



AGENDA PACKET
VILLAGE OF LAKE ZURICH
Planning and Zoning Commission Meeting

January 17, 2024
07:00 pm

VILLAGE OF LAKE ZURICH

PLANNING AND ZONING COMMISSION MEETING

JANUARY 17, 2024

07:00 PM

AGENDA

1. CALL TO ORDER AND ROLL CALL

Chairperson Orlando Stratman, Vice-Chair Antonio Castillo, Joe Giannini, Sean Glowacz, Jake Marx, Scott Morrison, Mike Muir and Ildiko Schultz.

2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Minutes of the Planning and Zoning Commission Meeting, on December 13, 2023.

Attachment: [PZC 2023-12-13 Meeting Minutes.pdf](#)

3. PUBLIC MEETING - No items received.

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. 900 Winnetka Terrace -- PUD for a Beauty Salon (2023-20):

Application for a Special Use Permit for a Planned Unit Development (PUD) to allow for the development of a beauty salon and spa located within the B-1 Local Community Business District.

Applicant: Egle Jocubaitiene d/b/a Atelier de Beaute

Owner: Atelier de Beaute, Inc.

Attachment: [4A 900WinnetkaTer_PZC-PACKET 2024-01-17.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 Commission. Public Comment is limited to 30 minutes total and up to 5 minutes per speaker.

8. ADJOURNMENT

The next regularly scheduled PZC meeting is on Wednesday, February 21, 2024.

Unapproved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
December 13, 2023

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 Castillo, Marx and Morrison. Chairman Stratman noted a quorum was present. Commissioners Glowacz, Giannini, Schultz and Muir were absent and excused. *Also present:* Community Development Director Sarosh Saher.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Approval of the September 20, 2023 Meeting Minutes of the Planning & Zoning Commission:
MOTION was made by Commissioner Marx, seconded by Commissioner Castillo to approve the September 20, 2023 minutes of the Planning and Zoning Commission with no modifications.

Upon roll call:

AYES: 3 Chairman Stratman, Commissioners Marx and Morrison .

NAYS: 0

OBSTAIN: 1 Commissioner Castillo

MOTION CARRIED

PUBLIC MEETING:

No items were received for consideration.

PUBLIC HEARING:

MOTION was made by Commissioner Morrison, seconded by Commissioner Castillo to open the following public hearing for Application PZC 2023-19 Miscellaneous Amendments to the Zoning and Land Development Codes.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Marx and Morrison.

NAYS: 0

MOTION CARRIED

There were no persons in the audience wishing to speak or provide testimony. Therefore no one was sworn in.

The following applications were considered:

A. Miscellaneous Amendments to the Zoning and Land Development Codes (2023-19):

Staff of the Community Development Department are proposing various miscellaneous housekeeping amendments to the Zoning and Land Development Code to enhance their effectiveness.

Applicant: Village of Lake Zurich

The items were presented by Director Saher. He described each of the 6 items for discussion and responded all questions from the Commissioners regarding the amendments to the Zoning and Land Development Code. There was discussion on the amendments related to

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“murals” and “cannabis distancing requirements.” Commissioner Castillo indicated that he was no in favor of removing the distancing requirements from “group homes.”

Despite the questions, the Commissioners were satisfied with the responses by the applicant and closed the public hearing.

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

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Castillo, Marx and Morrison.

NAYS: 0

MOTION CARRIED

Upon completion of deliberation, it was decided to remove the item on “cannabis distancing requirements from the group and have a separate motion and vote on this item.

MOTION was made by Commissioner Marx, seconded by Commissioner Castillo, to receive into the public record the staff review of compliance of this Application with the 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 tonight’s 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 for the amendments to the Zoning and Land Development Code related to items 1 (“Office” definition), 2 (Murals), 4 (Public Warehousing and Storage), 5 (Service Walks), and 6 (Business District Land Uses) to enhance their effectiveness as presented.”

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Castillo, Marx and Morrison.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Castillo, seconded by Commissioner Morrison, to receive into the public record the staff review of compliance of this Application with the 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 tonight’s 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 for the amendments to the Zoning and Land Development Code related to item 3 (Cannabis distancing requirements) to enhance their effectiveness as presented.”

Upon roll call:

AYES: 3 Chairman Stratman, Commissioners Marx and Morrison.

NAYS: 1 Commissioner Castillo

MOTION CARRIED

OTHER BUSINESS – None.

STAFF REPORT:

The next meeting is scheduled for January 17, 2024, and there is one application for consideration.

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Community Development Director Saher also updated the Commission on upcoming projects of significance in the pipeline for consideration in 2024, and provided updates on recent activities related to the Comprehensive Plan project currently in progress.

PUBLIC COMMENT:

No additional public comment was provided.

ADJOURNMENT:

MOTION made by Commissioner Castillo and seconded by Commissioner Marx to adjourn the meeting.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Castillo, Marx and Morrison.

NAYS: 0

MOTION CARRIED

The meeting was adjourned at 7:55 p.m.

Submitted by: Sarosh Saher, Community Development Director

Approved by:



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

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APPLICATION PZC 2023-20
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AGENDA ITEM 4.A

STAFF REPORT

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

From: Sarosh Saher, Community Development Director

CC: Mary Meyer, Building Services Supervisor

Date: January 17, 2024

Re: PZC 2023-20 – Planned Unit Development (PUD)
900 Winnetka Terrace – Salon and Spa

SUBJECT

Ms. Egle Jocabaitiene of Atelier De Beaute, Inc, (the “Applicant” and “Owner”) requests a Planned Unit Development (PUD), for the construction of a new building containing a beauty spa at the property commonly known as 900 Winnetka Terrace and legally described in Exhibit A attached hereto (the “Subject Property”).

GENERAL INFORMATION

Requested Action:	<u>Planned Unit Development</u>
Current Zoning:	<u>B-1 Local and Community Business District</u>
Current Use	<u>Vacant building previously used as a Veterinary Clinic</u>
Proposed Use:	<u>Beauty Shop (723)</u>
Property Location:	<u>900 Winnetka Terrace</u>
Applicant & Owner:	<u>Ms. Egle Jocabaitiene of Atelier De Beaute, Inc,</u>
Staff Coordinator:	<u>Sarosh Saher, Community Development Director</u>

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LIST OF EXHIBITS

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

BACKGROUND

Ms. Jocubaitiene, (the “Applicant” and “Owner”), is proposing to demolish the existing approximately 1,580 square-foot building on the property and construct a new 2,340 square-foot salon and spa on the property with an accompanying parking lot. The salon has been operating out of an office suite at 290 North Rand Road, Suite C within the Sandy Point Office development for the past nine years, but has outgrown that space.

The property is located at the northwest corner of Winnetka Terrace and North Rand Road, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received on December 15, 2023, (the “Application”) seeking approval of the following:

- Special Use Permit for a Planned Unit Development (PUD) to allow for the construction of the beauty salon and spa.
- Modification to the zoning code requirements for Lot area, certain setbacks and landscape requirements.

The Subject Property comprises one zoning lot with a land area of approximately 17,132 square feet (0.4 acres). The property is zoned within the Village’s B-1 Local and Community Business District and is improved with a commercial building that was used as a veterinary clinic operated by Lake Zurich Animal Hospital. The property has remained vacant for approximately three years since the animal hospital moved to a new location in Lake Zurich.

The new commercial building containing the proposed salon and spa will comprise a 2,340 square-foot building constructed with a stucco finish (EIFS) and will be oriented in a north-south direction with its main entrance facing Rand Road (east). While the exterior materials proposed are not natural masonry such as brick or stone, EIFS (stucco finish) is an acceptable material per the building codes.

Services offered will include hair styling, skin care treatments and body treatments including massage therapy. The interior will be configured to include a salon space containing 4 chairs, hair treatment space containing 3 chairs, and 4 rooms containing spa beds for body treatments including

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massage therapy. The establishment will also be provided with a reception and waiting area, 2 restrooms and a small kitchen and laundry for the employees.

The development will be served by a parking lot containing 19 parking spaces including 1 ADA accessible space. This meets the minimum requirement (10 spaces) for such a use on the property as well the design demand of the user. The parking lot is proposed to encroach into the 50-foot setback from Rand Road requiring a modification to the zoning code.

The establishment is expected to have 10 employees on the premises during peak hours. Likewise, 8 clients are expected to be treated on the premises during peak hours. Hours of operation are currently proposed between 9:00am to 6:00pm on Tuesdays, Wednesdays and Fridays; 9:00am to 8:00pm on Thursdays; 8:00am to 5:00pm on Saturdays; 9:00am to 3:00pm on Sundays and closed on Mondays. Over the long term and once fully established, the Applicant intends to operate from 9:00am to 9:00pm on Monday through Friday and 8:00am to 5:00pm on Saturday and Sunday.

Pursuant to public notice published on December 30, 2023 in the Daily Herald, a Public Hearing is scheduled with the Lake Zurich Planning & Zoning Commission for January 17, 2024, to consider the Application. On January 2, 2024, 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 along the Rand Road corridor and is part of the earlier development in the area. The lot was platted within Frank W. Kingsley's Zurich Heights Golf Club Estates Subdivision recorded in 1928. The property has historically been zoned for commercial uses beginning in the 1950s within the Special Business district, later within the Retail and Service Business district, to its current designation within the B-1 Local and Community Business district following a comprehensive amendment to the zoning code in 1994. The building was constructed in 1947 and has largely remained in its current configuration. An original vehicular access to the property from Rand Road was removed in the 1960s with the development of the road as a regional highway.
- C. **Surrounding Land Use and Zoning.** The subject property is located along the Rand Road corridor and zoned within the B-1 Local and Community Business district. The property to the north is zoned within the B-1 district and improved with a multiple-tenant commercial building serving the neighborhood and local community. The property to the south is also zoned within the B-1 district and improved with a 5-unit residential apartment building. The properties to the west are zoned within the R-5 single-family residential district and improved with a mix of older and newer single-family homes constructed between the 1940s and 1970s. The property to the east across Rand Road is zoned within the R-6 multiple-family residential district and improved with the Sandy Point Townhomes development.

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The property enjoys frontage and visibility from Rand Road which is a regional arterial corridor connecting Lake Zurich to neighboring communities in the region. Vehicular access to the subject property is from Winnetka Terrace, which is a local road serving the residential properties to the west.

- D. Trend of Development.** The property is located on a portion of the Rand Road Corridor of Lake Zurich that is developed with a mix of mature commercial and residential uses.
- E. Zoning District.** The zoning code provides for three (3) zoning districts for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Lake Zurich and the surrounding suburban area.

The B-1 Local and Community Business District is intended to serve the everyday shopping needs of Village residents as well as to provide opportunities for specialty shops attractive to the wider suburban residential community around the Village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. It also permits compatible uses that, although not used as frequently, would be desirably located in close proximity to potential users. The district is located principally on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses. (Ord. 10-2004)

GENERAL FINDINGS

Staff of the Community Development Department's development review team has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on the following specific sections of the Code.

