IN LAKE ZURICH INDUSTRIAL CENTER UNIT 4A, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 15, 1992 AS DOCUMENT 3104597, IN LAKE COUNTY, ILLINOIS. COMMONLY KNOWN AS: 550-590 TELSER ROAD, LAKE ZURICH, IL 60047.

Parcels Involved: 14-16-204-054

**Staff Report**  
**APPLICATION PZC 2021-11**

**Community Development Department**  
**PZC Hearing Date: September 15, 2021**

**EXHIBIT B**  
**PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY**







## Chicago Badminton Academy 570A Telser Road

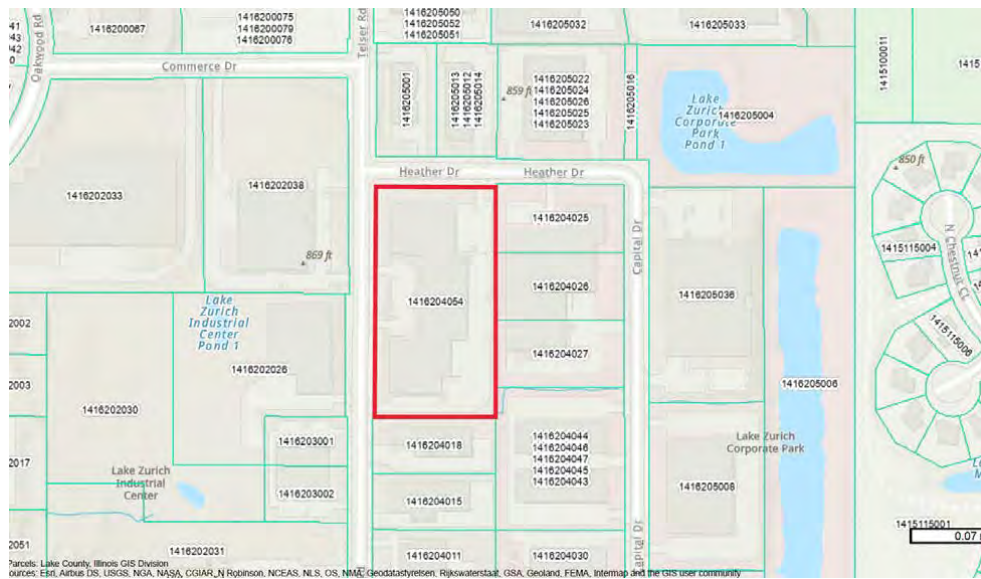


Community Development Department  
505 Telser Road  
Lake Zurich, IL 60047

(847) 540-1696  
Fax: (847) 726-2182  
[www. Lakezurich.org](http://www.Lakezurich.org)



## Chicago Badminton Academy 570A Telser Road



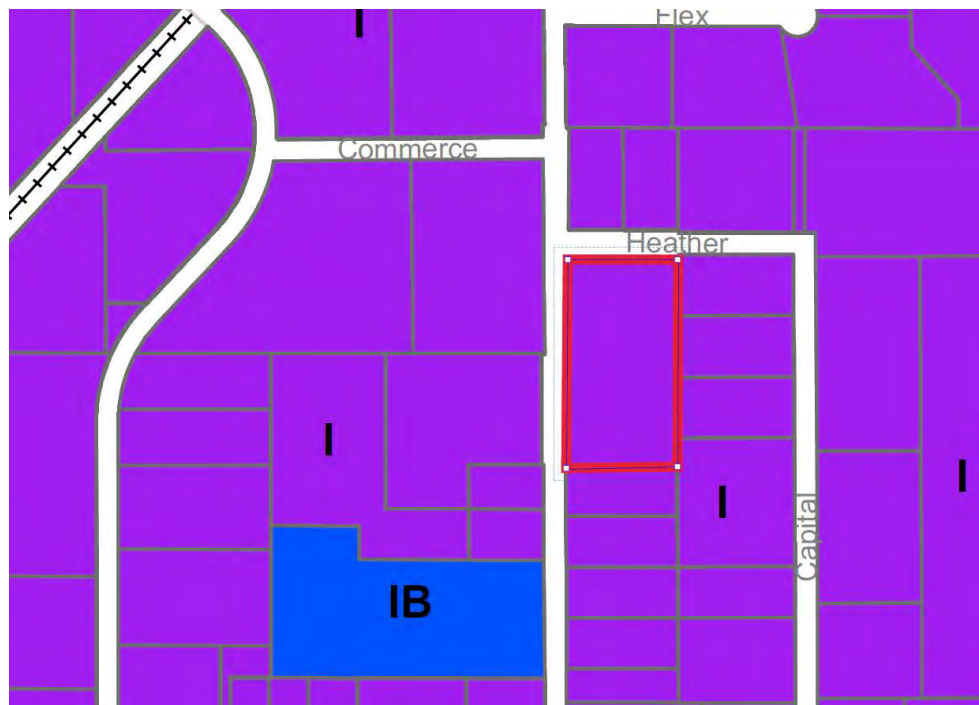
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## Chicago Badminton Academy 570A Telser Road



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## NAUMANN, AGNELLO & ASSOCIATES, LLC

ROBERT K. NAUMANN • JOSEPH S. AGNELLO • JOSEPH J. WHANG

August 23, 2021

Sarosh B. Saher  
Community Development Director  
Village of Lake Zurich  
505 Telser Road  
Lake Zurich, Illinois 60047

Re: Letter of Transmittal for Chicago Badminton Academy  
Proposed Use at 570A Telser Road, Lake Zurich, Illinois 60047 ("Property")

