

APPROVED AS SUBMITTED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, May 11, 2010, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

PRESENT: Chairman Manion, Members Rubinstein, Leider and Kalina, and Alternate Van de Kerckhove

ABSENT: Member Soifer and Trustee Liaison McDonough

ALSO PRESENT: Steve McNellis, Director of Community Development, Tonya Zozulya, Planner, and Stephen Robles, Planner

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 p.m.

1.0 ROLL CALL

The roll was called by the secretary and **Chairman Manion** declared a quorum present.

Steve McNellis, Director of Community Development, expressed appreciation on behalf of the Mayor, Village Board and Zoning Board to Joseph Pratt, for the recent completion of his 5-year tenure on the Zoning Board and presented him with a gift for his time and service. **Director McNellis** recapped the approved projects and requests reviewed by the Zoning Board during Mr. Pratt's service as a member—a copy of which is attached hereto.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held on Tuesday, March 9, 2010.

Mr. Rubinstein moved and **Mr. Leider** seconded a motion to approve the minutes as submitted. The motion passed unanimously by voice vote.

3.0 GENERAL BUSINESS

3.1 Consideration and Discussion regarding a request for a plat of resubdivision for Lot 1 of Pokorny's Subdivision to amend and reduce the Conservancy Area on said lot (Demari Development)

Stephen Robles, Planner, summarized Staff's memorandum dated May 7, 2010, and noted that during the approval process for the original two-lot Pokorny subdivision, Staff recommended 65% conservancy area be provided for both lots to be consistent with the average conservancy areas found on the existing lots along Northampton Lane. For Lot 1, which is the subject property, a building area was carved out of the middle of the lot, leaving the perimeter dedicated to conservation easements as shown in the "Tentative Plat of Pokorny's Subdivision" within the packet. An existing pond south of Northampton Lane that was constructed by Mr. Pokorny many years prior was included within the conservancy area. Since the Village Board's approval of the Final Plat in 2008, Lot 1 has been sold and is now under construction. In addition to the construction of the home, the property owner is also enhancing areas within the conservation

easement where existing structures have been removed. The owner would also like to improve and enhance the quality of the neglected man-made pond by creating a more manicured pond and incorporate native plantings. The pond would also be reduced in length by approximately 15% along the eastern shoreline. **Planner Robles** explained that the strict language of the conservation easement only permits restoration of the pond to its native condition, and does not permit the small area of fill, which will not create the look desired. Therefore, the owner is seeking to remove the pond from the conservation area to allow more flexibility in enhancing the pond's appearance and quality. While this request would reduce the amount of conservancy area for Lot 1, the proposed reduction would allow for the enhancement of a non-natural feature and provide a more aesthetically-pleasing streetscape along Northampton Lane. In reviewing the Plat Amendment provided in the packet, the proposed reduction would result in 54% of Lot 1 remaining in Conservancy Area, which is still higher than two of the seven lots in the adjacent Bishop's Gate Subdivision. Given the enhanced streetscape, as well as the upgrade in plant material in an area that is not natural, Staff believes this is an appropriate request subject to the conditions listed in the Staff memo. Further, due to the accelerated review process in order to assist the future resident of the Village, an additional memorandum dated May 11, 2010, which includes additional language, has been provided prior to this meeting. **Planner Robles** noted that this request was discussed and referred at last night's (May 10th) Village Board meeting. The Board requested that "the landscape plan for the enhancement and improvements of the pond shall be subject to the review and approval of Village Staff prior to the issuance of a Final Certificate of Occupancy," be included in the Zoning Board's recommendation.

Rick Vanselow of Demari Development, representing the Ed Jack, property owner, responded to Alternate Van de Kerckhove's concern for the row of trees and buckthorn between the pond and near Northampton Lane and stated that a cottonwood tree is dead as well as two spruce trees. However, **Mr. Vanselow** noted that albeit Mr. Jack would like to transplant these dead trees, he believes that they are within the Village easement. **Planner Robles** explained that the northern edge of the pond, closest to Northampton Lane, is in the right-of-way and the property owner is not responsible for those trees and buckthorn. **Chairman Manion** questioned the scope of work proposed for the pond area, to which **Mr. Vanselow** explained that the pond will be drained, cleaned, and a liner will be installed to help maintain the water level. Mr. Jack has hired a professional water-scaper to treat the perimeter of the pond with natural rocks and plantings, as well as an underwater aeration system will be installed. The eastern shoreline of the pond will be reduced by 15% in order to provide a buffer to the driveway. **Chairman Manion** inquired if ponds are usually included within a conservation area, to which **Planner Robles** noted that, since the pond is man-made, it does not meet the required qualities, and the property owner felt that it would be better to remove it from the conservancy to allow more flexibility to enhancing the pond's appearance and quality.