Standards for Special Use Permits

- A. General Standards. No special use permit shall be recommended or granted pursuant to this Chapter unless the applicant shall establish that:
1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official Comprehensive Plan.

Staff Response: Standard met. The proposed land use for a Beauty Shop offering various services including massage therapy is a permitted use within the B-1 Local and Community Business District, and the "Commercial" land use designation of the currently 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.

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Staff Response: Standard met. The proposed building and its associated parking lot will be constructed in a manner to minimize any undue adverse effect upon itself or any adjacent properties as it relates the character of the area, or the public health, safety, and general welfare.

Standard partially met. The building is proposed to be located at a distance of 12 feet from the west lot line, which by definition is the rear lot line. The required set back is 25 feet. A modification to the code will be required to allow for the reduced setback. It should be noted that there is an existing solid 5'-high fence along approximately 90 feet of the 122-foot rear lot line. To mitigate the impact of the reduced setback, the applicant is proposing to install screening landscape plantings along the entire rear lot line.

As a point to note, the existing building is constructed 8.5 feet back from the rear lot line. However, its impact was low due to the angle of exposure of the façade with the rear lot line.

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 land uses and their operation are proposed to be conducted entirely on the Subject Property. The new building is proposed as a single-story commercial building, and will not dominate or interfere with the street facing character of the adjacent 2-story residential building.

Adequate parking will be provided on the premises thereby removing any need for clients of the Subject Property to park on the adjacent neighborhood streets.

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. No changes to streets or public amenities are proposed. The property is currently served adequately with essential public facilities and services such as streets, utilities, drainage and other municipal services. The resultant building will be provided with these services and utilities.

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.

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Staff Response: The Applicant anticipates that during peak hours, there will be 10 employees working at the spa. Accordingly, there will be 8 clients receiving treatments at the spa.

The property will contain a parking lot with 19 parking spaces including 1 ADA accessible space. The proposal parking is in conformance with the requirements of the zoning code and adequate for the demand of the proposed land use.

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. Although constructed in 1947, and updated over the years, the existing building is not designated as a historic building. The reconfiguration of the property will therefore not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance other than what was previously impacted by the original development.

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

Staff Response: Standard met. The proposed development will comply with all other additional standards imposed through the building codes for commercial buildings.

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

Staff Response: Standard met. The proposed development will continue to uphold the established character of the Rand Road commercial corridor. The proposed development will result in the removal of an obsolete building to be replaced with a new contemporary building up to date on the current codes and design requirements.

- 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 uses proposed that warrant special standards for their establishment. Staff will ensure that compliance is established before any additional permits are issued.

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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 beauty spa will provide an attractive and convenient location for the residents of the community and surroundings to obtain this service.

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

Staff Response: Standard met. The business is currently operating from a location across the street within a tenant space within an office building also zoned within the B-1 district. The business has outgrown that location and is looking to expand.

The owner has taken the opportunity to acquire the Subject Property due to its availability and finds that it will more than serve their needs and allow for growth of the business without impacting the capacity of the property.

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

Staff Response: Standard met. The new building will be developed to prevent any undue adverse impact on itself or on surrounding property in relation to its location, design and operation. In particular:

- **The new building will be located to screen any noise and activity generated by the parking lot and Rand Road from the single-family residences to the west.**
- **The building will be oriented with its front entrance to the east, and away from the residences to the west.**
- **The property will be screened from the residences to the west by means of landscape material and an existing 5-foot high solid fence.**

9-22-5: STANDARDS FOR PLANNED UNIT DEVELOPMENTS (PUDs).

Planned unit developments are included in the zoning code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses

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and in recognition of the fact that traditional bulk, space, and yard regulations that may be useful in protecting the character of substantially developed and stable areas may impose rigidities on the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

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

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

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

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

Staff Response: Standard met. The entirety of the property subject to this PUD is under common ownership of Atelier De Beaute, Inc, represented by Ms. Egle Jocubaitiene.

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

Staff Response: Standard partially met. The development will require relief from the bulk requirements of the B-1 district as outlined below:

- **Per the Bulk, Space, and Yard Requirements (Section 9-4-10) of the B-1 district, the minimum lot area is 20,000 square feet. The existing lot is 17,132 square feet. This was a pre-existing condition established by the plat of the lot in 1928, over which the Applicant did not have any control.**
- **Per the Bulk, Space, and Yard Requirements (Section 9-4-10) related to setbacks in the B-1 Local and Community Business district as follows:**

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- The minimum setback for all lots with frontage along Rand Road is 50 feet. While the building location meets this requirement, the Applicant is requesting relief for the parking lot to encroach into this setback by 25 feet (50%). This improves upon the encroachment of the existing parking lot which was setback at 19 feet (62%).
- The minimum required rear yard setback is 25 feet. The applicant is requesting a decrease in the minimum setback to 12 feet (52%) to accommodate the building and parking lot. This improves upon the encroachment of the existing building which was setback at 8.51 feet (65%)
 By definition, the zoning code delineates the east lot line (shortest street lot line) as the front lot line, thereby making the west lot line the rear lot line subject to a 25-foot rear yard setback.

Both these conditions are prevalent along this stretch of Rand Road as these properties were developed prior to the establishment of these standards. The development will be in keeping with the general trend of development along this stretch of Rand Road.

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

Staff Response: Standard met. An existing 5-foot public utility easement runs along the easterly third of the Subject Property in a north-south direction. The easement does not appear to accommodate any overhead utilities, and it is unknown as to whether there are any underground utilities within the easement. However, in its current state, the existing parking lot extends over this easement.

The proposed development will continue to maintain the easement and will similarly construct the new parking lot over the easement, thereby allowing for access to the beneficiaries of the easement.

The Village will ensure that all easements are properly recorded, abided by the owners and enforced by the Village.

4. Public Open Space and Contributions: Whenever the official comprehensive plan, zoning map, or official map indicates that development of a planned unit development will create a need for land for public purposes of the village within the proposed planned unit development, the board of trustees may require that such

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

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

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

5. Common Open Space:

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

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

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

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

Staff Response: Standard Partially Met. All portions of the development are proposed to be either improved with paved areas or landscaped. Perimeter landscape material is proposed along all lot lines and around the parking lot.

However, based on the calculations required by the code, relief will be needed along the west lot line. The zoning code requires that the west lot line contain 6.1 plant units and that all fractional numbers of required plants shall be rounded to the next highest number. The Applicant has rounded down the calculations thereby causing the west lot line to be deficient by 1 tree, 1 tall shrub and 1 evergreen shrub.

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

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

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

Staff Response: Standard not met. No sidewalk is current proposed for this development.

Additionally, no sidewalk currently exists along the Winnetka Terrace or Rand Road frontages of the property. This trend exists throughout the Subdivision as well as along Rand Road. The parkway along Rand Road contains a drainage swale resulting sloping topography, and there is an underpass to the north. These conditions would only allow for a sidewalk to be constructed on the private property within a new village easement area.

The frontage of the property along Winnetka Terrace has topographical conditions that are conducive to the construction of a new sidewalk.

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A new sidewalk along Winnetka Terrace or a compensating amenity fee will therefore need to be collected and placed into an escrow account that will fund the construction and upkeep of sidewalks within the Village.

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

Staff Response: Standard Met. All proposed utilities including water and sanitary mains, electric, gas and communications (cable) attributable to the development are proposed to be underground. Currently, existing cable and electric utilities are run overhead along the east right-of-way. These will continue to remain in their current configuration.

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

Staff Response: Standard Met. There are no additional standards imposed through the establishment of the development within such district other than what are currently being requested for approval.

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

On analysis of the proposed development against the various standards contained within the municipal code, staff has identified the following modifications to the zoning code.

1. **Section 9-4-10.B.1 Minimum Lot Area:** The minimum required lot area in the B-1 district is 20,000 square feet. The Applicant is proposing the development on a non-conforming lot with a land area of 17,132 square feet.

This was a pre-existing condition established as a part of the platting of the lot in 1928, over which the Applicant did not have any control.
2. **Section 9-4-10.C.3 Minimum Yards; Rear:** The minimum required rear yard setback in the B-1 district is 25 feet. The applicant is requesting a decrease in the minimum setback to 12 feet (52%).
3. **Section 9-4-10.F.8. Special Yards Abutting Route 12 And Route 22:** The zoning code requires that all yards along every lot line abutting Route 12 or abutting Route 22 between Ela Road and the westernmost village limits shall be not less than 50 feet. The property has a lot line that abuts Rt 12 (Rand Road). The Applicant is requesting relief for the proposed parking lot to encroach into this setback by 25 feet (50%).

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The setbacks are in keeping with the trend of development of the mature residential and commercial lots within the Subdivision and along Rand Road.

4. **Section 9-8A-7.B Calculation of Required Plant Units:** The landscaping section of the zoning code requires that all fractional numbers of required plants be rounded to the next highest number. The code requirement for the west lot line is 6.1 plant units calling for 7 shade trees, 31 tall shrubs and 13 evergreen shrubs. The Applicant has rounded down the calculations to 6 plant units thereby proposing 6 shade trees, 30 tall shrubs and 12 evergreen shrubs.

The landscape plan continues to meet the intent and purpose for perimeter screening.

RECOMMENDATION

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

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

Based on the review of staff, the standards for approval will be met with the recommended zoning relief 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 2023-20, 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 dated December 15, 2023, Cover Letter and attachments dated January 4, 2024, prepared by Ms. Egle Jocabaitiene of Atelier De Beaute, Inc.
 - b. Legal Description of the Subject Property
 - c. Plat of Survey prepared by Spiewak Consulting, dated May 12, 2022
 - d. Revised Floor Plans and Elevations, Sheets A3 and A5, prepared by E. Miniscalco, Architect, dated August 26, 2023 and last revised on January 3, 2024.
 - e. Preliminary Plans, prepared by Bono Consulting, Civil Engineers, dated January 2, 2024 and including the following sheets:
 - i. Existing Conditions and Demolition Plan, Sheet C-0
 - ii. Site Plan, Sheet C-1
 - iii. Utility Plan, Sheet C-2
 - iv. Grading Plan, Sheet C-3
 - f. Landscape Plans, Sheets L-1.0 and L-2.0, prepared by Pamela Self Landscape Architecture, dated January 4, 2024.