Dear Mr. Saher:

The undersigned represents Chicago Badminton Academy, LLC ("Petitioner") regarding the matter identified above. We are pleased to submit for review an application and supporting materials for a proposed use in connection with Petitioner's intended lease of the Property identified above. Included with this letter you are receiving the following required documents, some of which have been previously submitted on Friday, August 6:

This **Letter of Transmittal**, together with the following Exhibits:

1. The completed **Zoning Application**, signed by Petitioner and the Property owner;
2. The following additional completed applications and forms:
  - a. **Business License & Occupancy Application**;
  - b. **Public Works Department Industrial Wastewater Questionnaire**;
  - c. **Fire Prevention Bureau Occupancy Directory Form**;
  - d. **Finance Department Utility Billing Account Application**;
3. An **Architectural Site Plan**;
4. A proposed **Floor Plan/Concept Plan**;
5. **Aerial and street-level images** of the Property;
6. **Legal description** of the subject Property;
7. The most recent **deed** for the Property; and
8. A **Cover Letter to the Chair of the Planning & Zoning Commission** (to come).

### 1. Background Information

Petitioner, Chicago Badminton Academy, LLC, is seeking to establish its first indoor badminton sports training center in the northwest suburbs of Chicago. The location at 570A Telser Road has presented an ideal opportunity, and Petitioner has entered into a lease with the Property owner contingent upon approval of the intended use by the Village of Lake Zurich.

25 NORTHWEST POINT BOULEVARD, SUITE 180 • ELK GROVE VILLAGE, ILLINOIS 60007  
847-593-8777 OR 630-452-3847 • [EGV@NALAWGROUP.COM](mailto:EGV@NALAWGROUP.COM) • [WWW.NALAWGROUP.COM](http://WWW.NALAWGROUP.COM)

REAL ESTATE – TRUSTS & ESTATES – CORPORATE & BUSINESS LAW

Sarosh B. Saher  
August 23, 2021  
Page 2

**a. Building History**

Upon information and belief, the development of the improvements at 550-590 Telser Road was originally commenced in or around 1992. The present improvements on the site follow the plans drawn up in the last half of that year for what appears from the street to be a single structure, but which is actually three adjacent buildings, running south from Heather Circle along the east side of Telser Road. The buildings are single-story warehouse and light industrial buildings with office space appurtenant to each unit along the north, west, and south sides. The buildings were designed to accommodate two units each and were originally assigned six separate property index numbers, although the southernmost building, known as 550 Telser, appears to have always been used as a single unit. In or around 2012, the six PINs were combined into one PIN, but the property is still divided into five units, which from north to south, are commonly known as 590A, 590B, 570A, 570B, and 550. The Petitioner seeks to occupy the unit known as 570A Telser Road, which is the third unit from the north and is the left side of the setback center building as you face the Property from Telser Road.

**b. Building Characteristics and Planned Occupancy**

New construction is not an option for Petitioner; existing space is a must. A typical inline or free-standing retail space would not have the necessary interior clearance for the intended sports use, and while many modern industrial spaces have 28-foot or even 40-foot clearance, the 20-foot ceilings at 570A are more than adequate for the intended use. The unit includes office space, but most of the +/- 14,272 square feet consists of the open warehouse floor. As indicated in the proposed Floor Plan included with this transmittal, the existing warehouse floor should comfortably accommodate six separate courts. If fully occupied with doubles, the courts would therefore accommodate 24 players, which together with an intended per-shift staff of six, results in a total occupancy of only 30 persons at any given time.

Because there is only space in the facility for six courts, the space would not accommodate tournaments. Due to the time required to play complete matches, in order for a space to host tournaments, it would typically need at least twelve courts. For that reason, the Petitioner does not anticipate any additional occupancy for observers, referees, or other bystanders.

**c. Hours of Operation**

The hours of operation would be generally opposite typical business hours and are therefore expected to complement the remaining use of the adjacent units. Proposed hours would have the operation close at 10:00 p.m. nightly, with opening at 4:00 p.m. on Monday, 12:00 p.m. Tuesday – Thursday, and 8:00 a.m. on Saturdays, Sundays and holidays. The operation would be closed on Fridays. Peak hours are expected to be during weekday evenings and all day on weekends.



Sarosh B. Saher  
 August 23, 2021  
 Page 3

**d. Parking**

The unit has 30 existing parking stalls, including one accessible parking stall, and there is space for additional parking stalls to be added. However, the type of proposed use in question requires only one parking space for every three occupants according to the Village Zoning Code, Section 10-1(F)(2)(e)(6). Therefore, based on the available parking stalls alone, the available occupancy limit would be 90 persons, or three times what the Petitioner anticipates at full occupancy. Even assuming that only 25 parking stalls could be used due to the Illinois requirement of one accessible stall per 25 stalls, *see* 71 Ill. Admin. Code 400.APPENDIX A, Sec. 208.2, the available parking stalls would still allow an occupancy of 75 persons, which is far in excess of the petitioner's need.

**e. Other Occupancy Matters**

The unit is equipped with four lavatories which contain a total of four water closets and one urinal. Based on the number of fixtures, excluding the urinal, the International Building Code ("IBC"), which has been adopted by the Village pursuant to Village Code Section 8-3-1, allows for occupancy by up to 230 persons (150 male and 80 female) per Section 2902.1. That calculation assumes a use defined in the IBC as "tennis courts for indoor sporting events and activities," which is the closest parallel use identified in the IBC. Again, that number is far in excess of the intended use.