Since there was a consensus of acceptance of this request, the Zoning Board offered the following motion be read:

Mr. Kalina moved and Mr. Rubinstein seconded a motion to approve, and recommend to the Village Board for their approval, an amendment to Pokorny's Subdivision

through a plat of resubdivision for Lot 1 within Pokorny's Subdivision to reduce the Conservancy Area on Lot 1, as depicted on the attached subdivision plat amendment, prepared by R.E. Decker P.C. Professional Land Surveyors, last revised April 29, 2010, subject to the Staff recommendations in a memorandum dated May 7, 2010, and further subject to the landscape plan for the enhancement and improvements of the pond being reviewed and approved by Village Staff prior to the issuance of a Final Certificate of Occupancy.

The motion passed unanimously by voice vote.

Prior to proceeding with Agenda Items 3.2 through 3.21, **Chairman Manion** offered the opportunity to Tonya Zozulya, Planner, to provide a overview of the ten split-zoned properties considered for rezoning located within the Office/Industrial District of the Village, west of Milwaukee Avenue and south of Half Day Road.

Tonya Zozulya, Planner, summarized Staff's memorandum dated May 7, 2010, and noted that these properties are called split zoned because they are covered by more than one zoning district. This is not common, as the basic premise is that any property is to have only one zoning designation. Having a single property zoned in two or more different districts creates a number of problems, is not proper planning practice, and does not provide a single clear-cut zoning upon which the Village and property owner can rely in order to exercise their property rights. Staff recently discovered this anomaly while reviewing the code amendment request from a property owner regarding testing of materials in the O/I Subdistrict. Nine out of ten of these properties are improved with buildings and accessory structures, with the 5-acre property being vacant. **Planner Zozulya** noted that Staff did not include another split-zoned property (unaddressed on the map), located immediately west of the 300 Knightsbridge Parkway office property, as that property is currently being used as a ball field (with accessory facilities) for Lincolnshire Corporate Center employees. Staff determined that one possible explanation for the existing split zoning at 111 Barclay Boulevard, 2, 3 and 4 Overlook Point and 100 Schelter is that portions of these properties were annexed into the Village at different times (and for reasons unknown, were not subsequently consolidated with a unified zoning). We have been unable to determine the reason the remainder of the properties are each covered by more than one zoning district. Additionally, Staff has reviewed the Comprehensive Plan and Zoning Map and determined that the intent was established much earlier for properties along the key gateway corridors of Route 22, Milwaukee Avenue and Aptakisic Road to be developed in the most restrictive office zoning district (O/Ia), in order to encourage these properties to develop as Class "A" office buildings. **Planner Zozulya** pointed out that another property that now houses the Bridge Office Center property, located at 555 Aptakisic Road, was rezoned two years ago from O/Ia and O/d to all O/Ia, which eliminated split zoning on this property and continued the planning concept of O/Ia zoning on major arterials. Similarly, Barclay Boulevard was seen as a step down in zoning to the more intense office/warehouse district (O/Ic), and Schelter Road and Bond Street stepped down further to a true office/industrial district (O/Id). This type of zoning steps is not unusual and creates a hierarchy of uses. The O/Ib Zoning District was clearly intended to serve the purpose of a transitional zoning district from Class "A" office space to office/warehouse uses.

Also, due to the existing split zoning on the above-mentioned properties, zoning regulations for each zoning district could be applied separately to each portion of the lot, which may be confusing for property owners and property users, cause great difficulty in determining permitted uses, and constitute poor planning practice. Currently, in case of conflicts, the Village Attorney has confirmed that the most restrictive zoning must apply. However it is not practical or preferred to continue forward without establishing a single zoning district for these properties.