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2. In compliance with the Village of Lake Zurich Land Development Code, the Applicant is required to install all required public utilities and shall provide surety to guarantee the proper installation of these improvements and to ensure that water and sanitary sewer service is delivered to the lot per the current codes and requirements.
3. A sidewalk shall be installed along the street frontages of the property in accordance with the village's sidewalk requirements. In the event that the construction of a sidewalk is not possible, the Applicant shall pay a fee in lieu of installing a sidewalk along the street frontages of both properties to be collected and placed into an escrow account that will fund the construction and upkeep of sidewalks within the Village. Such fee shall be based upon the per square-foot cost of a 5-foot wide sidewalk as determined by the Village at the time of issuance of the building permit, and collected at such time.
4. Removal of the existing structures on the Subject Property shall occur upon the issuance of a demolition permit and prior to issuance of any building permit.
5. The access curb cut onto Winnetka Terrace shall be subject to the Village Engineer's review for alignment with the redesigned parking lot. All improvements shall be in accordance with 2010 ADA Standards for Accessible Design and 2018 Illinois Accessibility Parking requirements.
6. A complete sign package including signs for walls, awnings (if proposed) and ground mounted signs shall be submitted prior to transmittal of the project to the Village Board.
7. An Exterior Lighting (Illumination) Plan shall be submitted prior to Final approval including a Photometric Plan (using a light-loss factor of 1.0) indicating fixture foot-candle levels, locations, and mounting heights along with lighting and pole fixture specification sheets. Lighting fixture specifications should indicate full opaque housing, flat lenses in lieu of drop lenses, cut-off angles, and the ability of fixtures to add shielding and/or dampers to address hotspots/glare after installation.
8. The Landscape Plan shall indicate and implement the following:
 - a. The shrubs shall be increased in size to be planted at 36 inches in height per code requirements
 - b. The parking lot landscaping shall conform to the requirements of Section 10-6-18.F. "Parking Lot Landscaping," requiring the use of landscaped areas (islands) within certain areas of the parking lot to mitigate the overall paved area.
 - c. The two (2) of the proposed 3" Caliper Shade Trees are proposed in the Winnetka Terrace right-of-way along the south lot line landscaping area. These two (2) trees shall be relocated within the property lines of the Subject Property.
 - d. It is recommended that the trees along the property's frontage with Rand Road be clustered instead of providing them in a straight line
9. The Redevelopment shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich, including general and continuing compliance with Title 10 of the Village Code, the Land Development Code, and all of the engineering and land

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improvement requirements, standards and specifications set forth in Chapter 6 of said Land Development Code, unless otherwise approved or provided for in the final engineering plans or development agreement for the Subject Property.

Respectfully Submitted,

Sarosh Saher, Community Development Director

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APPLICATION PZC 2023-20

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

**FOR 900 WINNETKA TERRACE – PUD
January 17, 2024**

The Planning & Zoning Commission recommends approval of Application PZC 2023-20, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **January 17, 2024** 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 dated December 15, 2023, Cover Letter and attachments dated January 4, 2024, prepared by Ms. Egle Jocabaitiene of Atelier De Beaute, Inc.
 - b. Legal Description of the Subject Property
 - c. Plat of Survey prepared by Spiewak Consulting, dated May 12, 2022
 - d. Revised Floor Plans and Elevations, Sheets A3 and A5, prepared by E. Miniscalco, Architect, dated August 26, 2023 and last revised on January 3, 2024.
 - e. Preliminary Plans, prepared by Bono Consulting, Civil Engineers, dated January 2, 2024 and including the following sheets:
 - i. Existing Conditions and Demolition Plan, Sheet C-0
 - ii. Site Plan, Sheet C-1
 - iii. Utility Plan, Sheet C-2
 - iv. Grading Plan, Sheet C-3
 - f. Landscape Plans, Sheets L-1.0 and L-2.0, prepared by Pamela Self Landscape Architecture, dated January 4, 2024.
2. In compliance with the Village of Lake Zurich Land Development Code, the Applicant is required to install all required public utilities and shall provide surety to guarantee the proper installation of these improvements and to ensure that water and sanitary sewer service is delivered to the lot per the current codes and requirements.
3. A sidewalk shall be installed along the street frontages of the property in accordance with the village's sidewalk requirements. In the event that the construction of a sidewalk is not possible, the Applicant shall pay a fee in lieu of installing a sidewalk along the street frontages of both properties to be collected and placed into an escrow account that will fund the construction and upkeep of sidewalks within the Village. Such fee shall be based upon the per square-foot cost of a 5-foot wide sidewalk as determined by the Village at the time of issuance of the building permit, and collected at such time.
4. Removal of the existing structures on the Subject Property shall occur upon the issuance of a demolition permit and prior to issuance of any building permit.

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5. The access curb cut onto Winnetka Terrace shall be subject to the Village Engineer's review for alignment with the redesigned parking lot. All improvements shall be in accordance with 2010 ADA Standards for Accessible Design and 2018 Illinois Accessibility Parking requirements.
 6. A complete sign package including signs proposed for walls, awnings (if proposed) and ground mounted signs shall be submitted prior to transmittal of the project to the Village Board.
 7. An Exterior Lighting (Illumination) Plan shall be submitted prior to Final approval including a Photometric Plan (using a light-loss factor of 1.0) indicating fixture foot-candle levels, locations, and mounting heights along with lighting and pole fixture specification sheets. Lighting fixture specifications should indicate full opaque housing, flat lenses in lieu of drop lenses, cut-off angles, and the ability of fixtures to add shielding and/or dampers to address hotspots/glare after installation.
 8. The Landscape Plan shall indicate and implement the following:
 - a. The shrubs shall be increased in size to be planted at 36 inches in height per code requirements
 - b. The parking lot landscaping shall conform to the requirements of Section 10-6-18.F. "Parking Lot Landscaping," requiring the use of landscaped areas (islands) within certain areas of the parking lot to mitigate the overall paved area.
 - c. The two (2) of the proposed 3" Caliper Shade Trees are proposed in the Winnetka Terrace right-of-way along the south lot line landscaping area. These two (2) trees shall be relocated within the property lines of the Subject Property.
 - d. It is recommended that the trees along the property's frontage with Rand Road be clustered instead of providing them in a straight line
 9. The Redevelopment shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich, including general and continuing compliance with Title 10 of the Village Code, the Land Development Code, and all of the engineering and land improvement requirements, standards and specifications set forth in Chapter 6 of said Land Development Code, unless otherwise approved or provided for in the final engineering plans or development agreement for the Subject Property.
- ☐ 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 2023-20

Community Development Department
PZC Meeting Date: January 17, 2024

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE SOUTH 1/2 OF LOT 3, ALL OF LOTS 4 AND 5 (EXCEPT THAT PART OF SAID LOTS 3, 4 AND 5 TAKEN FOR U.S. HIGHWAY NO. 12) AND ALL OF LOTS 6 AND 7 IN BLOCK 10 IN FRANK W. KINGSLEY'S ZURICH HEIGHTS GOLF CLUB ESTATES, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 4, 1928 AS DOCUMENT 315560 IN BOOK "S" OF PLATS, PAGES 63, 64 AND 65, IN LAKE COUNTY, ILLINOIS.

P.I.N: 14-18-316-023

Commonly known as 900 Winnetka Terrace, Lake Zurich, Illinois 60047



At the Heart of Community

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road
Lake Zurich, Illinois 60047

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

EXHIBIT B
PUBLIC HEARING SIGN PRESENT AT SUBJECT PROPERTY



Staff Report
APPLICATION PZC 2023-20

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EXHIBIT C
IMAGES OF THE SUBJECT PROPERTY



View of Property from Rand Road



View of Property from Winnetka Terrace

Staff Report
APPLICATION PZC 2023-20

Community Development Department
PZC Meeting Date: January 17, 2024

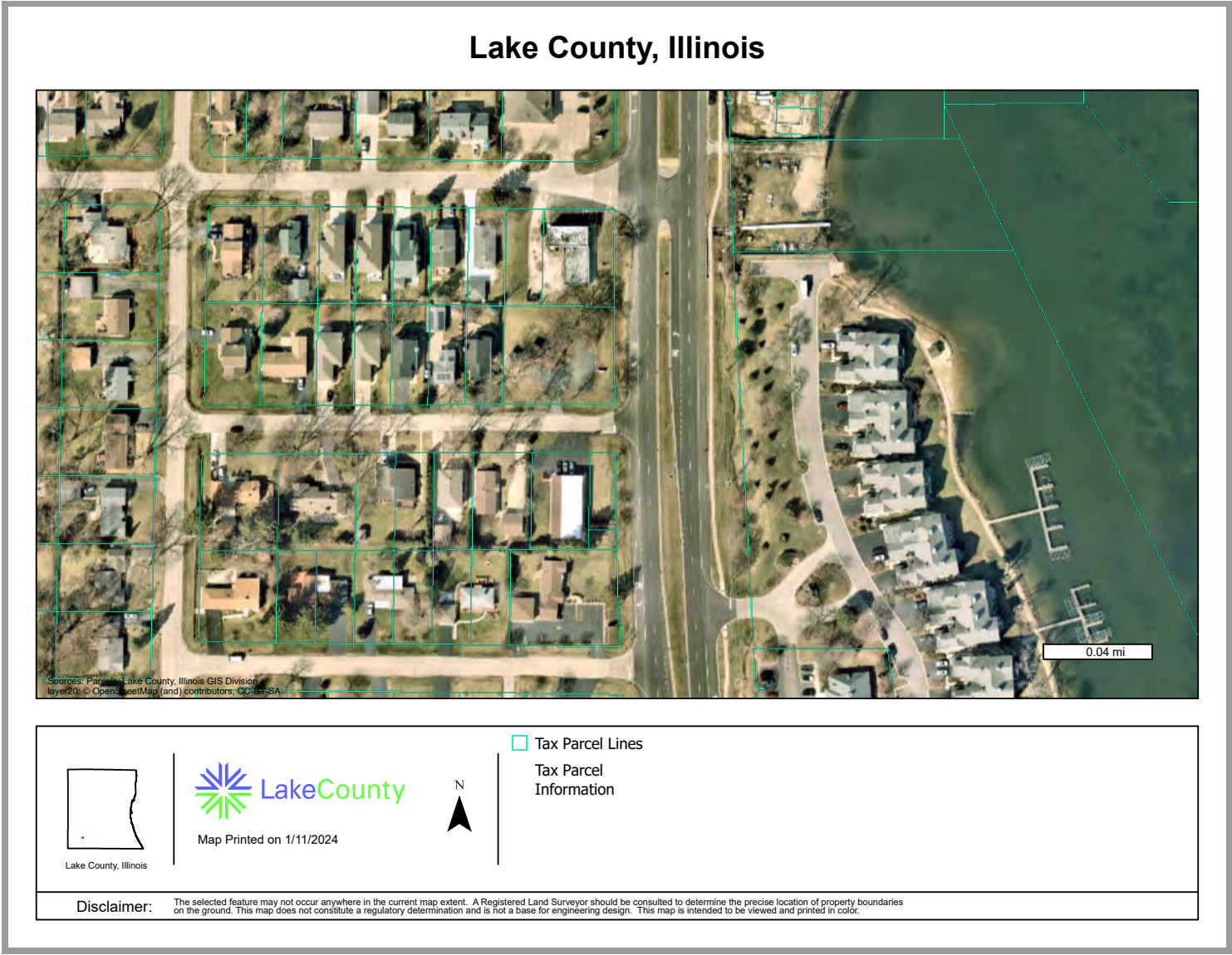
IMAGES OF THE SUBJECT PROPERTY (continued)