The unit itself has four exterior exits, of which three of those are directly appurtenant to the present warehouse area and the intended badminton court area. The remaining building exit is the main entrance located in the office area on the west face of the unit, and that exit can be reached by two separate exit access doorways from the badminton court area. Based solely upon egress requirements, the International Fire Code ("IFC") would allow an occupant load in excess of 1,000 persons (IFC Section 1006.2.1.1). Based solely upon the square footage of the space, the occupancy load in the badminton court area could be up to 2,000 persons (IFC Section 1004.5), assuming the badminton court area is only 10,000 square feet and assuming the use is defined as an "assembly use, standing" (i.e., without chairs), which is the nearest parallel to the "tennis courts for indoor sporting events and activities" use defined by the International Building Code. Egress and floor area, therefore, create no practical limit on the proposed occupancy.

**f. Other Public Safety Matters**

As the structure was constructed in or around 1993, and there have been no dramatic changes in requirements for fire suppression or operation of emergency exits since that time, the proposed use should draw no objections nor create any additional requirements with respect to public safety. The Petitioner intends no modification to the internal layout (i.e., no additional interior full- or partial-height walls will be added) that would interfere with existing fire suppression. For those reasons, public safety matters should not interfere with the proposed use and occupancy.

Sarosh B. Saher  
August 23, 2021  
Page 4

**g. Background Information Summary**

As explained above, the building is ideal for the Petitioner's intended use. No nuisance will be created by the intended use inasmuch as the occupancy will be minimal and the peak hours of operation are generally opposite of the peak hours of operation of the adjacent units and the businesses in the immediate vicinity. Because there is no intended change to the interior layout, public safety concerns are not implicated and there is no practical limitation on occupancy. Based on the foregoing analysis, the limiting factor for occupancy is parking, and the available spaces without modification allow for occupancy by no less than 75 persons.

**2. Intended Use within the Existing Zoning District**

**a. Proposed Use is Approvable as Permitted or Special Use**

The Property is located within the Lake Zurich Industrial "I" District. The Petitioner contends that the Zoning Code provides for approval of the proposed use as a Permitted Use pursuant to Section 9-6-2(H)(10): "Miscellaneous industrial and business uses, not otherwise classified, if approved by the village manager; provided, however, that any such use: a) shall be compatible with and consistent with existing uses in the vicinity of the proposed use and shall be compatible with the general character of the industrial uses throughout the I district, b) shall not entail any use, process, or item that poses any threat of environmental injury to land, air, or water, c) shall not interfere with industrial traffic patterns, and d) shall not be substantially devoted to retail sales that are dependent on customer traffic to the premises." Notwithstanding the foregoing, Petitioner is complying with the requirements of a Special Use Application. The nearest equivalent to the proposed use would be something under Section 9-6-3(F)(7), (8), or (9), although no use defined in the Code exactly describes the intended use.

**b. Proposed Use is Compatible and Consistent with Existing Uses**

As demonstrated above, due to the need for ceiling clearance, the relatively small number of occupants the space will accommodate, and the off-hours nature of the proposed patronage, the Petitioner's proposed use is well compatible with existing uses in the vicinity. Based on similar uses in the area, the Petitioner's proposed use is also consistent with existing uses in the vicinity and compatible with the general character of the industrial uses throughout the I district. From a brief search, it appears for example, that MVP Sports Academy is located on Oakbrook Road, US Gymnastics Training Center is located on Enterprise Parkway, and Flight Athletic Performance and CrossFit Lykos are located on East Main Street. All of the foregoing operations are located in land that is zoned as Industrial District.

**c. Proposed Use is Not Otherwise Incompatible with the "I" District**

In addition to being compatible and consistent with existing uses, all other considerations are favorable for the proposed use. There is no threat of environmental injury; in fact, the proposed use will be one of the cleanest uses in the entire Industrial District. The proposed use creates a very small amount



Sarosh B. Saher  
August 23, 2021  
Page 5

of traffic, and primarily outside of normal business hours, so as not to interfere with industrial traffic patterns. Also, the proposed use is not substantially devoted to retail sales which would be dependent on consumer traffic to the premises. The physical characteristics of the building make the location ideal for the proposed use, the proposed use does not interfere in any way with the general purposes of the Industrial District, and the proposed use is consistent with several existing uses in "I" zoned areas of the Village.

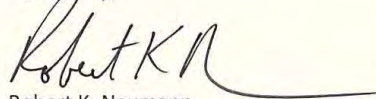
### 3. Other Considerations

In order to round out responses to all other matters raised by the Zoning Application and the Occupancy Application, the Petitioner confirms the following. Although the Petitioner intends to modify rooftop mechanical units to convert the present warehouse space from fan ventilation only to an air conditioned space, the Petitioner does not expect that to interfere with the approval of the proposed use. The Petitioner is aware, as indicated in the Business License and Occupancy Application, that permits will be required and screening may also be required for those modifications. No other considerations pose any threat to approval, either. The proposed use does not alter the existing improvements in any material way and therefore is expected to need no zoning variations. Likewise, because the proposed use will be within an existing structure and no modification of the footprint of that structure is planned, considerations of wetlands and/or conservancy soils are inapplicable to the proposed application. Further, based on the relatively minimal anticipated occupancy of the Property at any one time, the available public and private streets and utilities on and around the property are expected to be more than adequate to serve the proposed use.

