

September 10, 2012

TO: George Bell, Chairman
Lake County Zoning Board of Appeals

FROM: Eric Tooke, Senior Planner
Lake County Department of Planning, Building and Development

CASE NO: 5220 Rezoning

REQUESTED ACTION: Rezoning from the Residential-1 (R-1) zoning district to the General Commercial (GC) zoning district.

HEARING DATE: September 17, 2012

GENERAL INFORMATION

APPLICANTS: ATG Trust Company

OF PARCELS: Two (2)

SIZE: 0.42 and .55 acres

LOCATION: 23008 N. Main St. and 23023 N. First St., Prairie View, Illinois

EXISTING ZONING: Residential-1

PROPOSED ZONING: General Commercial

EXISTING
LAND USE: Wholesale Nursery

PROPOSED LAND USE: Wholesale Nursery

SURROUNDING ZONING / LAND USE FOR PIN 15-16-307-006

NORTH: General Commercial/ Single Family Dwelling
EAST: General Commercial/ Single Family Dwelling and Wholesale Nursery
SOUTH: General Commercial/ Wholesale Nursery
WEST: Residential-1/ Single Family Dwellings

SURROUNDING ZONING / LAND USE FOR PIN 15-21-100-004

NORTH: General Commercial/ Wholesale Nursery
EAST: Right-of-way/Railroad Commuter Parking
SOUTH: General Commercial/ Wholesale Nursery
WEST: General Commercial/ Wholesale Nursery

COMPREHENSIVE PLANS

PIN: 15-16-307-006

LAKE COUNTY: Residential Medium Lot

MUNICIPALITIES WITHIN 1 1/2 MILES: Village of Buffalo Grove: Single Family Detached
Village of Vernon Hills: Not Designated
Village of Lincolnshire: Not Designated

COMPREHENSIVE PLANS

PIN: 15-16-100-004

LAKE COUNTY: Residential Medium Lot

MUNICIPALITIES WITHIN 1 1/2 MILES: Village of Buffalo Grove: Commercial
Village of Vernon Hills: Not Designated
Village of Lincolnshire: Not Designated

DETAILS OF REQUEST

ACCESS: Direct access is provided via N. Main St. and N. 1st St.

FLOODPLAIN / WETLAND: According to the County's GIS, the properties do not contain mapped wetlands or floodplains.

SEWER AND WATER: Private well and septic system.

ADDITIONAL COMMENTS

The applicant originally applied for the rezoning of PIN 15-21-100-004 to General Commercial after a violation was posted for the wholesale nursery use on the property in 2004. A zoning determination was made shortly thereafter declaring the use on the property as part of the entire wholesale nursery operation. As such, the use was considered Agriculturally Exempt and was allowed to continue on the property. The violation on the property was closed and the application for the rezoning was then withdrawn.

RECOMMENDATION

In staff's opinion, based on the preponderance of the evidence relating to the map amendment approval criteria, the request satisfies the criteria and we therefore recommend approval, for the following reasons:

Map Amendment Approval Criteria – UDO Section 3.3.8

Standard 1: The proposed amendment is consistent with the stated purpose and intent of Sec. 1.5.

Comment: It is the intent of the property owner to continue the existing wholesale nursery use on the subject properties. The rezoning will not threaten the existing health safety and general welfare of existing or future Lake County residence.

It is also the intent of the ordinance to gradually eliminate uses, structures and situations that do not comply with the Ordinance. The rezoning of these parcels will eliminate two nonconforming Residential-1 parcels and create two conforming General Commercial parcels.

Standard 2: The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition in the area.

Comment: Each parcel is surrounded on three sides by property zoned general commercial. Also in the case of both parcels, the use of the property for wholesale nursery

purposes will not change. The proposed change of the zoning of the parcels to General Commercial will be more consistent with the existing use of the properties.

Standard 3: The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property.

Comment: The surrounding properties abutting the subject parcels include the wholesale nursery use to the south and west, portable toilets and scrap metal to the south, and the Metra train station to the east. The proposed amendment will be compatible to these uses on the surrounding parcels.

Standard 4: The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development.

Comment: The properties have direct access to N. Main St. and N. 1st St. The property is served by septic and private water well. Adequate public facilities and services exist.

Standard 5: The proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources.

Comment: The rezoning of the parcels will not have an inverse impact on other properties in the vicinity as the use already exists and the purpose of the rezoning of the parcels is to align the underlying zoning with the existing use of the parcels.

Standard 6: The subject property is suitable for the proposed zoning classification.

Comment: The parcels meet the area and width requirements of the General Commercial zoning district. In addition, the property is physically suitable for the general types of uses and development allowed in the GC zoning district.