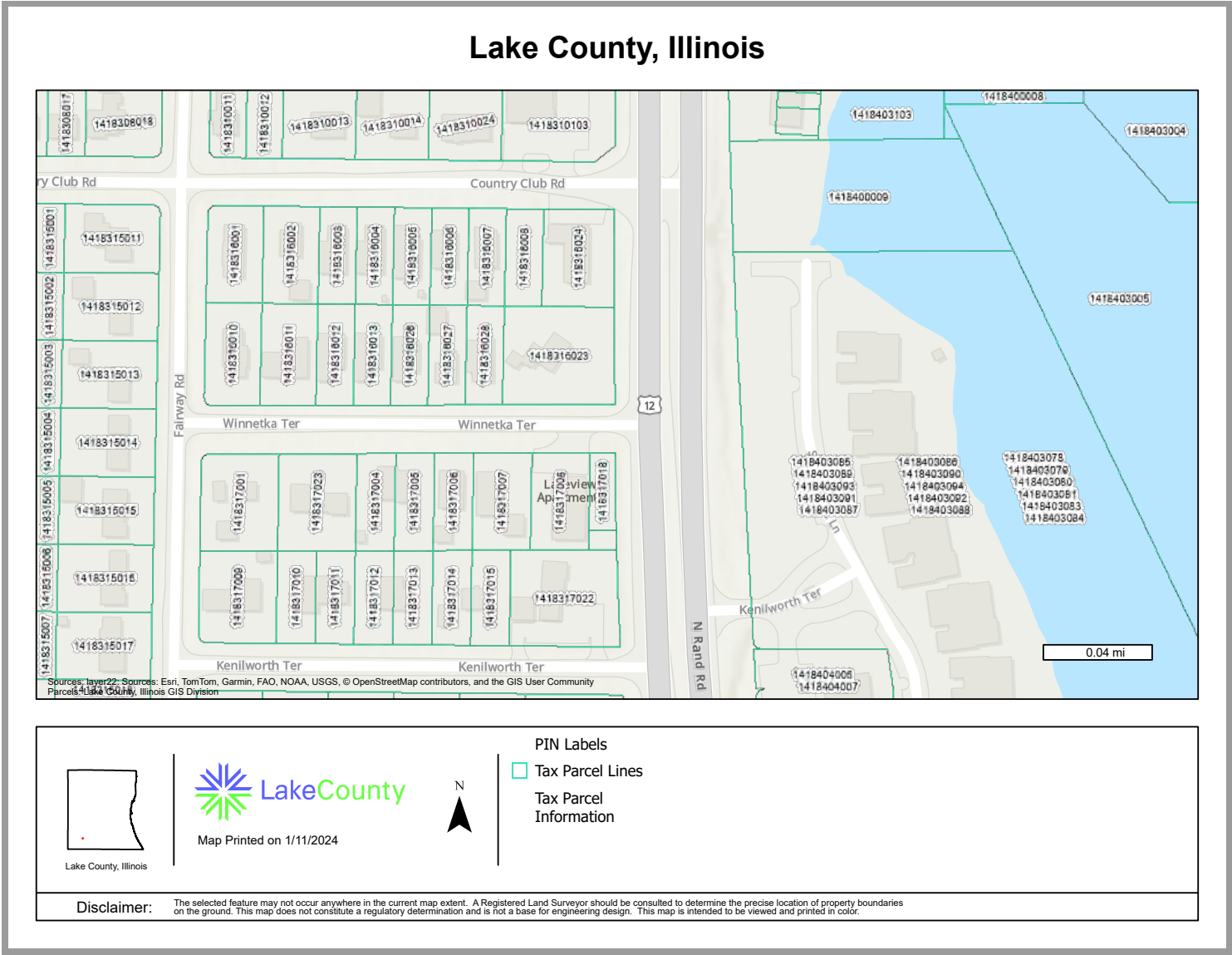


View of Subject Property and adjacent Residential Property from Winnetka Terrace

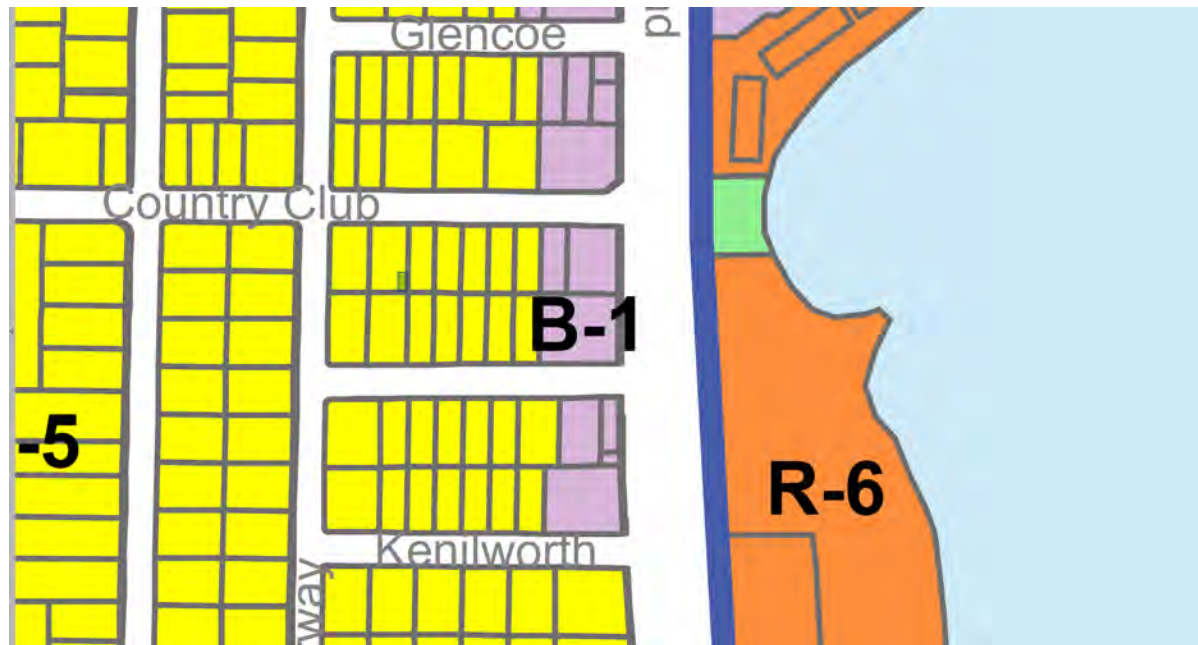


View of Subject Property and adjacent Commercial Property from Rand Road





Village of Lake Zurich
Zoning Map
900 Winnetka Terrace



Atelier de Beaute Spa

Egle Jokubaitiene
290 N. Rand Rd. Suite C
Lake Zurich, IL 60047
224.662.4936

January 4, 2024

Mr. Orlando Stratman

Chairperson of the Planning and Zoning Commission
Village of Lake Zurich Illinois

Dear Mr. Stratman,

I am writing to request a Planned Unit Development approval for the property/ building located at 900 Winnetka Terrace in Lake Zurich, Illinois 60047. The building was previously used as a Veterinary Hospital but has been vacant for the past three years. I intend to construct a new building on that parcel of property that will become a future location for Atelier de Beaute Spa which would provide services such as hair styling, skin care treatments and body treatments

My current business has been located in the Village of Lake Zurich Illinois for the past nine years and we have outgrown our existing location. For the proposed new spa, I plan to ensure there is adequate parking for customers with minimal impact on the surrounding homes. It is my goal to construct a moderately sized building that would blend well and enhance the aesthetic style of the neighborhood.

Atelier de Beaute has been proudly serving the Lake Zurich community since 2014. I would greatly appreciate your consideration of granting a Planned Unit Development approval to allow us to expand while preserving the character of the neighborhood. Please do not hesitate to contact me if you need any additional information regarding this proposal. I look forward to hearing from you.

Sincerely,

Egle Jokubaitiene, Owner



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: 900 WINNETKA TERRACE LAKE ZURICH IL 60047
2. Please attach complete legal description
3. Property Identification number(s): _____
4. Owner of record is: EGLF JORUBAITIENE Phone: 224 662 4936
E-Mail panetlux@gmail.com Address: 23 HOMER TANK RD.
5. Applicant is (if different from owner): _____ Phone: _____
E-Mail _____ Address: _____
6. Applicant's interest in the property (owner, agent, realtor, etc.): OWNER
7. All existing uses and improvements on the property are: _____
8. The proposed uses on the property are: _____
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: _____
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property: _____
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.

EGLF JORUBAITIENE
(Name of applicant)

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 15 day of DEC., 2023.

[Signature]
(Notary Public)



6/30/2024

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2023.

(Notary Public)

My Commission Expires _____

Please indicate what 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 _____
- (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 _____
- _____

SPECIAL WARRANTY DEED

This instrument prepared by

Sid Glick
Ray & Glick LLC
611 South Milwaukee, Ste. 1
Libertyville, Illinois 60048

When recorded mail to:

Matthew Howeth
Wiffler Law Group, P.C.
103 West Gilmer Road
Hawthorn Woods, IL 60047

Mail subsequent tax bills to:

Atelier De Beaute Inc.
900 Winnetka Terrace
Lake Zurich, Illinois 60047

I certify that this is a true,
correct, and accurate copy of the
original instrument.

Chicago Title and Trust Company

This space reserved for Recorder's use only.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED being made the 17th day of January, 2022, REAL VET LAKE ZURICH LLC, an Illinois limited liability company, having an address of 1699 Wall Street, Suite 718, Village of Mount Prospect, State of Illinois 60056 ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid, by these presents does **REMISE, RELEASE, ALIENATE AND CONVEY** to ATELIER DE BEAUTE INC., an Illinois corporation, having an address of 290 North Rand Road, Lake Zurich, Illinois 60047 ("Grantee"), forever, the following described real estate situated in the County of Lake, in the State of Illinois, attached as Exhibit A and commonly known as 900 Winnetka Terrace, Lake Zurich, Illinois.

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

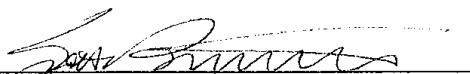
TO HAVE AND TO HOLD the said premises as described above, with the appurtenances, unto the Grantee, its successors and assigns, forever.