### 4. Summary

In view of the foregoing considerations, the Petitioner Chicago Badminton Academy, LLC, respectfully requests approval of its proposed use of the space at 507A Telser Road as an indoor badminton sports training center. While every effort has been made to address all matters that Petitioner could anticipate from the Village and provide reliable documentation in support of this request, the undersigned is ready to answer any questions that may arise. Please do not hesitate to contact me at 847-593-8777 or [egv@nalawgroup.com](mailto:egv@nalawgroup.com). Thank you in advance for your consideration.

Yours truly,



Robert K. Naumann

cc: Chicago Badminton Academy, LLC

**EXHIBIT 1**



(Please Type or Print)

**ZONING APPLICATION**

Community Development Department

505 Telser Rd.

Lake Zurich, IL 60047

Phone: (847) 540-1696

Fax: (847) 540-1769

1. Address of Subject Property: 570A Telser Road
2. Please attach complete legal description
3. Property Identification number(s): 14-16-204-054
4. Owner of record is: Chicago Title Land Trust Co Trust #114290-08 Phone: 847-207-4140  
E-Mail dworkay@aol.com Address: c/o Gladstone, 300 E Higgins Rd #100, Elk Grove Village IL 60007
5. Applicant is (if different from owner): Chicago Badminton Academy LLC Phone: 224-424-7373  
E-Mail jimmysun@cba.company Address: 570A Telser Rd, Lake Zurich IL 60047
6. Applicant's interest in the property (owner, agent, realtor, etc.): Lessee/Tenant
7. All existing uses and improvements on the property are: The unit is +/- 14,272 sf of a +/- 69,916 sf, single-story, multi-unit warehouse and light industrial building with office space appurtenant to each unit along the south, west, or north sides.
8. The proposed uses on the property are: Applicant proposes to open a badminton training academy in the unit. The proposed use may be described as Fitness and Recreational Sports Centers, NAICS 713940, or under SIC 7999.
9. 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: Setbacks per subdivision plat doc #3104597 1/15/92; easements per docs 3222010 10/6/92, 3231164 10/23/92, 3272072 1/14/93.
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property: Not applicable. The property is not for sale, upon information and belief.
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

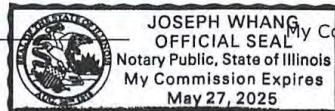
THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

Chicago Badminton Academy LLC  
(Name of applicant)

Jinhu Sun Manager  
(Signature of applicant)

Subscribed and sworn to before me this 10th day of August, 2021.

[Signature]  
(Notary Public)



My Commission Expires 5/27/2025

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(Notary Public)

My Commission Expires \_\_\_\_\_



Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

- ☐ Zoning Code **Map** Amendment to change zoning of Subject Property from \_\_\_\_ to \_\_\_\_
- ☐ Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. 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 Permitted Use 9-6-2(H)(10) or Special Use 9-6-3(F)(7/8/9)

(See Section 19-103 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.)

- ☐ Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

- ☐ 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.)

- ☐ Preliminary Plat of Subdivision

- ☐ Final Plat of Subdivision or Amendment to Plat of Subdivision

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

- ☐ Site Plan Approval/Major Adjustment/Amendment

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

- ☐ Exterior Appearance Approval or Amendment

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

#### **APPLICATION TO ANNEX CERTAIN TERRITORY**

All land annexed to the Village is classified automatically after such annexation in the R-1½ Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

- ☐ Petition to Annex Certain Territory (Please complete attached petition)

- ☐ Application to Annex Certain Territory

#### **COMPREHENSIVE PLAN APPLICATION**

- ☐ Comprehensive Plan **Map** Amendment for \_\_\_\_\_

- ☐ Comprehensive Plan **Text** Amendment for \_\_\_\_\_

**ZONING APPLICATION**

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

(Please Type or Print)

1. Address of Subject Property: 570A Telser Road
2. Please attach complete legal description
3. Property Identification number(s): 14-16-204-054
4. Owner of record is: Chicago Title Land Trust Co Trust #114290-08 Phone: 847-207-4140  
 E-Mail dworkay@aol.com Address: c/o Gladstone, 300 E Higgins Rd #100, Elk Grove Village IL 60007
5. Applicant is (if different from owner): Chicago Badminton Academy LLC Phone: 224-424-7373  
 E-Mail jimmysun@cba.company Address: 570A Telser Rd, Lake Zurich IL 60047
6. Applicant's interest in the property (owner, agent, realtor, etc.): Lessee/Tenant
7. All existing uses and improvements on the property are: The unit is +/- 14,272 sf of a +/- 69,916 sf, single-story, multi-unit warehouse and light industrial building with office space appurtenant to each unit along the south, west, or north sides.
8. The proposed uses on the property are: Applicant proposes to open a badminton training academy in the unit. The proposed use may be described as Fitness and Recreational Sports Centers, NAICS 713940, or under SIC 7999.
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Setbacks per subdivision plat doc #3104597 1/15/92; easements per docs 3222010 10/6/92, 3231164 10/23/92, 3272072 1/14/93.
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
Not applicable. The property is not for sale, upon information and belief.
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
 THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

(Name of applicant)

(Signature of applicant)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(Notary Public)

My Commission Expires \_\_\_\_\_

Sergey Tarfilov  
 (Name of Owner, if different)

Sergey Tarfilov  
 (Signature of Owner, if different)

Subscribed and sworn to before me this 10<sup>th</sup> day of August, 2021.

(Notary Public)

My Commission Expires 11-14-2022

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

- ☐ Zoning Code **Map** Amendment to change zoning of Subject Property from \_\_\_\_ to \_\_\_\_
- ☐ Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. 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 Permitted Use 9-6-2(H)(10) or Special Use 9-6-3(F)(7/8/9)

(See Section 19-103 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.)

