

APPROVED MINUTES
VILLAGE OF LAKE ZURICH
Board of Trustees
70 East Main Street



Monday, August 21, 2017 7:00 p.m.

1. **CALL TO ORDER** by Mayor Thomas M. Poynton at 7.00pm.
2. **ROLL CALL:** Mayor Thomas Poynton, Trustee Jim Beaudoin, Trustee Mary Beth Euker, Trustee Marc Spacone, Trustee Jonathan Sprawka, Trustee Greg Weider. Trustee John Shaw was absent and excused. Also present: Village Manager Ray Keller, Asst. Village Manager Roy Witherow, Village Atty. Scott Uhler, Finance Dir. Jodie Hartman, Dir. of Innovation Michael Duebner, Police Chief Steve Husak, Fire Chief John Malcolm, Community Development Director Sarosh Saher, Public Works Dir. Mike Brown, Rec. Manager Bonnie Caputo.
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENT** *Public Comments on Agenda Item #8A will be at that time.*
There were none.
5. **PRESIDENT'S REPORT / COMMUNITY UPDATE**
There was no report.
6. **CONSENT AGENDA**
 - A. **Approval of Minutes of the Village Board Meeting, August 7, 2017**
 - B. **Semi-Monthly Warrant Register Dated August 21, 2017 Totaling \$239,194.46**
 - C. **Ordinance Authorizing Disposal of Surplus Property Owned by the Village of Lake Zurich ORD. #2017-8-209**

Summary: Staff has determined the items listed in this proposed Ordinance are no longer necessary, useful, or in the best interests of the Village to retain ownership. The proposed Ordinance declares the property as surplus and authorizes the sale or disposal of the items.
 - D. **Special Event Request for Back to Girl Scouts in Paulus Park on September 2, 2017**

Summary: The Girl Scouts are requesting Village approval to use Shelter B for a special event on Saturday, September 2, 2017 starting at 5:30 pm. Anticipated attendance is 200 participants.

E. Special Event Request for Costume and Candy Family Fun Run 5K in Paulus Park on October 29, 2017

Summary: Mason Jar Racing is requesting Village approval for a 5k event at Paulus Park on Sunday, October 29, 2017 starting at 10:00 am. The proposed route would circle the Lake around Route 12, North Old Rand Road, West Main Street, Route 22, and Whitney Road. Anticipated attendance is 200 participants.

F. Ordinance Amending Title 3 of Chapter 3 of the Village of Lake Zurich Municipal Code to Increase the Number of Authorized Liquor Licenses (Class V – Roaring Table Brewery) ORD. #2017-8-210

Summary: Roaring Table Brewery at 739 West Route 22 has requested a Class V liquor license for the ability to operate video gaming terminals in conjunction with a commercial-grade, multi-tap draft beer system for the sale of beer on tap.

G. Ordinance Vacating a Portion of Right-of-Way of Lakeview Place ORD. #2017-8-211

Summary: A right-of-way vacation is proposed for a portion of Lakeview Place on the Village's downtown Block C property. This vacate is proposed as part of a clean-up of the plat in conjunction with the conveyance of the last remaining portion of Block C to Foxford Communities to allow them to develop the property with 48 new apartments.

H. Ordinance of the Village of Lake Zurich, Lake County, Illinois, Approving a Memorandum of Understanding between the Village of Lake Zurich and Bloomingdale 6, LLC Regarding Special Service Area 12 ORD. #2017-8-212

Summary: Special Service Area 12 was created in 2006 to fund the cost of providing services related to the maintenance of public common areas of property on the Village's downtown Block C property. The current developer of the approved 48-unit Somerset apartments, Bloomingdale 6, LLC, is requesting the Village enter into an MOU that will provide for the maintenance of common areas within Block C by the developer without requiring the Village to levy property taxes enabled by SSA 12 until the Somerset apartment project is completed.

I. Ordinance Approving Abrogation of Easement for Lakeview Place ORD. #2017-8-213

Summary: With the proposed vacation of a portion of the right-of-way of Lakeview Place, the easement that was in place needs to be abrogated (removed from the chain of title on the property). This abrogation is being implemented as a best practice as part of a clean-up of the plat in conjunction with the conveyance of the last remaining portion of Block C to Foxford Communities.

Recommended Action: Motion was made by Trustee Beaudoin, seconded by Trustee Sprawka, to approve the Consent Agenda as presented.

AYES: 5 Trustees Beaudoin, Euker, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

7. OLD BUSINESS

None at this time.

8. **NEW BUSINESS**

Courtesy Review for Hackney's Property Redevelopment at 880 North Rand Road for Proposed Life Time Fitness Facility

Summary: LTF Real Estate Company is the contract purchaser of the 10.7 acre parcel on the northeast corner of Route 12 and Old Rand Road. The applicant is proposing to redevelop the former Hackney's property into a Life Time Fitness high-end luxury athletic and recreation club.

Plans include a three-story 125,000 square foot facility with an approximately 50,000 square foot outdoor pool deck, with an approximately 600 space parking area. The proposed building is similar in bulk and height to the Life Time facility in Vernon Hills. The facility is proposed to be open 24 hours with the lap pool open from dawn to dusk and the recreation pool open from 10:00 a.m. to 8:00 p.m.

The property at 880 North Rand Road is currently zoned within the B-1 local and community business district and the R-4 single-family residential district. A Zoning Map Amendment from R-4 to B-1 will be required to allow for the proposed redevelopment.

The developer and staff seek to understand the Village Board's preferences towards the proposed land use, site configuration, building size and design in order to address potential issues moving forward.

