

November 8, 2017

MEMORANDUM

To: Lake County Planning, Building and Zoning Committee

From: Brittany Sloan, Deputy Director/Zoning Administrator
Lake County Department of Planning, Building and Development

Subject: **Wanish Park PUD – Libertyville Township
Request to amend and extend subdivision agreement**

Background:

The Committee approved the Final Plat for the Wanish Park PUD in April 2008 and accepted performance assurances to ensure the completion of subdivision improvements. With a downturn in the economy, it became apparent to Wanish, LLC [the developer] that completing the subdivision improvements was not fiscally possible until market conditions improved. In an effort to maintain the viability of the subdivision and to enable the County to release the assurances, an agreement was implemented between Wanish, LLC and Lake County. The agreement temporarily suspended the Committee's approval of the final plat and set terms to control the marketing and development of the subdivision over the time of the suspension. The agreement retained the development standards in effect on April 2008. The initial agreement was approved on July 13, 2010 and subsequently amended on June 13, 2012, October 2, 2013, and September 1, 2015. The agreement is scheduled to expire December 31, 2017.

The Committee's action in 2013 modified the agreement to require compliance with State and Federal floodplain, floodway, and wetland regulations that were previously exempted under the original agreement. If approved, this amendment will also require the engineering plans and calculations to comply with Chapter 151 of the Lake County Code of Ordinances.

Request:

Wanish, LLC, through their attorney, Mark Eiden (see attached letter), has submitted a written request to extend the terms of the agreement until December 31, 2019, as well as to require the stormwater management features be compliant with County regulations (in addition to State and Federal requirements). The proposed extension would preserve the development rights of Wanish, LLC under the terms and conditions of the existing development plan, while allowing time to continue to market the development for sale and find a new buyer.

Recommendation:

Staff recommends that the Committee approve the amended agreement and grant the requested extension until December 31, 2019 and to require the stormwater management features of the original plan (including calculations) be updated to reflect the regulatory requirements in effect at the time of development.