- ☐ Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

- ☐ 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.)

- ☐ Preliminary Plat of Subdivision

- ☐ Final Plat of Subdivision or Amendment to Plat of Subdivision

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

- ☐ Site Plan Approval/Major Adjustment/Amendment

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

- ☐ Exterior Appearance Approval or Amendment

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

#### 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

#### COMPREHENSIVE PLAN APPLICATION

- ☐ Comprehensive Plan **Map** Amendment for \_\_\_\_\_

- ☐ Comprehensive Plan **Text** Amendment for \_\_\_\_\_

**EXHIBIT 2**



*At the Heart of Community*

## COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047

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

### **PROCEDURE FOR BUSINESS OCCUPANCY IN LAKE ZURICH**

- 1) Contact Community Development Department to determine if use is permitted at specific location. If use is permitted, follow step #2. If use is not permitted or requires a Special Use permit, follow step #7.
- 2) If your business proposes selling and/or serving alcohol, contact Michael Duebner at 847-540-1690 for liquor license requirements.
- 3) If your business proposes selling and/or serving food, contact the Lake County Health Department at 847-377-8040 for requirements.
- 4) If no alterations or improvements (structural, plumbing, electrical, etc.) are proposed, complete the attached forms and return them to the Building & Zoning Department along with the required inspection fee. After zoning approval, applicant will be contacted to schedule inspections. Please call 48 hours in advance of required inspection time. Inspections are conducted M-F between 8:30a.m.-3:30p.m.
- 5) Completed forms can be e-mailed directly to **Permits@LakeZurich.org**. The fee can be paid by cash, check (payable to the Village of Lake Zurich), and credit card or online at: <http://LakeZurich.org/Epay>. All credit card and online payments are subject to a 2.25% processing fee.
- 6) If alterations/improvements are proposed, contact the Building & Zoning Department for permit requirements.
- 7) Once all inspections have passed and the Certificate of Occupancy is ready to be issued, a business representative will be required to sign for the Certificate at the Community Services Facility. If applicable, the business license fee will be due at time of Certificate issuance.
- 8) Businesses that are not permitted or require a Special Use permit need to receive approvals prior to occupancy allowance. The application process is approximately 60 days. Contact the Village Planner at 847-540-1759 to arrange for a pre-application meeting.

#### **FEES FOR OCCUPANCY INSPECTION:**

<b>Square footage:</b>	<b>Fees</b>
0 - 5,000	\$170.00
5,001 - 10,000	\$255.00
10,001 - 50,000	\$365.00
More than 50,001	\$505.00

#### **PLEASE SUBMIT A FLOOR PLAN INDICATING THE AREA YOU INTEND TO OCCUPY WITH THE APPLICATION**

Failed inspections are allowed one re-inspection. Additional re-inspections are scheduled after a re-inspection fee is paid



*At the Heart of Community*

## COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047  
(847) 540-1696  
Fax (847) 726-2182  
Permits@LakeZurich.org  
www.LakeZurich.org

### BUSINESS LICENSE & OCCUPANCY APPLICATION

ATTACH FLOOR PLAN CLEARLY ILLUSTRATING THE BUILDING AREA YOU INTEND TO OCCUPY

Check one of the following:

- ☐ Existing Building: New Tenant, No Alterations      ☐ Existing Building: New Tenant, Alterations to Building  
☐ Existing Building: Name/Ownership Change Only      ☐ New Building: New Occupant

Other: \_\_\_\_\_

1. Business Name: \_\_\_\_\_
2. Location/address: \_\_\_\_\_ Business Phone: \_\_\_\_\_
3. Business owner's name: \_\_\_\_\_ Email: \_\_\_\_\_
4. **Circle one:** Single ownership, partnership, corporation, joint venture, other: \_\_\_\_\_
5. Property Owner Name: \_\_\_\_\_ Phone: \_\_\_\_\_
6. Emergency Contact Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_
7. Type of business use (BE SPECIFIC) – if an office – what type of service, if retail, what products are sold, if manufacturing, what products, etc. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Employee/Building Data:

Total Number of Employees	
Number of Toilet Rooms	
Number of Exits	
Total Square Footage of space	
Proposed Move In Date:	
Parking Spaces Required	

9. Will trucks be parked on site? \_\_\_\_\_ If yes, where/how many? \_\_\_\_\_
10. Will hazardous chemicals/material be stored on site? If yes, a list must be provided of hazardous chemicals. \_\_\_\_\_
11. A separate permit is required for parking lot sealing/restriping. Initial to acknowledge: \_\_\_\_\_
12. A permit and screening is required for changes to rooftop mechanical units. Initial to acknowledge: \_\_\_\_\_
13. Permanent & temporary signs require a permit (including banners etc). Initial to acknowledge: \_\_\_\_\_
14. Outdoor storage is not permitted; dumpsters shall be within approved enclosures. Initial to acknowledge: \_\_\_\_\_
15. RPZ (backflow preventers) shall be certified annually. Initial to acknowledge: \_\_\_\_\_

NO BUSINESS SHALL BE OCCUPIED WITHOUT A CERTIFIED OF OCCUPANCY AND BUSINESS LICENSE ISSUED BY THE VILLAGE OF LAKE ZURICH. FAILURE TO OBTAIN CERTIFICATE AND/OR BUSINESS LICENSE MAY RESULT IN BUSINESS CLOSING AND/OR FINES.