Further, as required by Code, Staff published a legal notice of the public hearing on the proposed rezoning in the *Lincolnshire Review* on April 22, 2010. We have also notified all affected property owners within a 250' radius of each of the ten properties. Owners of the ten properties were also contacted, via certified mail, prior to the Village Board's referral, to inform them about this rezoning proposal and to obtain their feedback on this matter. Staff received written comments from only one property owner and their current tenant. As indicated in the attached letter, Inland Western, the 4 Overlook Point owner, and Hewitt Associates, their tenant, would prefer that the 4 Overlook Point property with split zoning be rezoned from O/Ia, O/Ib, and O/Ic to all O/Ic. Although Staff understands the property owner's desire to maximize their property rights, Staff does not believe this request is justified, from a planning and "public benefit" standpoint, since this property is located along the Milwaukee Avenue Corridor (which is designed to accommodate Class "A" office uses) and has only a negligible area falling within the O/Ic Subdistrict. Staff believes this property was clearly never intended to be zoned O/Ic. Staff requests the Zoning Board treat these requests individually by opening a public hearing and discussion accordingly, and making a motion on each one.

Alternate Van de Kerckhove recused himself from Agenda Items 3.2 and 3.3, due to his affiliation with Honeywell.

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.2 **Public Hearing** regarding a request to rezone the property at 405 Barclay Boulevard from O/Ib and O/Ic Office/Industrial Subdistricts, to O/Ic Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.3 Consideration and Discussion regarding a request to rezone the property at 405 Barclay Boulevard from O/Ib and O/Ic Office/Industrial Subdistricts, to O/Ic Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that this rezoning request calls for the rezoning of a small sliver of this property to a less restrictive zoning category, and it will generally afford the Honeywell property owners and users more rights than they currently have. Therefore, since the majority of the property is located in the O/Ic Subdistrict, along the east side of Barclay Boulevard, where the majority of the properties are zoned O/Ic, Staff recommends this property be rezoned from O/Ib and O/Ic Office/Industrial Subdistrict to O/Ic Office/Industrial Subdistrict.

Chairman Manion offered the opportunity to the public for comment, to which there

was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Kalina moved and Mr. Rubinstein seconded a motion to recommend approval to the Village Board of the rezoning of the 405 Barclay Boulevard property from O/Ib and O/Ic Office/Industrial Subdistricts to O/Ic Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows:

1 - Abstain—Alt. Van de Kerckhove;

4 - Ayes - Chairman Manion, Members Rubinstein, Leider, Kalina

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.4 **Public Hearing** regarding a request to rezone the property at 111 Barclay Boulevard from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.5 Consideration and Discussion regarding a request to rezone the property at 111 Barclay Boulevard from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya stated that with the recent approval of “testing of materials” as a permitted use in the O/Ia Subdistrict, the only O/Ib uses that would not be permitted on this property after the proposed rezoning are light manufacturing-related uses, labs and related research and development facilities, governmental and agricultural uses. **Mr. Leider** noted that the Zoning Board packet contains a chart that lists permitted and special uses in each zoning subdistrict. To the best of Staff’s knowledge, there are no uses in this building that would be non-compliant with O/Ia zoning. (**Planner Zozulya** distributed a list of tenants in each multi-tenant building under consideration.) The area currently zoned O/Ib is a parking lot and is located to the south of the building which is along the high-profile Half Day Road arterial, intended for Class “A” office buildings, and is adjacent to other O/Ia uses. Therefore, Staff would recommend that this property be rezoned from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Rubinstein moved and Mr. Kalina seconded a motion to recommend approval to the Village Board of the rezoning of the 111 Barclay Boulevard property from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.6 **Public Hearing** regarding a request to rezone the property at 300 Knightsbridge Parkway from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.7 Consideration and Discussion regarding a request to rezone the property at 300 Knightsbridge Parkway from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that the east part of this multi-tenant office building is zoned O/Ia with the remainder of the property zoned O/Ib. As previously mentioned for the 111 Barclay property, with the recent approval of “testing of materials” as a permitted use in the O/Ia Subdistrict, the only O/Ib uses that would not be permitted on this property after the proposed rezoning are light manufacturing-related uses, labs and related research and development facilities, governmental and agricultural uses. To the best of Staff’s knowledge, there are no uses in this building that would be non-compliant with O/Ia zoning. Therefore, Staff would recommend that this property be rezoned from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, given that the building is located in the Class “A” office building core along Milwaukee Avenue, and the properties to the north and south are also zoned O/Ia.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Leider moved and Mr. Rubinstein seconded a motion to recommend approval to the Village Board of the rezoning of the 300 Knightsbridge Parkway property from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, based on the facts, and as presented in Staff’s memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.8 **Public Hearing** regarding a request to rezone the property at 333 Knightsbridge Parkway from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire).
- 3.9 Consideration and Discussion regarding a request to rezone the property at 333 Knightsbridge Parkway from O/Ia and O/Ib Office/Industrial Subdistricts, to O/Ia

Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that the properties to the north and south are also zoned O/Ia, and to the best of Staff's knowledge, there are no uses in this building that would be non-compliant with O/Ia zoning. Therefore, Staff would recommend that this property be rezoned from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, given that the building is located in the Class "A" office building core along Milwaukee Avenue.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Alternate Van de Kerckhove moved and Mr. Kalina seconded a motion to recommend approval to the Village Board of the rezoning of the 333 Knightsbridge Parkway property from O/Ia and O/Ib Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.10 **Public Hearing** regarding a request to rezone the property at 1 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.11 Consideration and Discussion regarding a request to rezone the property at 1 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that the vast majority of the property is zoned O/Ia, with a very small portion at the northwest end of the property zoned O/Ic. This property neither fronts Milwaukee Avenue nor Barclay Boulevard. While this property would not be permitted any O/Ic uses, such as warehousing and storage, and printing and reproduction services, they would still be able to continue their existing O/Ia uses, since any uses allowed in the O/Ia Subdistrict are also allowed in the O/Ib Subdistrict, in addition to permitted O/Ib uses. To the best of Staff's knowledge, there are no uses in this building that would be non-compliant with O/Ia zoning. Therefore, based on Staff's review of adjacent uses and code requirements, Staff would recommend that this property be rezoned from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, due to the intermediate and transitional location of these properties between the O/Ia and O/Ic Subdistricts.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Kalina moved and Mr. Leider seconded a motion to recommend approval to the Village Board of the rezoning of the 1 Overlook Point property from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.12 **Public Hearing** regarding a request to rezone the property at 2 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.13 Consideration and Discussion regarding a request to rezone the property at 2 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that the parts of the property zoned O/Ic have parking decks constructed on them, and there are currently no O/Ic uses taking place on the O/Ic-zoned parking decks or anywhere else on the property, to the best of Staff's knowledge. Therefore, based on Staff's review of adjacent uses and Code requirements, Staff recommends that this property be rezoned from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, due to the intermediate and transitional location of this property between the O/Ia and O/Ic Subdistricts.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Rubinstein moved and Alternate Van de Kerckhove seconded a motion to recommend approval to the Village Board of the rezoning of the 2 Overlook Point property from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.14 **Public Hearing** regarding a request to rezone the property at 3 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.15 Consideration and Discussion regarding a request to rezone the property at 3 Overlook Point from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that, as in the case of 2 Overlook Point, the parts of the property zoned O/Ic have parking decks constructed on them, and there are currently no O/Ic uses taking place on the O/Ic-zoned parking decks or anywhere else on the property, to the best of Staff's knowledge. Therefore, based on Staff's review of adjacent uses and Code requirements, Staff recommends that this property be rezoned from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, due to the intermediate and transitional location of this property between the O/Ia and O/Ic Subdistricts.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Alternate Van de Kerckhove moved and Mr. Kalina seconded a motion to recommend approval to the Village Board of the rezoning of the 3 Overlook Point property from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, based on the facts, and as presented in Staff's memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.16 **Public Hearing** regarding a request to rezone the property at 4 Overlook Point from O/Ia, O/Ib and O/Ic Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.17 Consideration and Discussion regarding a request to rezone the property at 4 Overlook Point from O/Ia, O/Ib and O/Ic Office/Industrial Subdistricts, to O/Ia Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that this is a two-parcel property, all owned by the same entity, Inland Western, and occupied by Hewitt Associates. While Class "A" office uses would continue to be permitted, O/Ib and O/Ic industrial uses, such as light manufacturing, warehousing, and storage, would be prohibited. It should be noted that there are currently no O/Ib and O/Ic uses occurring on this property, to the best of Staff's