And the Grantor, for itself and its successors, does covenant, promise and agree to and with the Grantee and its successors and assigns that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that it is lawfully seized of said real estate in fee simple; and that it has good right and lawful authority to sell and convey said real estate; and that it WILL WARRANT AND DEFEND, said premises against all persons lawfully claiming, subject only to those matters listed on Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, this Deed has been executed by Grantor on and as of the date first above written.

Grantor:

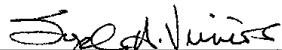
REAL VET LAKE ZURICH LLC, an Illinois limited liability company

By: 
Scott T. Petereit, Authorized Signatory

STATE OF ILLINOIS)
) **SS.**
COUNTY OF LAKE)

I, Sophia A. Vrinios, a Notary Public in and for said County in the State aforesaid, do hereby certify that Scott T. Petereit personally known to me to be a Member of Real Vet Lake Zurich LLC, an Illinois limited liability company, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered such instrument as his/her own free and voluntary acts for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 17th day of January, 2022.


Notary Public

My Commission expires:

6/24/23



EXHIBIT A

Legal Description

THE SOUTH 1/2 OF LOT 3, ALL OF LOTS 4 AND 5 (EXCEPT THAT PART OF SAID LOTS 3, 4 AND 5 TAKEN FOR U.S. HIGHWAY NO. 12) AND ALL OF LOTS 6 AND 7 IN BLOCK 10 IN FRANK W. KINGSLEY'S ZURICH HEIGHTS GOLF CLUB ESTATES, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 4, 1928 AS DOCUMENT 315560 IN BOOK "S" OF PLATS, PAGES 63, 64 AND 65, IN LAKE COUNTY, ILLINOIS.

P.I.N: 14-18-316-023

Commonly known as 900 Winnetka Terrace, Lake Zurich, Illinois 60047

EXHIBIT B

Permitted Exceptions

1. Taxes for the year 2021.
2. Easement for public utilities and drainage over, upon and under the rear 5 feet of the Land as shown on the plat of subdivision.
3. Building setback line of 25 feet (from the street line) as shown on the plat of subdivision.
4. Designation and establishment of Federal Aid Route No. 60 as a "freeway" (pursuant to Statutes of State of Illinois), by instrument dated March 30, 1959 and recorded April 21, 1959 as document 1027587 denying new highway, street, road, alley or other public way to the land herein from State Route No. 60, except upon written consent to the Department of Public Works and Buildings.

BILL OF SALE

Reference is hereby made to that certain Real Estate Sale Contract dated November 30, 2021, by and between **REAL VET LAKE ZURICH LLC**, an Illinois limited liability company ("Seller") and **ATELIER DE BEAUTE INC.**, an Illinois corporation, as ("Purchaser") for the sale and purchase of 900 Winnetka Terrace, Lake Zurich, Illinois (the "Property") (the "Agreement").

Seller hereby sells, transfers and conveys to Purchaser the Personal Property referenced in the Agreement.

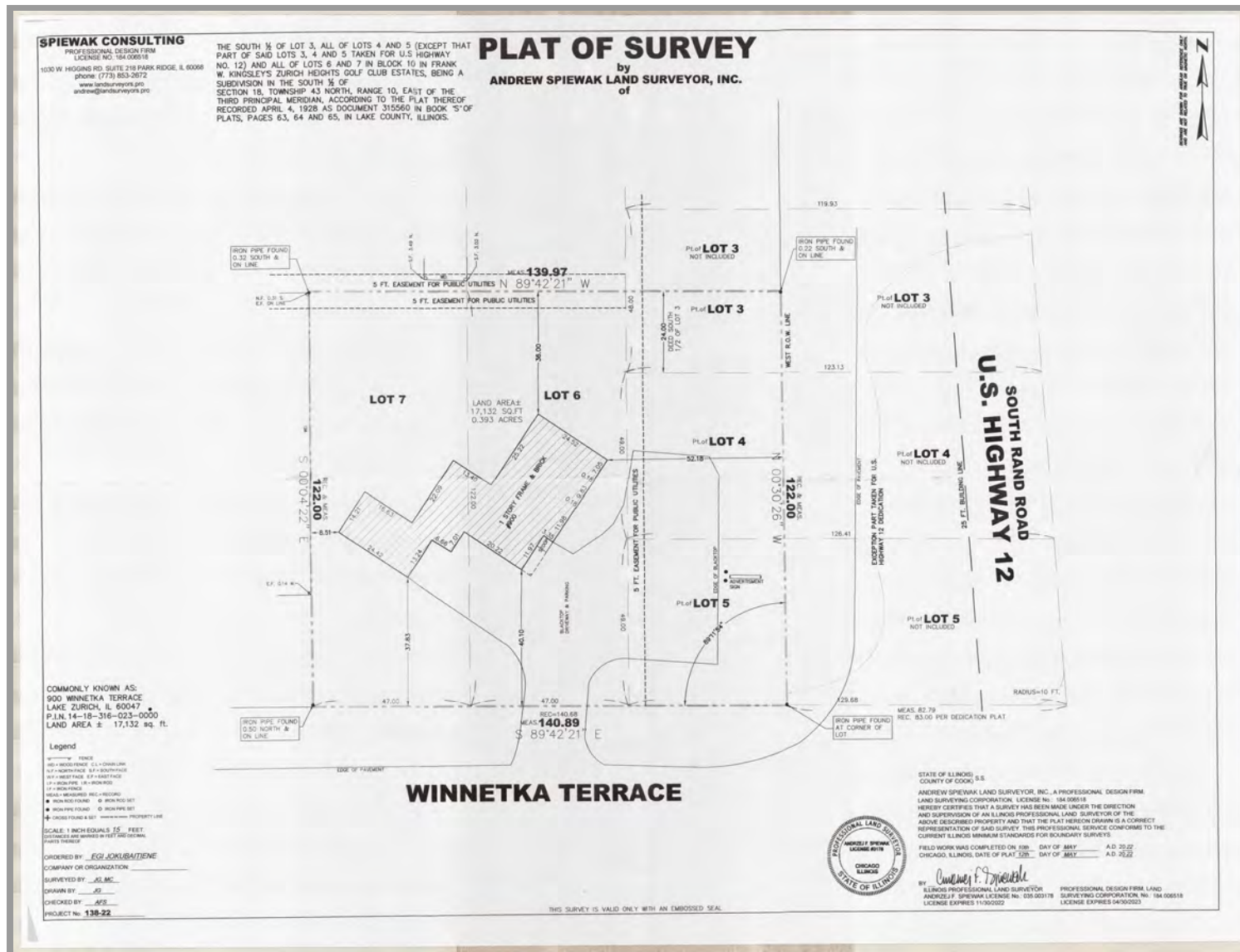
Seller hereby represents and warrants to Purchaser that Seller is the absolute owner of said property, that said property is free and clear of all liens, charges and encumbrances, and that Seller has full right, power and authority to sell said personal property and make this Bill of Sale.

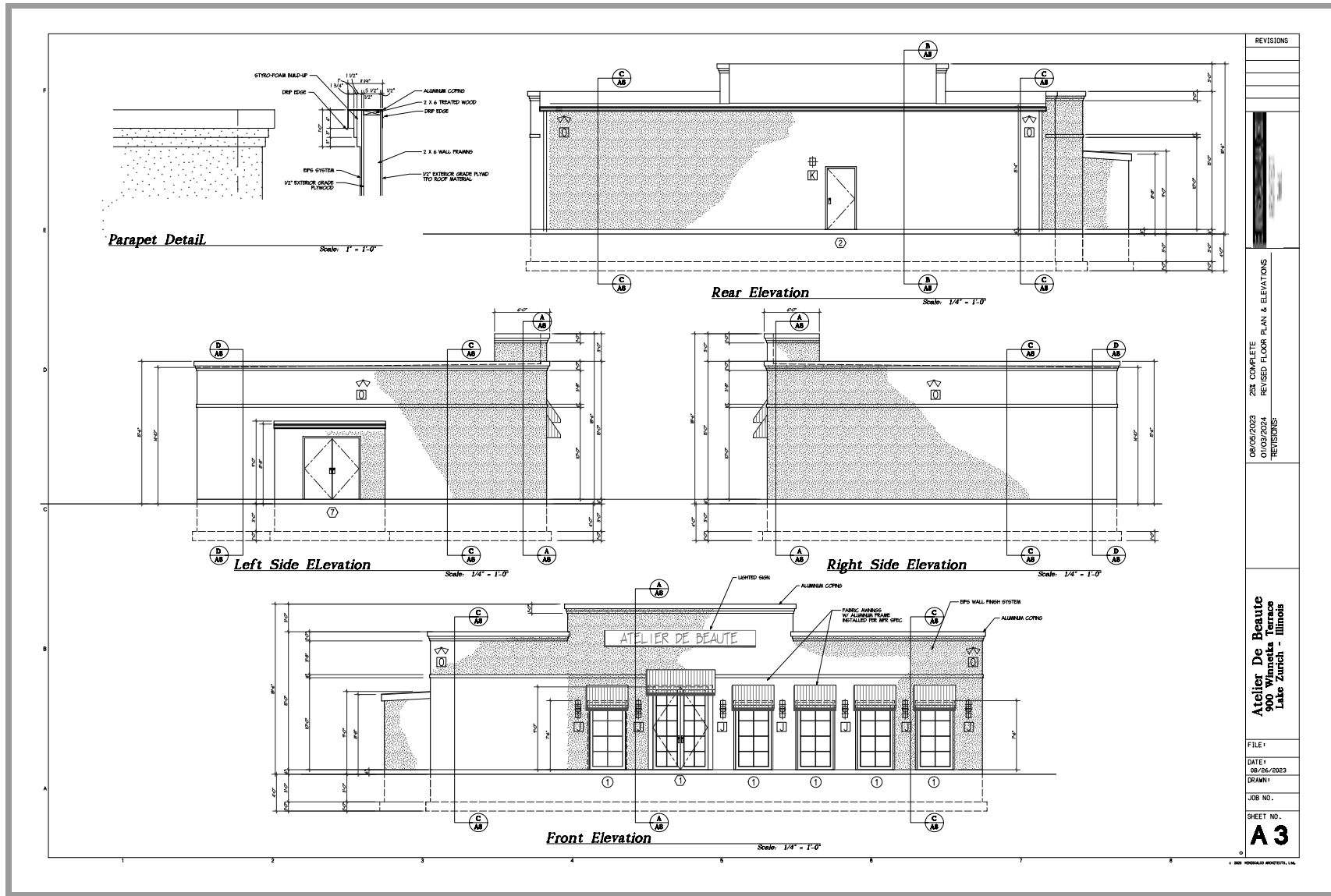
SELLER MAKES NO REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PERSONAL PROPERTY, INCLUDING, WITHOUT LIMITATION, CONDITION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. PURCHASER IS PURCHASING THE PERSONAL PROPERTY "AS-IS".