\_\_\_\_\_  
Signature – business owner/agent  
Responsible for above requirements

\_\_\_\_\_  
Printed name – business owner/agent

\_\_\_\_\_  
Date

Office Use Only: Zoning SIC#: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_

Comments

Building and Zoning Signature: \_\_\_\_\_ Date: \_\_\_\_\_





*At the Heart of Community*

**PUBLIC WORKS DEPARTMENT**

505 Telser Road  
Lake Zurich, Illinois 60047

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

## INDUSTRIAL WASTEWATER QUESTIONNAIRE

Facility Name: \_\_\_\_\_

Facility Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Facility Representative: \_\_\_\_\_

Describe the type of business activity at this location:

\_\_\_\_\_  
\_\_\_\_\_

Number of employees: \_\_\_\_\_ Days of operation: \_\_\_\_\_  
Hours of operation: \_\_\_\_\_

List all North American Industry Classification System Numbers (SIC Numbers): \_\_\_\_\_

Does this facility generate any wastewater from any manufacturing process?

Yes [ ] No [ ]

Does this facility operate a pretreatment process or device used for treating wastewater prior to discharge to the sewer? Yes [ ] No [ ]

Does this facility have a grease trap? Yes [ ] No [ ]  
If yes, how many? \_\_\_\_\_

Name of person completing this report: \_\_\_\_\_

Title: \_\_\_\_\_

-----  
**For Office Use Only**

Date Received: \_\_\_\_\_

Further Action Necessary: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_



*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

## OCCUPANCY DIRECTORY / EMERGENCY CONTACTS

FAX BACK TO FIRE PREVENTION BUREAU 847-550-1779

OR EMAIL TO: [FIRE.BUREAU@LAKEZURICH.ORG](mailto:FIRE.BUREAU@LAKEZURICH.ORG)

Date: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Business Email: \_\_\_\_\_

Business Owner: \_\_\_\_\_ After Hrs Phone: \_\_\_\_\_

**Building Owner:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Building Owner Mail Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Building Owner Email:** \_\_\_\_\_

LIST THE EMERGENCY CONTACTS THAT CAN BE CALLED FOR INFORMATION  
AFTER BUSINESS HOURS

Name: \_\_\_\_\_ Primary Phone: \_\_\_\_\_

Secondary Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Primary Phone: \_\_\_\_\_

Secondary Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Primary Phone: \_\_\_\_\_

Secondary Phone: \_\_\_\_\_





*At the Heart of Community*

## FINANCE DEPARTMENT

70 East Main Street  
Lake Zurich, Illinois 60047

(847) 438-5141  
LakeZurich.org

# UTILITY BILLING ACCOUNT APPLICATION

## PROPERTY SERVICE ADDRESS

Street Address:		Unit #:
City:	State: IL	Zip:

## PROPERTY OWNER

Name (Last, First):	Home Phone:
Email:	Cell Phone:
Previous Lake Zurich Utility Billing Customer? <input type="checkbox"/> YES <input type="checkbox"/> NO	Work Phone:
Mailing Address (if different):	Unit #:
City:	State: Zip:

"Can we sign you up for the free official Village e-newsletter, *Benchmarks?*"

☐ YES

☐ NO

## OCCUPANCY INFORMATION

Date to Start Service:	Is this property <input type="checkbox"/> Owner Occupied or <input type="checkbox"/> Rental?
IF RENTAL PROPERTY*	
Tenant Name (Last, First):	Tenant Phone:
Party to be billed: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant	

\*Pursuant to Village regulation, the property owner and any tenants are jointly liable and agree to pay the Village of Lake Zurich as prescribed in the effective Village rate schedules and to comply with all applicable Village ordinances related to water and sewer matters.

## IDENTIFICATION AUTHENTICATION

<b>Primary Account Holder</b>	
Name (Last, First)	Type of ID:
If Other Identification, Explain:	Last four digits of government issued ID:
<b>Additional Authorized Parties (Optional)</b>	
Name (Last, First)	Type of ID:
If Other Identification, Explain:	Last four digits of government issued ID:
Name (Last, First)	Type of ID:
If Other Identification, Explain:	Last four digits of government issued ID:

## AGREEMENT

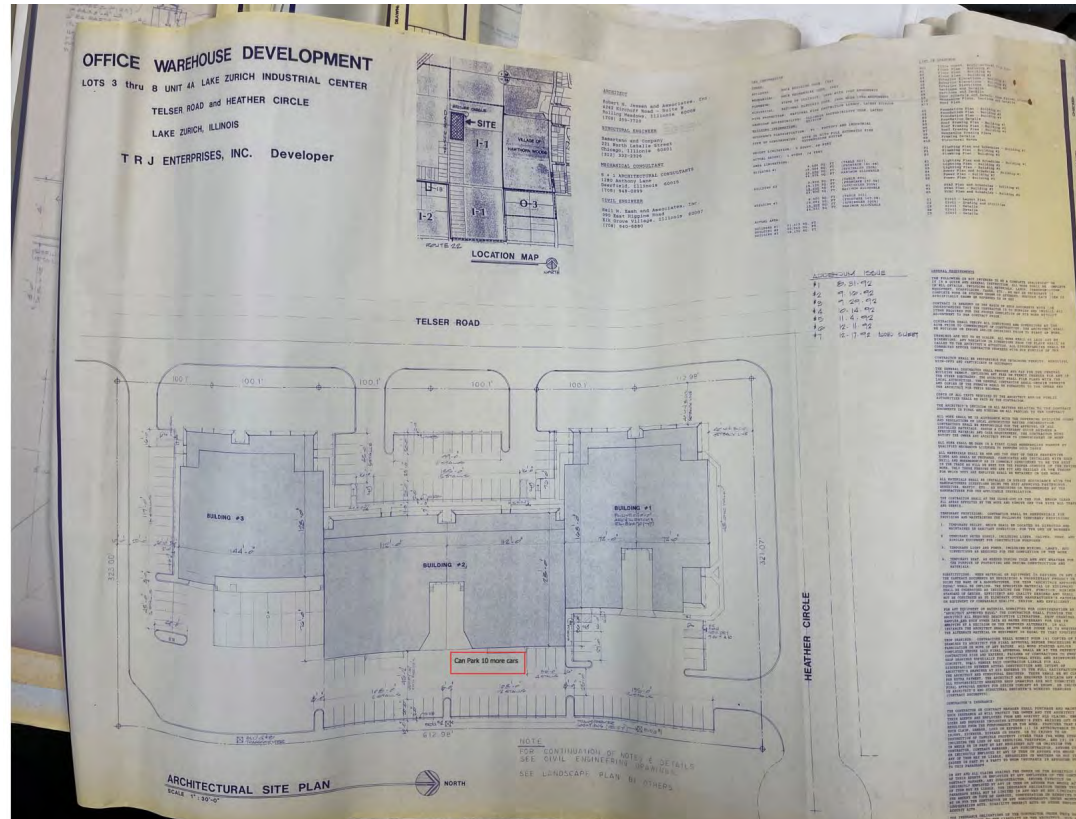
I hereby certify that the information provided is complete and accurate to the best of my knowledge. I/We understand and agree to the above conditions, which will remain in force until the Village receives written notice to terminate the above service.

Account Holder Signature: _____	Date: _____
---------------------------------	-------------

## INTERNAL USE ONLY

Date Application Received: \_\_\_\_\_ ID Verified by Staff: \_\_\_\_\_ Processed: \_\_\_\_\_

**EXHIBIT 3**



Architectural Site Plan, 550 – 590 Telser Road

**EXHIBIT 4**



**EXHIBIT 5**



**Figure 1: 570A Telser Road, Arial View**



**Figure 2: 570A Telser Road, Front View from Parking Lot**





**Figure 3: 570A Telser Road, Street View**

**EXHIBIT 6**

**LEGAL DESCRIPTION**

Lots 3, 4, 5, 6, 7 and 8 in Lake Zurich Industrial Center Unit 4A, being a Subdivision of part of the Northeast 1/4 of Section 16, Township 43 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded January 15, 1992 as Document 3104597, in Lake County, Illinois.

Property Index Number: 14-16-204-054

Commonly Known As: 550-590 Telser Road, Lake Zurich, IL 60047

**EXHIBIT 7**

Page 1 of 3

TRUSTEE'S DEED  
AND  
DEED IN TRUST

TRUST TO TRUST CONVEYANCE 3136732 Tr. Form 6 A

The above space for recorder's use only

THIS INDENTURE made this 7th day of March, 1992, between HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the 15th day of October, 1970, and known as Trust Number 512 party of the first part, and - - AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS Trustee under the provisions of a Trust Agreement dated July 29, 1991 and known as Trust No. 114290-08 - - party of the second part.

WITNESSETH, That said party of the first, in consideration of the sum of - - - - - TEN AND NO/100 (\$10.00) - - - - - DOLLARS, and other good and valuable considerations in hand paid does hereby convey and quit claim unto said party of the second part, the following described real estate, situated in Lake County, Illinois, to-wit:

LOTS 3, 4, 5, 6, 7 and 8 in Lake Zurich Industrial Center Unit 4A, being a Subdivision of part of the North East Quarter of Section 16, Township 43 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded January 15, 1992 as Document 3104597, in Lake County, Illinois.

PIN: 14-16-200-004-0021; 14-16-200-034-0010  
and 14-16-200-034-0011

ADDRESS OF GRANTEE:  
33 N. La Salle St.  
Chicago, IL 60690

THIS INSTRUMENT WAS PREPARED BY:  
MARGARET W. DONNELLY  
HARRIS BANK BARRINGTON N.A.  
201 S. GROVE AVE.  
BARRINGTON, ILLINOIS 60010

together with the tenements and appurtenances thereunto belonging.  
TO HAVE AND TO HOLD the same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

SUBJECT TO: Conditions, covenants, restrictions, easements, general real estate taxes for the year 1991 and subsequent years and all other matters of record, if any.

THE POWERS AND AUTHORITY CONFERRED UPON SAID TRUST GRANTEE ARE RECITED ON THE REVERSE SIDE HEREOF AND INCORPORATED HEREIN BY REFERENCE.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereunto affixed, and has caused its name to be signed to these presents by its Land Trust Officer, the day and year first above written.

HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION, As Trustee as aforesaid.

By Margaret W. Donnelly, Land Trust Officer  
Attest Jane M. Feeney, Trust Officer  
the undersigned

COUNTY OF Cook } ss. a Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY THAT  
STATE OF ILLINOIS }

Margaret W. Donnelly, Land Trust Officer  
of HARRIS BANK BARRINGTON, NATIONAL ASSOCIATION  
Jane M. Feeney, TRUST OFFICER

"OFFICIAL SEAL"  
PENELOPE M. JOHNS  
Notary Public, State of Illinois  
My Commission Expires 6/04/94

of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such LTO and TO and respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth, and the said TO did also then and there acknowledge that said TO, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as said TO own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 7th day of March, 1992.