knowledge. Given that the building is located along the Class “A” office building core along Milwaukee Avenue, and the portions of the property zoned O/Ib and O/Ic are very small, and located in one corner of a parking garage, Staff recommends that this property be rezoned from O/Ia, O/Ib and O/Ic Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict. **Planner Zozulya** noted the receipt of a letter submitted by the property owner, Inland Western, expressing their preference for the rezoning to the O/Ic Subdistrict, rather than O/Ia, for the 4 Overlook Point property, which was read and made part of the within minutes.

Chairman Manion announced that he would be abstaining from voting, as he has done work for a subsidiary of Inland Western. **Mr. Rubinstein** expressed concern for going against the property owner’s rezoning request, to which **Mr. Kalina** noted his satisfaction with the Staff proposed O/Ia designation because it clearly fronts Milwaukee Avenue. **Director McNellis** added that there are no O/Ic properties that front Milwaukee Avenue. **Planner Zozulya** noted that, albeit Staff carefully considered the owner’s proposal, the rezoning proposal to O/Ia is consistent with the adjacent uses. **Director McNellis** further pointed out that, if the rezoning were not to occur, the most restrictive zoning of O/Ia would still apply on this property, as the entire building is already within the O/Ia and only the parking is within the other two subdistricts.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Leider moved and Mr. Rubinstein seconded a motion to recommend approval to the Village Board of the rezoning of the 4 Overlook Point property from O/Ia, O/Ib and O/Ic Office/Industrial Subdistricts to O/Ia Office/Industrial Subdistrict, based on the facts, and as presented in Staff’s memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows:

1 - Abstain - Chairman Manion;

4 - Ayes—Members Rubinstein, Leider, Kalina & Alt. Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

3.18 **Public Hearing** regarding a request to rezone the property at 100 Schelter Road from O/Ic and O/Id Office/Industrial Subdistricts, to O/Id Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

3.19 Consideration and Discussion regarding a request to rezone the property at 100 Schelter Road from O/Ic and O/Id Office/Industrial Subdistricts, to O/Id Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that this property, occupied by Quill, is located immediately west of Schelter Road and fronts same. The office/warehouse campus is zoned O/Id and only a small portion (20%) of the property, which is primarily used for parking areas, is

currently zoned O/Ic. The rezoning would provide Quill more “industrial use” rights than they currently have, and would be consistent with the zoning on the remaining 80% of the property. Due to the vast majority of the property being located in the O/Id Subdistrict, along the west side of Schelter Road, where all surrounding properties are currently zoned O/Id, Staff would recommend that this property be rezoned from O/Ic and O/Id Office/Industrial Subdistricts to O/Id Office/Industrial Subdistrict.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Alternate Van de Kerckhove moved and Mr. Leider seconded a motion to recommend approval to the Village Board of the rezoning of the 100 Schelter Road property from O/Ic and O/Id Office/Industrial Subdistricts to O/Id Office/Industrial Subdistrict, based on the facts, and as presented in Staff’s memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

Chairman Manion recessed the Zoning Board meeting and opened the Public Hearing.

- 3.20 **Public Hearing** regarding a request to rezone the 5-acre vacant lot, bounded by Barclay Boulevard on the west, Marriott Drive on the north, Milwaukee Avenue on the east, and Knightsbridge Parkway on the south, from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)
- 3.21 Consideration and Discussion regarding a request to rezone the 5-acre vacant lot, bounded by Barclay Boulevard on the west, Marriott Drive on the north, Milwaukee Avenue on the east, and Knightsbridge Parkway on the south, from O/Ia and O/Ic Office/Industrial Subdistricts, to O/Ib Office/Industrial Subdistrict, to establish a single zoning district for the property (Village of Lincolnshire)