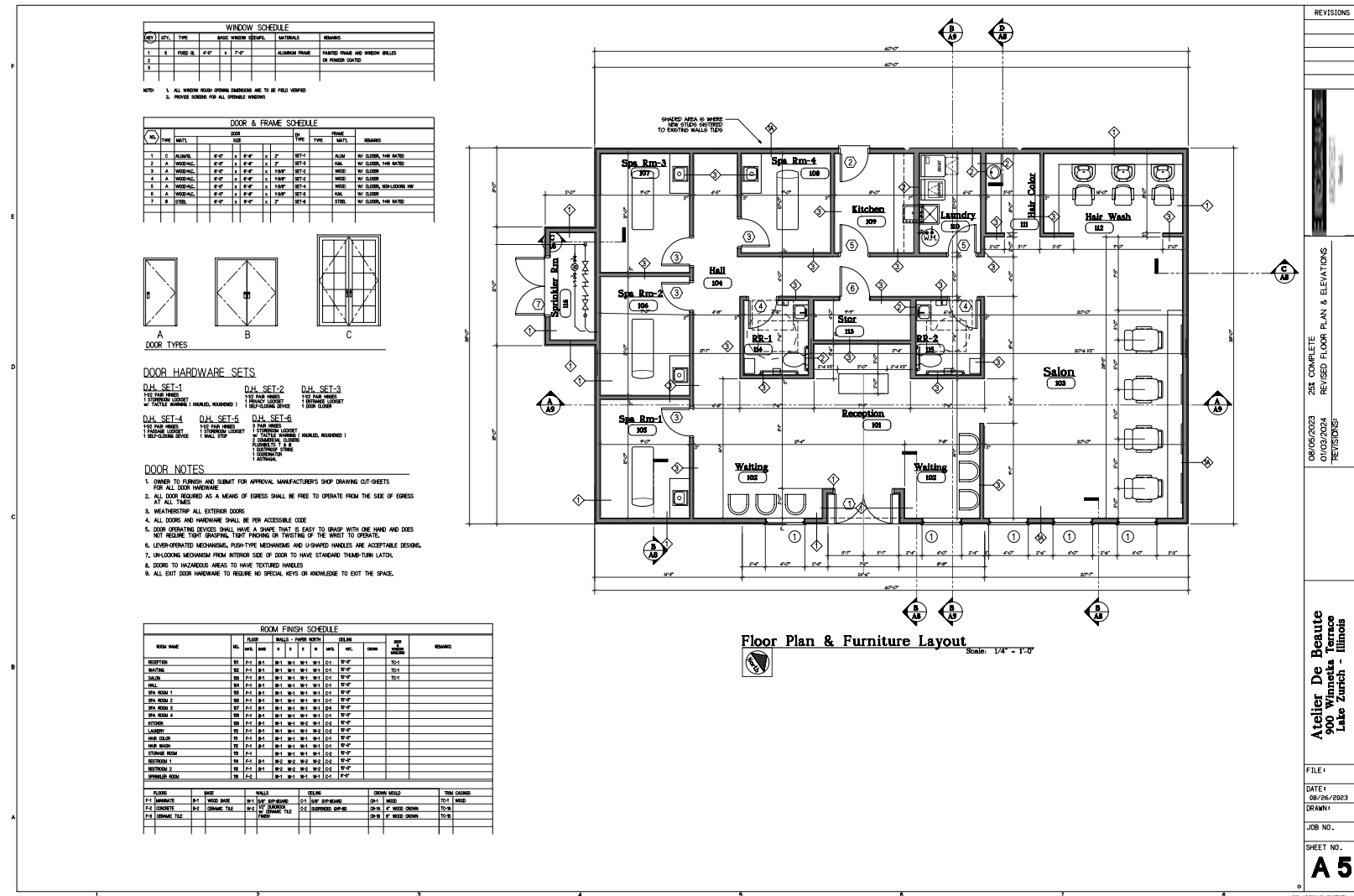
IN WITNESS WHEREOF, Seller has executed this Bill of Sale as of this 17th day of January, 2022.

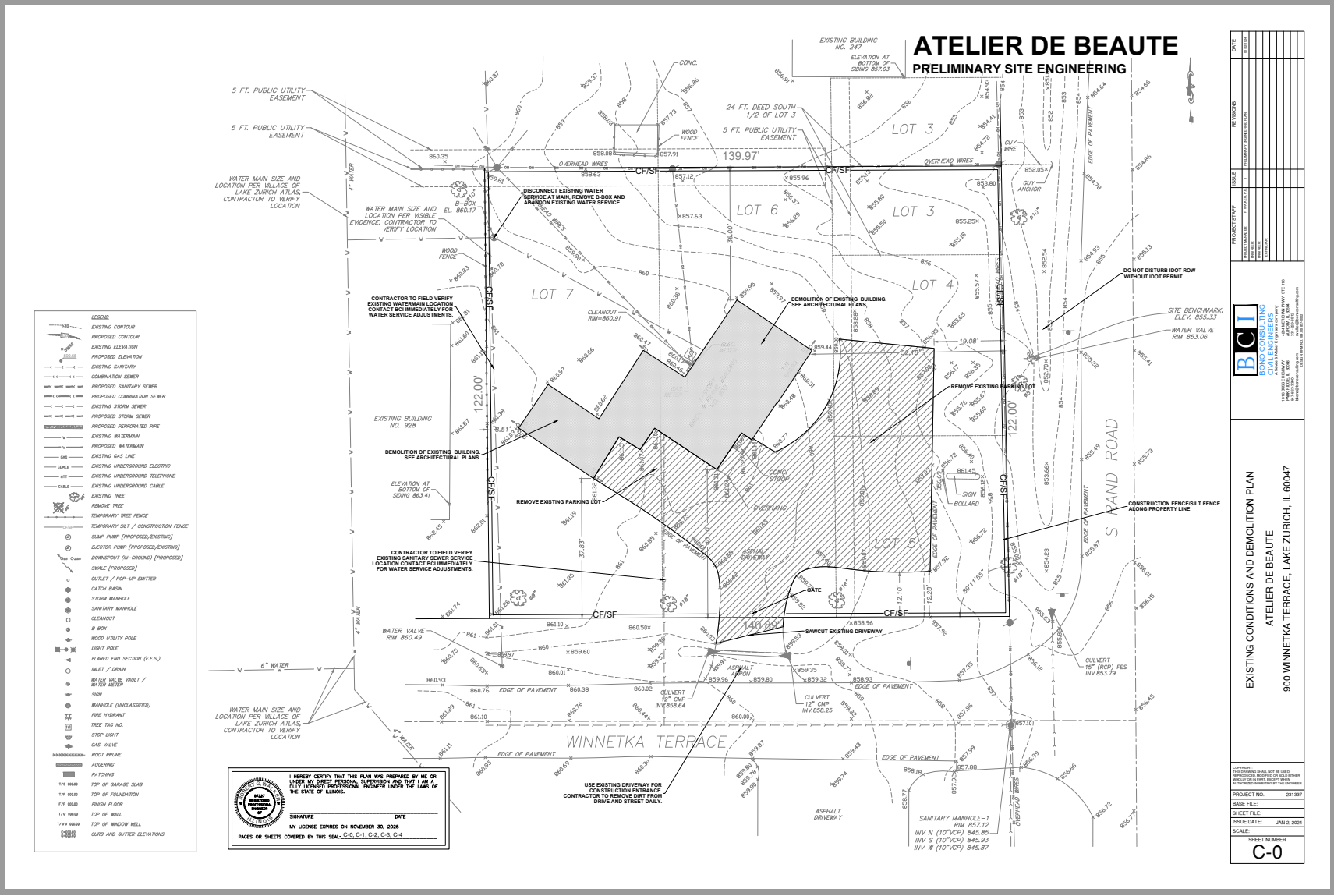
REAL VET LAKE ZURICH LLC, an Illinois
limited liability company

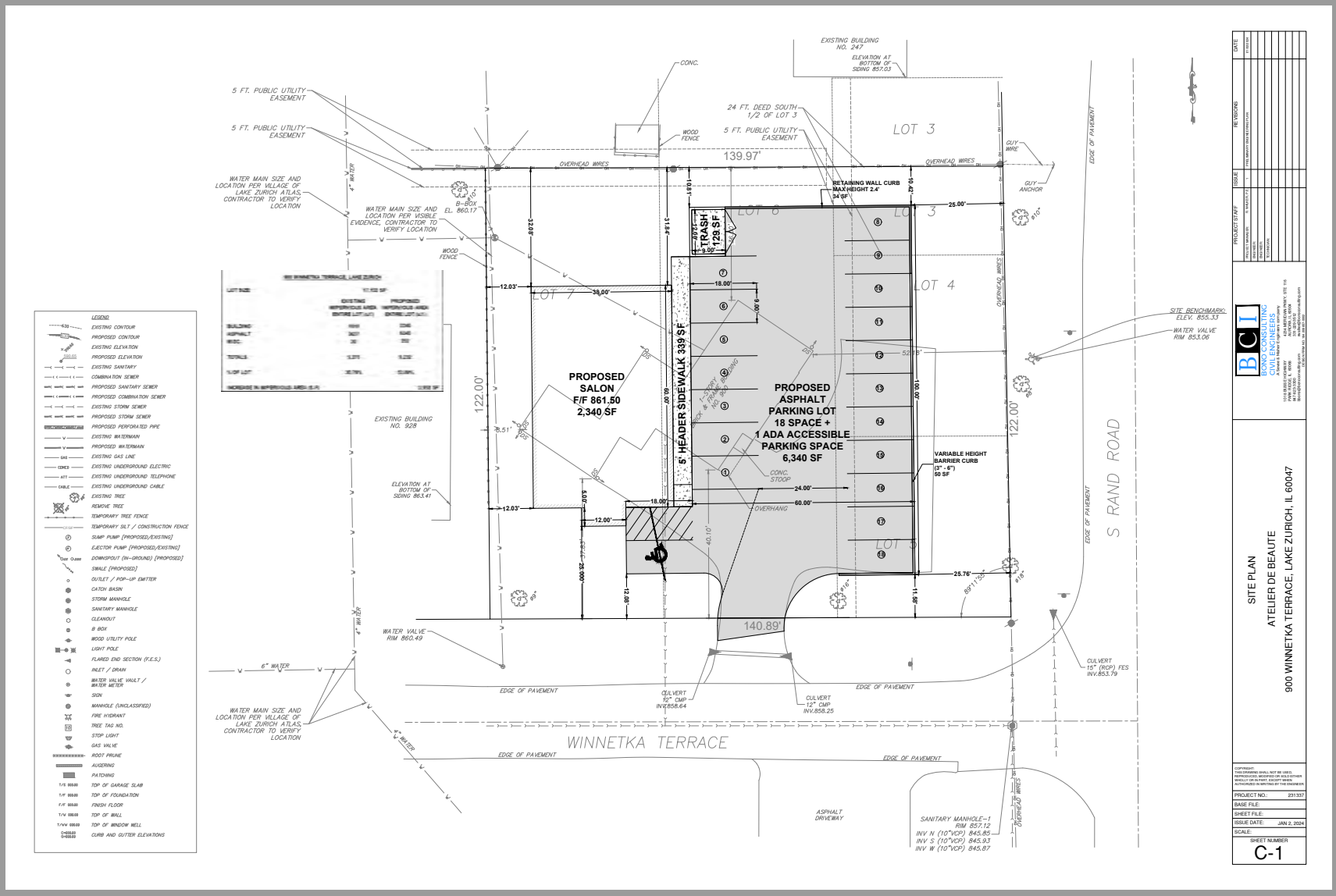
By: 
Scott Petereit, Authorized Signatory