Notary Public

FOR INFORMATION ONLY  
INSERT STREET ADDRESS OF ABOVE DESCRIBED PROPERTY HERE

Lots 3, 4, 5, 6, 7 and 8  
ADDRESS OF PROPERTY  
in Lake Zurich Industrial Center  
Lake Zurich, IL 60047  
TAX MAILING ADDRESS

ALFCD 2V 6-89

Document Number

3

TAXES

D NAME Ronald N. Heftman  
E STREET REIF, ROSENBAUM & HEFTMAN  
L CITY 221 N. LaSalle Street  
V Suite 2910  
E Chicago, IL 60601  
R INSTRUCTIONS OR  
Y RECORDER'S OFFICE BOX NUMBER

Page 2 of 3

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said property as often as desired, to contract to sell, to grant options to purchase to sell or on any terms, to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property or any part thereof, from time to time, in possession or reversion, by leases to commence in present or future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easement or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises, or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obligated to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust", or "upon condition", or "with limitations", or words of similar import, in accordance with the statute in such case made and provided.

3136732

RECORDED  
LAKE COUNTY, ILLINOIS

92 APR -1 PM 3:03

Lester J. Justice

2

Page 3 of 5

LAKE ZÜRICH INDUSTRIAL CENTER

- 1) There shall be setback restrictions of 50' from any street right way, 25' on each side, and 30' in the rear of each lot.
- 2) No loading dock or platform shall be erected on the premises fronting on any street unless the front of such loading dock or platform shall be at least 115' from the right of way of such street.
- 3) Hard surfaced off street automobile parking areas shall be provided on the premises. No parking shall be within 25' of an adjoining street right of way. No parking shall be allowed closer than 5 feet to the lot line.
- 4) All areas between building line and right of way of streets shall be used for
  - a) open landscape and green areas,
  - b) parking
  - c) loading, or
  - d) service access to the building or to a parking lot.

Service driveways and parking areas between building line and street right of way shall be lined with a concrete curb no less than 5" in height to a distance of 25' from the front lot line. Landscaped areas shall be attractively done with lawns, trees, shrubs, and similar treatment and shall be properly maintained in a well kept condition. For every 50' of frontage on a lot, there shall be one tree with a minimum trunk diameter of 3". All storage yards for equipment, raw materials, semi-finished or finished products shall be shielded by a solid wall or fencing or thick hedge so as to effectively screen the view of the contents thereof from the street.
- 5) All buildings erected on the premises shall be of masonry construction, its equivalent, or better. Front walls facing on street shall be finished with face brick, stone, modern metal paneling, glass or equivalent. Other walls of buildings shall be faced with common brick or equivalent. No exposed exterior finished concrete blocks shall be utilized in the construction of buildings on the premises. No bow truss roof shall be utilized in the construction of buildings on the premises unless specifically approved of in writing by the grantor. All issues, with respect to equivalency of material, shall be determined solely by the grantor.
- 6) Water towers, water tanks, stand pipes, penthouses, elevators and elevator equipment, stairways, ventilating fans and similar equipment required to operate buildings on the premises, fire and parapet walls, skylights, tanks, cooling and other towers, radio and television masts, roof signs, flag poles, chimneys, smoke stacks, gravity flow storage and mixing towers or similar structures may exceed a height of 50' from grade only with prior written approval of grantor. The provisions of this paragraph are in addition but subject to restrictions in heights of structures imposed and governed by applicable zoning and building ordinances. All necessary structures on the premises shall be designed and constructed so as to be architecturally integrated into the principal buildings constructed on the premises.

- 7) The grantor retains such rights of way and easements as may be necessary or convenient for the purpose of erecting, constructing, maintaining and operating utility services over, across, under and through the premises in designated setback areas between the building lines and the property lines, including public service wires and conduits for lighting, power, telephone, gas lines, sanitary sewer, storm sewer, and water; the grantor shall also retain the right to grant right of way easements to others to carry out this purpose. Any contract for the laying of such lines, wires, conduits, pipes or sewers shall also provide that the premises shall be restored to the same condition they were in prior to the doing of such work. No permanent structures, buildings, fences, or improvements of any kind shall be erected, constructed, planted or maintained, as the case may be, on any part of said easements, but the same may be paved and used for parking purposes. Said easement areas shall be maintained in grass and may be planted with trees, shrubs and similar foliage and paved and used for parking purposes, as aforesaid, all at the risk of the owner thereof.
- 8) No fence, wall, hedge or shrub, plant or tree which would obstruct sight lines at elevations between 2' and 6' above the roadway shall be placed or permitted to remain on any corner within the triangular area formed by street property lines and a line connecting them at points 25' from the intersection of the street lines.
- 9) The premises shall not be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No weeds, underbrush or other unsightly growth shall be permitted to remain on any lot, irrespective of whether or not said lot is improved.
- 10) Grantee shall submit all plans and specifications for improvements intended to be constructed on the premises to any agent of grantor who may be designated from time to time, and no such construction shall proceed unless and until the grantee obtains grantor's approval thereof in writing, which approval shall not be unreasonably withheld.
- 11) The foregoing covenants, conditions and restrictions may be altered or amended only by an instrument in writing executed on behalf of owners of 67% by area of real estate within Lake Zurich Industrial Center; provided, however, that so long as grantor shall be entitled to any premises within said subdivision, the approval of grantor to such amendment shall be required. In the event of any breach or violation of the covenants, conditions and restrictions herein contained, or in the event enforcement thereof becomes necessary, the right is hereby reserved to the Grantor and its respective successors and assigns and to each owner of record

**3136732**

3

Doc Number: 3136732, S