Community Development Director Sarosh Saher introduced Mr. Aaron Koehler, Director of Development, Lifetime Fitness. Mr. Koehler gave a PowerPoint presentation of the proposed development followed by a synopsis of the recent neighbourhood meeting he had arranged. He had three concerns of residents which were late night lighting, traffic and landscaping.

Mayor Poynton opened the Public Comments

PUBLIC COMMENTS

Janice Gannon, N. Old Rand Road, addressed the Board about the variance from R4 to B1 for the eastern part of the property; watershed into Lake Zurich from the parking lots; loss of the natural area.; traffic on N. Old Rand Road and the damage caused by them on a village road. She stated she represented residents on N. Old Rand Road, Lakebreeze area, Bayshore area and Pamela Road and they were opposed to the development.

Jody Kien, N. Old Rand Road, addressed the Board in her support of the proposal but was concerned about flooding of her home in Bayshore Village from the parking lots. She requested assurance on the possible flooding concern.

Dr. Steve Pritkin, veterinarian on Rt. 12, addressed the Board on the proposal would be good for the community and he shared his concerns.

Horst Stange, Lakebreeze Ct, addressed the Board on his concern of property values when there is a zoning change from residential to business as he had just purchased the home. Other concerns were the building's brick façade would magnify the Rt. 12 traffic noise. He did state that he was not against the proposal.

Tony Janat, Foglia YMCA, addressed the Board on his opposition to the development as it would have an impact on boutique studios, spas, smaller fitness businesses, Park and Rec. programmes as well as the YMCA.

Chris Cross, 7 Lakebreeze Ct., addressed the Board and read comments prepared by his wife who was unable to attend. His wife's concerns were other Lifetime Fitness buildings were not in residential areas; not open 24 hours; 3 storey buildings; crosswalks for runners and walkers around the lake and traffic.

Jim Sherer, 38 Lakebreeze Ct, addressed the Board about the greenspace being lost, 24 hours operation, and suggested other properties along Rt. 12.

Randy Gray(?), Lakebreeze Ct., addressed the Board suggested other properties for this development including swopping Lions Park for this property.

Kelly Gargano, N. Old Rand Road, addressed the Board and stated she agreed with the previous commenters.

Irene Stange, Lakebreeze Ct, addressed the Board on providing assurances from the Corps of Engineers on the Lake Zurich watershed. She stated that there should be noise and vision abatement and the Board needed to be considerate of neighbours.

Recommended Action: Staff recommends the Village Board provide feedback on the proposed land use and highlight any further areas of concern to the developer. The Board then gave their feedback to the Lifetime Fitness representatives. These included the 24 hours of operation; building location on the property and would prefer facing Rt. 12; main entrance should be off Rt. 12 and not N. Old Rand Rd; use permeable surfaces in parking lots; watershed issues; lighting at night; buffers between the development and the neighbours; suggested a traffic study; building height; a right turn lane on N. Old Rand Rd.; looking elsewhere in the B1 areas and conversation about residents giving input on the Masterson's property. Mr. Koehler answered the Board's questions on financial investment, research and can share information on other centres.

B. Discussion on Video Gaming Café Establishments and a Proposed Ordinance Clarifying the Issuance of Class A / A-1 and Class V Liquor Licenses to Certain License Classes for Business Establishments when Primary Business Model and Source of Revenue is Not Video Gaming Terminals Ord. #2017-8-214

Summary: Video gaming gambling terminals were approved by Ordinance in Lake Zurich on April 7, 2014 with the intension of providing local restaurants an economic development tool that many other nearby municipalities already had at the time. Video gaming terminals have indeed provided several local restaurants with an income boost through the shared video gaming tax and attracted additional customers to their establishments who otherwise may have been visiting other towns for entertainment.

If approved, the proposed Ordinance will clarify an existing provision in the Village Code by specifying that Village Class A or A-1 or V liquor licenses are *not intended* for future video gaming café establishments. These regulations will not prohibit video gaming terminals in full-service restaurants, breweries, fraternal or veteran's establishments and will not impact any video gaming café's that have already been approved by the Village Board.

Recommended Action: The Village Board has three possible options at this point:

- **Option #1:** Discuss the pros and cons of video gaming café establishments and postpone voting on the proposed Ordinance until a future Village Board meeting.

- **Option #2:** Approve the proposed Ordinance, thus preventing future video gaming café establishments from obtaining Village liquor licenses.
- **Option #3:** Vote against the proposed Ordinance, thus allowing future video gaming café establishments to continue to be eligible for Village liquor licenses.

The Board discussed the three options and the consensus was they were in favour of Option #2. Atty. Uhler advised the Board.

Motion was made by Trustee Euker, seconded by Trustee Weider, to approve Option #2, an Ordinance Clarifying the Issuance of Class A/A-1 and Class V Liquors Licenses to Certain License Classes for Business Establishments when the Primary Business Model and Source of Revenue is not Video Gaming Terminals. ORD. 2017-8-214.

AYES: 5 Trustees Beaudoin, Euker, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

9. TRUSTEE REPORTS

There were none.

10. VILLAGE MANAGER'S REPORT

Monthly Data Metric Reports

11. ATTORNEY'S REPORT

There was none.

12. DEPARTMENT HEAD REPORTS

Rec. Manager Bonnie Caputo reported on the Rock The Block on Sept. 9th and the many sponsors.

13. ADJOURNMENT

Motion was made by Trustee Beaudoin, seconded by Trustee Sprawka, to adjourn the meeting.

AYES: 5 Trustees Beaudoin, Euker, Spacone, Sprawka, Weider.

NAYS: 0

ABSENT: 1 Trustee Shaw.

MOTION CARRIED.

Meeting adjourned at 8.43pm

Respectfully Submitted by:

Kathleen Johnson, Village Clerk.

Approved by:



 Thomas M. Poynton, Village Mayor

9-14-2017

 Date.