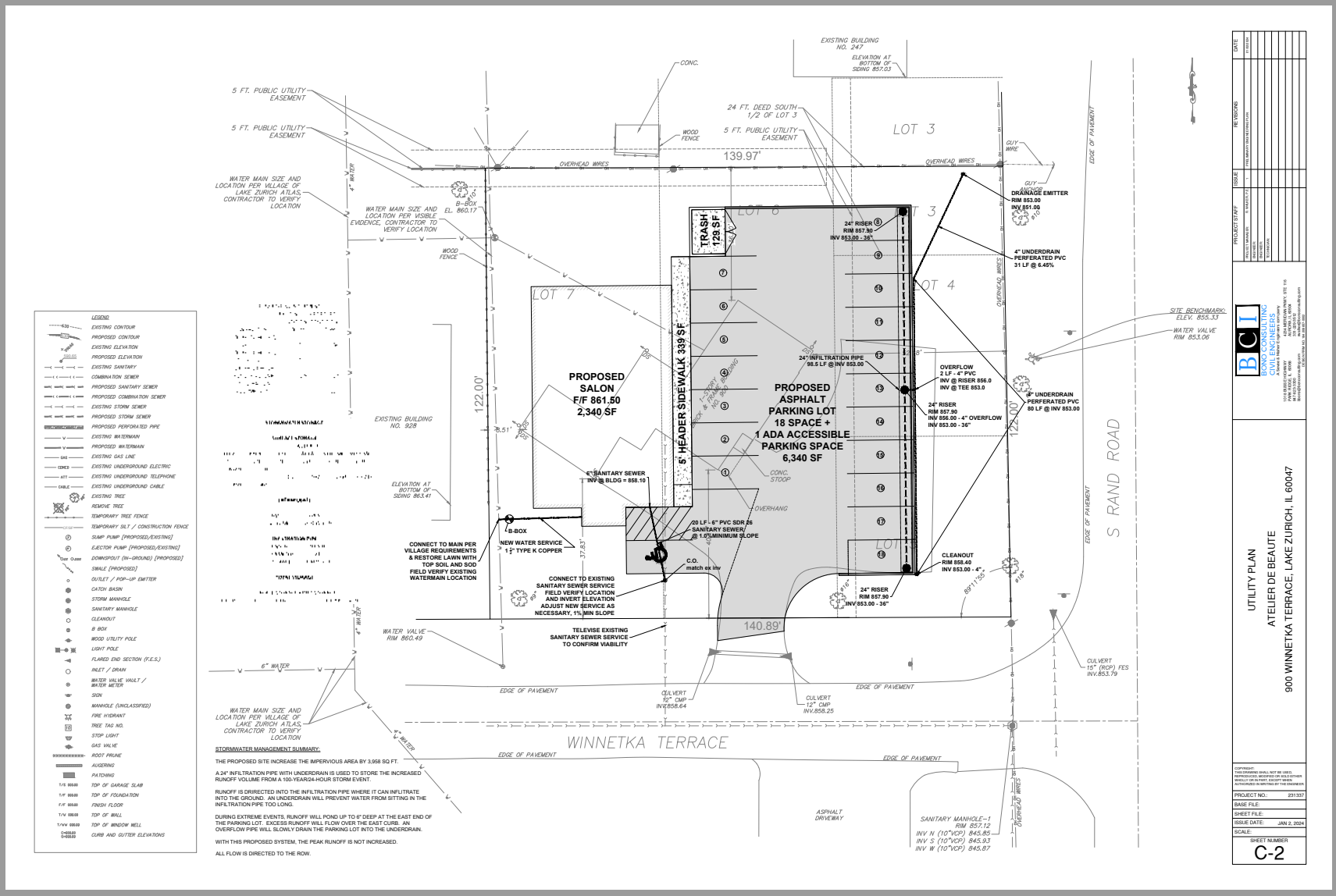


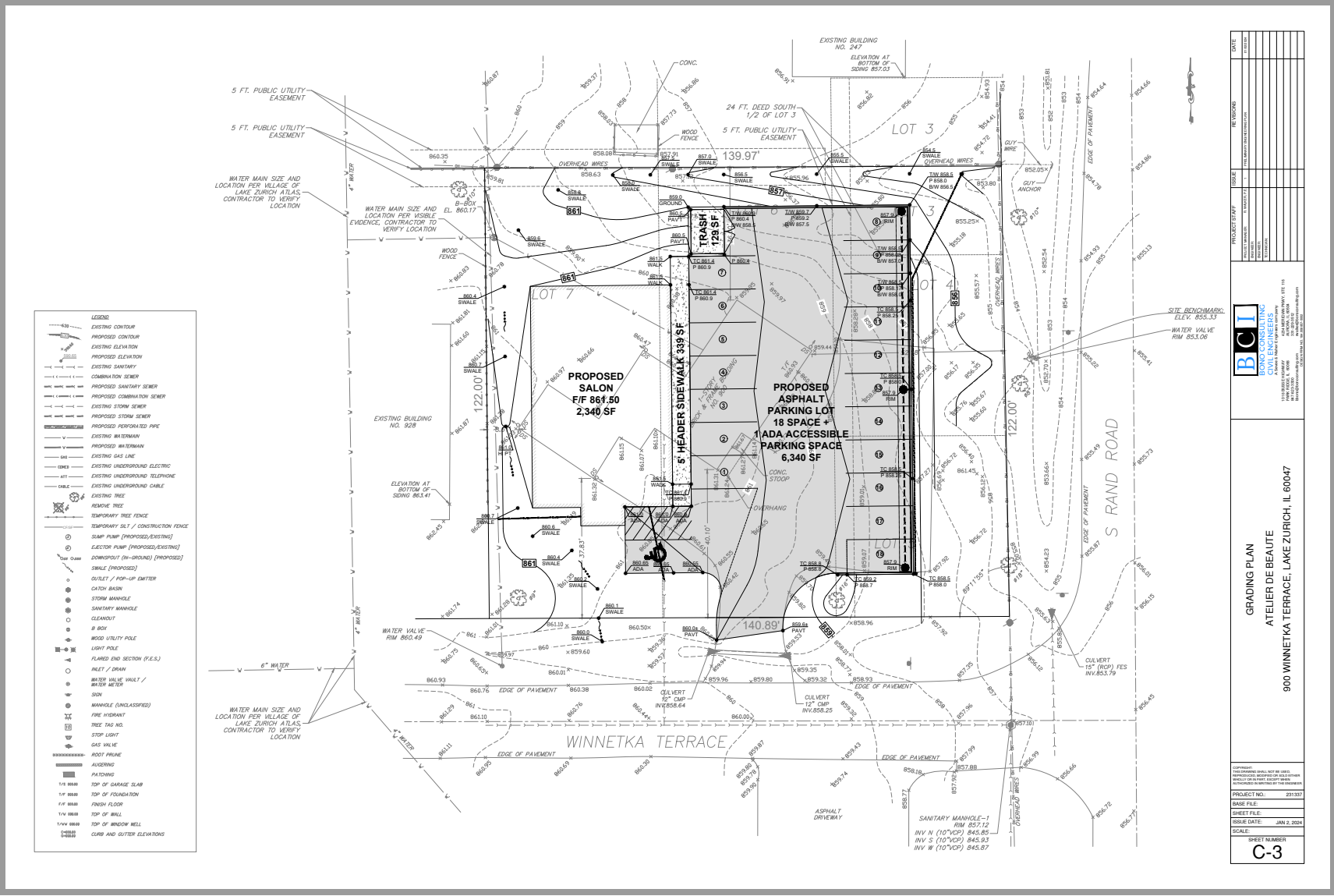












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One Overlook Point, Suite 290, Lincolnshire, IL 60069
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PLANNING AND ZONING CONSULTANTS MEMORANDUM

Date: January 10, 2024

To: Planning & Zoning Commission (PZC)
Sarosh Saher, Community Development Director
Village of Lake Zurich

From: Brad Dethloff, PLA & Jeramiah Yeksavich, AICP

Re: **Atelier De Beaute Salon – Planned Unit Development (PUD)
900 Winnetka Terrace**

The Petitioner, Atelier De Beaute Salon, is seeking Planned Unit Development (PUD) approval to build a new building at 900 Winnetka Terrace (Subject Property: PIN #: 14-18-316-023; Approximately 0.4 acres) in a B-1 - Business District. The Petitioner is seeking PUD approval to allow for departures from Zoning Ordinance standards for Minimum Lot Area, Rear Yard Setback, and any other from standards identified during the review process.

1) Subject Property & Neighboring Properties Land Use & Zoning:

a. Subject Property

i. Existing, Proposed, & Planned Land Uses:

1. Existing Use: Vacant commercial building, previously used for a veterinary hospital.
2. Proposed Land Use: Beauty shop
3. Comprehensive Plan Land Use: Commercial land uses.

ii. Existing & Proposed Zoning:

1. Existing Zoning: B-1 Business District; “Beauty shops (723)” are a Permitted Use in a B-1 District
2. Proposed Zoning: B-1 Business District PUD
3. Surrounding Land Uses and Zoning: The following table outlines the existing and planned land uses and exiting zoning for the neighboring properties. See also Exhibit A: Surrounding Existing Zoning and Comprehensive Plan Use attached to this memo.

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Surrounding Land Uses and Zoning Review Table

Neighboring Property	Existing Land Use	Comprehensive Plan Land Use	Existing Zoning
North	Multi-Tenant Commercial Building	Commercial	B-1
East (Across U.S. Rte. 12)	Townhomes	Low Density Multi-Family	R-6
South (Across Winnetka Ter.)	Apartments	Commercial and Traditional Single Family	B-1/R-6
West	Single-Family Home	Traditional Single Family	R-5

2) Business Operations Questions for Petitioner: It is requested the Petitioner verbally review the following with the PZC:

- i. Number of employees that are anticipated at a given time.
- ii. Business hours of operations.
- iii. Describe the security measures in place with the operations.