Planner Zozulya noted that the reason this property is entitled a “5-acre vacant lot” is that the County does not have address assigned to it; however, the Village’s address and zoning maps refer to this property as 350 Marriott Drive. Although this property is currently vacant, with the exception of a small parking area for the adjacent professional office building to the south, in speaking with the Village Attorney, Staff believes that it would be advantageous to consolidate the zoning on this property at this time in anticipation of future development. Staff is not aware of any improvements initiated by the property owners of this property that would make this property non-conforming as a direct result of this rezoning. Therefore, based on Staff’s review of adjacent uses and Code requirements, Staff would recommend that this property be rezoned from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, due to this property’s intermediate and transitional location between the O/Ia and O/Ic Subdistricts.

Alternate Van de Kerckhove inquired why the baseball field property located south of this property was not considered for rezoning at this time, as it is in a transitional location between O/Ia and O/Ic Subdistricts. Also, to be consistent on our zoning deliberations, he felt that we should do the same for that “baseball field” property, rather than waiting for development. Additionally, he noted that it would benefit both the owner and any prospective buyer to know the zoning-use district, sooner, rather than later. **Planner Zozulya** responded that Staff did consider and research that property, and noted that it is currently being used as a ball field for the benefit of the Corporate Center employees and is improved with a shelter, benches, etc. for recreational use. Also, Staff believes that the current ownership does not have any intentions of developing it for anything else. **Alternate Van de Kerckhove** expressed his understanding, and noted that it still would be in everyone’s best interest to consider rezoning, if ever the ball field use ceases to be purposeful. **Director McNellis** responded that Staff will forward his recommendation on to the Village Board.

Chairman Manion offered the opportunity to the public for comment, to which there was none. Thus, he closed the Public Hearing and reconvened the Zoning Board meeting. There being a consensus among the members, the following motion was read:

Having made Findings of Fact, covered in a Public Hearing held on May 11, 2010, Mr. Rubinstein moved and Mr. Leider seconded a motion to recommend approval to the Village Board of the rezoning of the 5-acre vacant lot from O/Ia and O/Ic Office/Industrial Subdistricts to O/Ib Office/Industrial Subdistrict, based on the facts, and as presented in Staff’s memorandum dated May 7, 2010.

The motion carried with a roll call vote as follows: 5 - Ayes - Chairman Manion, Members Rubinstein, Leider, and Kalina, and Alternate Van de Kerckhove

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS (None)

6.0 CITIZEN COMMENTS (None)

7.0 ADJOURNMENT

There being no further business, **Mr. Rubinstein** moved and **Mr. Kalina** seconded a motion to adjourn, **Chairman Manion** adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Linda Jones, Secretary

ATTACHMENT

I'd like to take a few minutes at the beginning of tonight's meeting to thank Joe Pratt (who is here this evening) for his time and service to the Village as a Zoning Board member. With the recent completion of Joe's tenure, he has served almost 5 years as a citizen member of this Board, which provides analysis, insight and recommendations that have positively affected not only the built environment of our community, but also the laws and codes that help to maintain the character for which our residents move here and stay here.

In Joe's 5 years on the Zoning Board, he has seen, and been a part of a variety of approved projects and requests, including:

- Code amendments to regulate **Bulk zoning requirements on residential lots**, defining **requirements for Columbaria**, **required parking for restaurants**, the **permissibility of multi-tenant warehouse buildings** in our Office/Industrial zoning district, the **permissibility of Day Spas** in the Village and a **major code amendment to define the rules and regulations for alternative energy** (that's wind and solar) collection systems.

Also:

- Approval of the 7+ acre Forest View Subdivision on Rt. 22
- Rezoning, variations and plat approval for the Bridge office development on Aptakisic.
- Approval for a future cell tower replacement in the Village's Downtown
- An amendment to a Special use to permit the expansion of the Lincolnshire Animal Hospital on Rt. 22
- and Special Uses for a children's daycare and a children's art and entertainment studio at the Village Green.

This represents only a portion of the projects Joe has worked on, had input into and commented on, but it is representative of a commitment to his community and to upholding the standards of excellence that were set long ago in Lincolnshire.

On behalf of the Mayor, Village Board and Zoning Board, we'd like to thank you for your time and service.