



Zoning Board of Appeals
Gregory Koeppen
Chair

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March 5, 2026

TO: Gregory Koeppen, Chair
Lake County Zoning Board of Appeals

FROM: Natalia Fic, Planner
Lake County Department of Planning, Building and Development

CASE NO: #001141-2025

HEARING DATE: March 10, 2026

REQUESTED ACTION: Conditional Use Permit (CUP) to allow sixty (60) events of public interest (outdoor concert events) per year.

GENERAL INFORMATION

OWNER: JOAKS, LLC, record owner of 18490, 18520, 18528, 18534, and 18538 W. Old Gages Lake Road; 18511 W Dady Ct., and 18471 W. Gages Lake Road, all located in Grayslake, Illinois. Sean R. Smith is the record owner and principal of JOAKS, LLC.

OF PARCELS: Seven

SIZE: 3.11 acres

LOCATION: 18490, 18520, 18528, 18534, 18538 W. Old Gages Lake Road, Grayslake, Illinois; 18511 W. Dady Ct. and 18471 W. Gages Lake Road, Grayslake, Illinois.

PINs 0730200015, 0730109012, 0730109011, 0730109010, 0730109009, 0730109016, and 0730200016.

EXISTING ZONING: General Commercial (GC)

EXISTING LAND USE: Tavern, restaurant, and outdoor volleyball court.

PROPOSED LAND USE: Same as existing, with the additional allowance of up to sixty (60) events of public interest (outdoor concert events) per year.

SURROUNDING ZONING / LAND USE

NORTH and NORTHEAST:	Residential-4 (R-4) / Single-family residential and vacant
EAST:	General Commercial (GC) / Auto repair service
SOUTHEAST:	Residential-4 (R-4) / Single-family residential
SOUTH and SOUTHWEST:	General Commercial (GC) / Liquor store, tavern, and mixed-use commercial building
WEST:	General Commercial (GC) / Mix of uses including single-family residential, commercial, and park with playground

COMPREHENSIVE PLANS

LAKE COUNTY:	Retail/Commercial
MUNICIPALITIES WITHIN 1 ½ MILES:	Village of Grayslake: Not Designated
	Village of Third Lake: Not Designated
	Village of Gurnee: Not Designated

DETAILS OF REQUEST

ACCESS:	Access to the property is from Old Gages Lake Road.
CONFORMING LOT:	The property is a conforming lot in the General Commercial (GC) Zoning District.
WETLAND / FLOODPLAIN:	There are no mapped wetlands or floodplain on the property.
SEPTIC AND WELL:	The property is served by Lake County public sewer and water systems.

LAKE COUNTY AND EXTERNAL AGENCY COMMENTS

Lake County Public Works – Matt Emde

LCPW has no objection to the requested conditional use permit.

Lake County Engineering Division - Joel Krause

The Engineering Divisions has no objection to the request.

Lake County Department of Transportation – Greg Boehm

Access from Gages Lake Road to Jesse Oaks Food & Drink is not authorized. Jesse Oaks Food & Drink should not allow any vehicle access directly to Gages Lake Road, nor via Dady Court. There should be no parking nor vehicle storage on parcels 07-30-200-016 and 07-30-109-016.

Lake County Building Division – Ieva Donev

The Building Division has no objection to the request.

McHenry-Lake County Soil & Water Conservation District – Spring M. Duffey

The McHenry-Lake County SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report.

ADDITIONAL STAFF COMMENTS

- Events of Public Interest are allowed in the General Commercial (GC) Zoning District through a Temporary Use Permit. The Lake County, Illinois Code of Ordinances (LCC) Section 151.114(K)(1) states: “Temporary Use permits for *events of public interest* shall be limited to specified hours and a maximum of 15 days per calendar year (per zoning lot)”. Per LCC Section 151.114 (C)(9), a request to increase the number of events beyond the maximum permitted 15 days per calendar year requires a ZBA-delegated CUP.
- In 2022 and 2024, the ZBA approved, respectively, Conditional Use Permits CUP #000785-2022 and CUP #000961-2024 for the subject property to allow events of public interest (outdoor concert events) to exceed 15 per year. CUP #000785-2022 specifically authorized up to thirty (30) events of per year. CUP #000961-2024 expanded the number of permitted events to forty-five (45) per year. In both cases, the applicant had requested up to sixty (60) events.
- #CUP-000961-2024 was approved with the following conditions:
 - The CUP shall be limited to no more than forty-five (45 events of public interest (outdoor concert events)) per year and shall expire in two years. If the applicant desires to retain or increase the number of events of public interest at that time, it will be necessary for the

applicant to formally request a new CUP approval from the Lake County Zoning Board of Appeals.