3) Bulk, Space, & Yard Requirements:

Bulk, Space, & Yard Requirements Comparison Table

Highlight Underline = Departure from standard

Development Area	B-1 District Standard	Proposed per Plan (Approximate)	Difference From Bulk Standards
Minimum Lot Area	20,000 sq ft	17,132 sq ft	<u>2,868 sq ft (14.3%)</u>
Minimum Lot Width	100'	122'	Meets Standard
Min. Front Yard Setback (East)	25'	90'	Meets Standard
Min. Side Yard - North	10'	32'	Meets Standard
Min. Corner Side Yard - South	25'	25'	Meets Standard
Min. Rear Yard - West	25'	12'	<u>13' (52%)</u>
Maximum Floor Area Ratio	0.25	0.14	Meets Standard
Proposed Landscape Area	40%	54%	Meets Standard
Building Height	35' or 2 Stories	18.5' and 1 Story	Meets Standard

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4) Plat of Subdivision/Site Plan:

- a. Plat of Subdivision: The Plat of Survey of 2022 indicates 5 separate lots, but the Lake County Assessor has 1 consolidated PIN for the entire Subject Property. Village may wish to determine if the 5 lots should be consolidated.

5) Parking, Loading, & Circulation:

- a. Off-Street Parking Spaces:

Per the B-1 District, minimum total parking requirements have been provided per use according to the Parking Lot Standards. The following table provides some information to help the Plan Commission in its review and determination of required parking:

Total Parking Calculations Table

Zoning Ordinance Parking Category	General Parking Space Standards (ADA Spaces)	Parking Provided	Difference From Parking Standard
General Service Use (Beauty Shop)	10 Spaces ¹ (1 ADA Space ²)	19 Spaces (1 ADA Space ²)	Meets Standard

Notes:

1. General Services: 1 space per 250 square feet of building; Proposed building area: 2,340 sq. ft. based on Site Plan.
2. Accessible Parking: 1 space per every 25 striped spaces provided.

- b. Off-Street Loading Spaces: The Zoning Ordinance appears to require one (1) loading space per the first 150,000 square feet of building area for general uses not specified. Given the small building area under 10,000 square feet (minimum area normally required other uses to have a loading space), the Village may wish to review granting a departure from this requirement as part of the PUD approval.
- c. Access Drive: The access curb cut onto Winnetka Terrace is subject to the Village Engineer's review for alignment with the redesigned parking lot.

6) Architecture/Building Elevations: The Petitioner has provided building elevations for the Plan Commission's review and comment regarding design and architectural character.

- a. Screening Enclosure Details: It appears that there is a screening enclosure around the trash enclosure. It is requested the Petitioner provide specifications/details for the trash enclosure that meets section 9-8A-11 of the Village Code.

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- b. **Roof Top Equipment:** It is requested the Petitioner confirm all rooftop mounted equipment will be screened not less than 12" of the highest point with a parapet wall or similar treatment per Section 9-8A-13 of the Village Code.
- c. **Building Materials:** It is requested the Petitioner confirm all building material colors and that they are fully integrated into materials and conforms to Section 8-3-4 of the Village Code and conform to the Route 12 Corridor Planning architectural guidelines. It appears that most of the façade is EIFS and aluminum coping, which are both discouraged by the Route 12 Corridor Planning architectural guidelines. The Village is recommended to discuss appropriate natural materials (ex. stone, masonry, etc.) for PUD approval that meets the architectural standards of the Route 12 Corridor.

7) Signage Plan:

- a. **Wall Signs:** The following table outlines the wall signs proposed in the submittals received.

Wall Sign Area Table

Façade Location	Sign Code Maximum Area Standard ¹	Proposed Wall Sign (Approximate)	Difference From Standard
East Façade	40 sq. ft.	Business Name: 28 sq. ft.	Meets Requirements

Notes:

- 1. Wall Sign Area Calculation: 1.5 square feet per 1 lineal building wall foot not to exceed 40 square feet total. East Façade 60 lineal feet x 1.5 square feet/1 lineal foot = 90 sq. ft., so defaults to 40 sq. ft. maximum.

- i. **Illumination and Materials:** Petitioner is requested to provide sign design details showing illumination of sign and materials.
 - ii. **Awnings:** The east building façade elevation shows awnings. If these awnings will include any text or graphics that qualify as sign under the Sign Code, the Petitioner will need to submit plans showing this information for review.
 - b. **Ground Monument Signs:** Per the submittals received, the Petitioner is not planning to propose any ground monument sign at this time.
- 8) Photometric/Lighting Plan: The Petitioner has not submitted a lighting plan indicating any exterior lighting. If exterior lighting is proposed, the Petitioner will need to submit for review a Photometric Plan (using a light-loss factor of 1.0) indicating fixture foot-candle levels, locations, and mounting heights along with lighting and pole fixture specification sheets. Lighting fixture specifications should indicate full opaque housing, flat lenses in lieu of drop lenses, cut-off angles, and the ability of fixtures to add shielding and/or dampers to address hotspots/glare after installation (International Dark-Sky Association approved fixtures are preferred).

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9) Landscape Plan: Subject to final construction plan review.

- a. Landscape Plan generally meets the required screening and planting level standards along the lot lines, except for the west lot line. See table below for calculations of the west lot line:

Landscape Plan Comparison Table

Highlight Underline = Departure from standard

West Lot Line Landscaping (B-1 Zoning Adjacent to R-5)			
60% Opacity Required	10' Width Min.	5 Plant Units per 100'	
122 Linear Feet	6 Standard Plant Unit C provided		
6.1 Plant Units Required			
Types of Plants	Required	Proposed	Difference
3" Caliper Shade Trees	7	6	-1
3' Tall Shrubs	31	30	-1
3' Tall Evergreen Shrubs	13	12	-1

Note: because the number of plant units is above 6.0, one additional shade tree, one additional shrub and one additional evergreen shrub is required.

- b. It appears that some of the shrubs shown along the east property line and the south property line are only installed at 24" in height. These shrubs should be increased in size to be planted at 36" in height per code requirements.
- c. The east property line is located long Rand Road and is subject to the Route 12 Corridor Planning landscape guidelines. We recommend clustering the trees instead of providing them in a straight line to meet the requirements of the Route 12 Corridor Planning landscape guidelines.
- d. Along the south lot line landscaping along Winnetka Terrace, it appears that two (2) of the proposed 3" Caliper Shade Trees are proposed in the right-of-way. We require that these two (2) trees be relocated to be inside the property lines.
- e. The landscaping in the parking lot area is required to be at least 15% of the square footage. It appears that approximately 9.3% of landscaping area is provided on plan around the parking lot area. Potentially a parking lot island could be provided in the parking lot to help alleviate this discrepancy.

10) Engineering & Building Plans: Plans are subject to review and comment by the Village Engineer and the Village Building Department.

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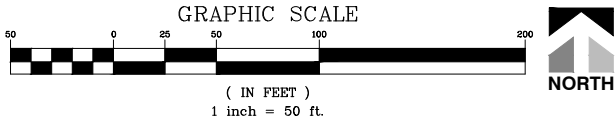
Documents Reviewed:

- 1) Landscape Plan (2 Sheets), Pamela Self Landscape Architecture, 1/4/24.
- 2) Zoning Application, dated 12/15/23.
- 3) Narrative/Proof of Ownership, dated 1/4/24.
- 4) Plat of Survey, 2020, Manuel E. Palma, dated 9/23/20.
- 5) Plat of Survey, 2022, Spiewak Construction, 5/12/22.
- 6) Preliminary Site Engineering (4 Sheets), Bono Consulting Engineers, 1/2/24.
- 7) Architectural Elevation, E. Miniscalco Architecture, 1/3/24.
- 8) Floor Plans, E. Miniscalco Architecture, 1/3/24.



Exhibit A: Surrounding Existing Zoning and Comprehensive Plan Use
900 WINNETKA TERRACE

2022 Aerial Photograph and Parcel Lines from Lake County Maps Online
Prepared by: RCA
Dated: 01-10-24





At the Heart of Community

FIRE DEPARTMENT
Fire Prevention Bureau

1075 N. Old McHenry Road
Lake Zurich, Illinois 60047
Fire.bureau@lakezurich.org
(847) 540-5073
LakeZurich.org

January 11, 2024

To: Sarosh Saher
Village of Lake Zurich
Community Development Director
505 Telser Road
Lake Zurich, Illinois 60047

Re: PR24- 002
Atelier De Beaute
900 Winnetka Terrace
Lake Zurich, Illinois 60047
Engineering

Dear Sarosh,

This letter is to inform you that the Site plans for the above address are "**APPROVED**" subject to the following notes and comments as listed below.

- The Fire Sprinkler Room shall face Winnetka Terrace. (Satisfied)
- The FDC including a water flow notification device (10" bell & strobe) located above FDC must activate on water flow only, and be visible from the road. (Note: An additional water flow strobe shall be mounted facing Rand Road)
- All fire department connections shall be 5-inch Storz with a thirty-degree downturn. **Section 912.8 Fire Department Connections.**
- Provide fire sprinkler shop drawings for review.
- Provide fire alarm shop drawings for review.
- Provide fire pump shop drawings for review.
- Contact FSS Technologies at 847-577-1950 to provide your fire alarm radio contract.
- Provide a Knox Box with a tamper switch for the sprinkler riser room. Contact Knox.com. (If there are 3 keys or less you may order a 3200 series side hinged box. If there will be 3 or more keys then you will need a 4400 series Knox box).

PR24-002
Atelier De Beaute
900 Winnetka Terrace
Lake Zurich, Illinois 60047
Engineering

- The fire pump room shall be rated with water proof walls. (Provide an emergency light in the pump room).
- Pump room shall be labeled FACP/ Sprinkler Riser.
- Sprinkler designer to provide a drawing showing the required water main to the riser room indicating the proper design size.
- There shall be a fire hydrant within 150' feet of the F.D.C.
- Emergency lighting and exit signs shall be provided for all exiting requirements. Emergency lighting is required for all exit discharge areas immediately adjacent to exit doors in occupancies that require two or more exits. Final approval of exit sign placement and emergency lighting shall be subject to a field inspection.
- A minimum 2A 10BC portable fire extinguisher shall be provided for every 75 feet of travel distance.
- Provide proper address numbering for front and rear – (Minimum 4" bold letters with contrast from door background).
- If the external gas meter is located near parking it shall have vehicle impact protection.

A separate review will be conducted on fire alarm and sprinkler systems when shop drawings and specifications are submitted by the installing contractor. Separate permit(s) may be required for these disciplines.

If you have any questions or concerns, you may contact me, and I will be happy to discuss them with you.

Respectfully,



John Wiecek
Deputy Fire Marshal
Lake Zurich Fire Protection District
224-358-4006
john.wiecek@lakezurich.org