- A maximum of two outdoor concert events can take place within any given calendar week. Concerts shall be limited to acoustic music only and concert hours shall be limited to four hours per event per liquor license requirements and shall not extend past 6:00 p.m.
 - Advanced notice shall be posted on Jesse Oaks' website to allow surrounding neighbors to know when these concerts will be taking place.
 - The maximum decibel reading shall not exceed 50 decibels at residential property lines. [Note: LCC Section 151.114(K)(7) states noise levels associated with events of public interest, except for supervised display of fireworks, shall not exceed 60 dB(A) (SLOW meter response) at the property line of any abutting property zoned and used for residential purposes]
 - Violations of the noise requirements for events of public interest shall result in progressive penalties up to and including revocation of the CUP. Specifically: (a) if one warning or formal notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, the frequency of events for the next four weeks shall be limited to only one (1) per every 2 weeks; (b) following the first warning/notice of violation, if a second warning or notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, all events for the next month shall be withheld/cancelled by the PBD Department; and (c) following the second warning/notice of violation, if a third warning or notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, the CUP shall be revoked by the PBD Director. If the CUP is revoked prior to the 45th event of the year, Jesse Oaks shall be permitted to host events up to and including the 15th event, but in no case shall that number be exceeded.
 - The concert event area for the CUP includes and is limited to PIN 07-30-200-015, located at the southwest corner of the property, in accordance with the submitted site plan of CUP application #000961-2024.
- Since the approval of the 2024 CUP, neither the Lake County Sheriff's Office nor the Planning, Building & Development Department has received or documented any noise complaints related to events held at the subject property.
 - The applicant is again requesting a total of 60 outdoor concerts to be held per calendar year, from April until early November (weather permitting), on weekends and holidays, of which the concert hours would be limited to 2:00 p.m. until 6:00 p.m. on Saturdays, and to 1:30 p.m. until 5:30 p.m. on Sundays and holidays. The applicant has received permission from the Lake County Liquor Commission to serve liquor during the hours of the concert events. Consistent with previous practices at Jesse Oaks, the outdoor concerts are proposed to be held on a deck outside in the beer garden area, located to the west of the Jesse Oaks restaurant building. An 8-foot fence on the west property line acts as a sound mitigation barrier and the property is similarly enclosed by fencing along portions of the northern, eastern, and southern property lines. If a CUP is granted to allow up to sixty (60) events of public interest (outdoor concerts) per year (or any modified number of events), a Temporary Use Permit is still required for each specific event of public interest allowed per the approved CUP.

- The applicant has an issued site development permit for expansion of the parking lot at the northwest corner of the property, which includes installation of parking lot landscaping and a rain garden with native plantings for stormwater management.

RECOMMENDATION ON CONDITIONAL USE PERMIT #001141-2025

Staff recognizes the applicant has demonstrated compliance with the modified 45 events and conditions associated with CUP #000961-2024. However, staff is again compelled to recommend denial of the proposed sixty (60) events of public interest (outdoor concert events) per year as the request, in staff's opinion, does not fully meet the criteria for a Conditional Use Permit in the following manner:

Conditional Use Approval Criteria – Section 151.050 (F)(3)

1. The use, in its proposed location, will be consistent with the stated purpose and intent of Section 151.005.

Comment: The subject property is currently located within the General Commercial (GC) Zoning District. Fifteen (15) Events of Public Interest, which include outdoor concerts, are permitted in the GC Zoning District with a Temporary Use Permit per calendar year by right. A Conditional Use Permit is required to hold more than 15 events to ensure adequate protection for the surrounding area. Section 151.005, of the Lake County Code (“Purpose and Intent”) is intended to protect the health, safety, and general welfare of existing and future residents of the unincorporated area of Lake County by, in relevant part, “protecting landowners from any adverse impacts associated with development that occurs in unincorporated Lake County”. Although the applicant has demonstrated a good track record of compliance with the previously approved events of public interest under CUP#000785-2022 and CUP #000961-2024, allowing an additional 45 events per year may increase the frequency of events held throughout the week and could potentially create adverse impacts on nearby residents, as discussed in 3(b) below.

2. The proposed use in its proposed location complies with all applicable standards of this Chapter, including any applicable use standards of Section 151.112.

Comment: Events of public interest on the subject property are permitted by right, provided that no more than 15 such events occur within any given calendar year. If the Board grants approval of a Conditional Use Permit to allow additional events per year above the currently allowed 15 events, each additional event shall likewise require a Temporary Use Permit. Each such event is subject to temporary use permit standards.

3. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Regional Framework Plan:

- a) Adjacent property

Comment: Between the two road frontages of the subject property (Old Gages Lake Road to the south and Gages Lake Road to the north), the adjacent parcels to the east and west are in the General Commercial (GC) Zoning District. The uses immediately to the east and west are nonresidential. The use to the northwest (18531 Dady Ct., Grayslake) is the residence of the

applicant. To the south and southwest are parcels in the GC Zoning District with nonresidential uses. The proposed additional events, with conditions, would not be disruptive to these adjacent uses/properties. The properties to the southeast (south of Old Gages Lake Road) and north/northeast (north of Gages Lake Road) are zoned Residential-4 (R-4) with single-family dwellings. See Section 3(b) below for potential impacts to these homes and the residential neighborhoods within which they are located.

b) Character of the neighborhood

Comment: Currently, fifteen (15) events are allowed by right on the subject property. The request to allow sixty (60) events per year – a 25 percent increase over the forty-five (45) events approved under the 2024 CUP and four times the number permitted by right - could potentially disrupt the residential quality of life in the vicinity of the subject property and may lead to a corresponding increase in the frequency of noise complaints from neighboring properties. Approval of sixty (60) outdoor concerts per year would allow events to occur nearly every weekend during the primary outdoor event season. With weather conditions generally conducive to outdoor events for approximately eight months of the year from April through November, this could result in approximately two outdoor concerts per week, with little or no lapse in concerts on Saturdays or Sundays throughout the concert season, in addition to potential holiday events. Given the subject property’s relative proximity to residential neighborhoods to the north and south, increasing the number of permitted outdoor concerts – particularly where events may occur more frequently during holiday periods – could negatively impact the residential character of the area.

c) Natural resources

Comment: The proposed use will not have an impact upon natural resources.

d) Infrastructure

Comment: There is no expansion proposed for the infrastructure of the subject property at this time. The applicant has applied for and received permits for the expansion of the parking lot and rain gardens. Access to the property will continue from Old Gages Lake Road, which is under the jurisdiction of Warren Township, who has the responsibility of street maintenance.

e) Public sites

Comment: The proposed use should not have any adverse impacts to public land, including bodies of water.

f) Any other measures affecting the public health, safety, or general welfare.

Comment: No other concerns affecting public health, safety or general welfare are anticipated.

EXHIBIT A
RECOMMENDED CONDITIONS FOR CUP #001141-2025

As stated, staff recommends denial of the request for sixty (60) events of public interest per calendar year at the subject property. However, if the Board is inclined to grant approval of additional events of public interest beyond the 15 allowed by right per calendar year, staff recommends that the approval be limited to no more than forty-five (45) events of public interest per calendar year, subject to the Conditions proposed in Exhibit A herein. An approval of the CUP for 45 events per year would allow the applicant to schedule two events of public interest per weekend, for each season. Given that no noise complaints directly related to the events of public interest (outdoor concert events) have been recorded since the approval of CUP #000961-2024, allowing up to 45 events per calendar year, subject to the conditions below, would provide the necessary safeguards to help limit any potential disruption of the residential character and quality of life in the surrounding neighborhoods:

1. The CUP shall be limited to no more than forty-five (45) events of public interest (outdoor concert events) per year and shall expire in five years on November 15, 2031. If the applicant desires to retain or increase the number of events of public interest at that time, it will be necessary for the applicant to formally request a new CUP approval from the Lake County Zoning Board of Appeals.
2. Concerts shall be limited to either Saturdays, Sundays, or legal holidays. A maximum of one concert take place within any given calendar week, and a maximum of one concert can take place within any given weekend. Concerts shall be limited to acoustic music only and concert hours shall be limited to between 2:00 p.m. and 6:00 p.m. on Saturdays, and between 1:30 p.m. and 5:30 p.m. on Sundays and legal holidays.
3. Advanced notice shall be posted on Jesse Oaks' website to allow surrounding neighbors to know when these concerts will be taking place.
4. Violations of the noise requirements for events of public interest shall result in progressive penalties up to and including revocation of the CUP. Specifically: (a) if one warning or formal notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, the frequency of events for the next four weeks shall be limited to only one (1) per every 2 weeks; (b) following the first warning/notice of violation, if a second warning or notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, all events for the next month shall be withheld/cancelled by the PBD Department; and (c) following the second warning/notice of violation, if a third warning or notice of violation/ticket is issued by the PBD Department or the Sheriff's Office for a noise violation at an event, the CUP shall be revoked by the PBD Director. If the CUP is revoked prior to the 15th event of the year, Jesse Oaks shall be permitted to host events up to and including the 15th event, but in no case shall that number be exceeded.
5. The concert event area for the CUP includes and is limited to PIN 07-30-200-015, located at the southwest corner of the property, in accordance with the submitted site plan of CUP application #001141-2025.