



Shields Township

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

PLANNING, BUILDING AND ZONING COMMITTEE

Lake County, Illinois

FEBRUARY 7, 2012

Your Planning, Building and Development Department presents herewith a Resolution on the Final Development Plan for “Scooter’s Restaurant Parking Lot and Alley Improvement Plan” as part of Zoning Case No. #4079 and #4080, based on a petition of Chicago Title Land Trust Company, as Trustee under Land Trust No. LT–2643, successor trustee to LaSalle Bank National Association, f/k/a LaSalle National Bank, successor trustee to LaSalle National Trust, N.A., successor to LaSalle National Bank, successor trustee to LaSalle Bank Northbrook f/k/a Northbrook Trust & Savings Bank as Trustee under trust agreement dated 1/31/83 and known as Trust No. LT-2643, record owners. The Beneficiary of the Land Trust is Jeffrey Glogovsky, as Trustee of the Jeffrey Glogovsky Revocable Trust, and is the owner of 100% of the beneficial interest of the land trust.

The Department of Planning, Building and Development recommends the petition be approved. On the motion “to approve” the prayer of the petitioner, the Planning, Building and Zoning Committee vote is ___ "Ayes" and ___ “Nays.”

- An "Aye" vote on the motion shall operate in favor of the prayer of the petitioner.
- A "Nay" vote on the motion shall operate against the prayer of the petitioner.
- A 3/4 (18) affirmative vote is required to approve the rezoning if there is a legal objection on file.

Respectfully submitted

Aye Nay

Chairman

Vice-Chairman

Planning, Building, & Zoning Committee

RESOLUTION

WHEREAS, on May 31, 2011, a public hearing was held by the Lake County Zoning Board of Appeals pursuant to the Statutes of the State of Illinois on the petition of Chicago Title Land Trust Company, as Trustee under Land Trust No. LT-2643, successor trustee to LaSalle Bank National Association, f/k/a LaSalle National Bank, successor trustee to LaSalle Bank Northbrook f/k/a Northbrook Trust & Savings Bank as Trustee under trust agreement dated 1/31/83 and known as Trust No. LT-2643, record owners. The Beneficiary of the Land Trust is Jeffrey Glogovsky, as Trustee of the Jeffrey Glogovsky Revocable Trust, and is the owner of 100% of the beneficial interest of the land trust which owns the property that is subject of the application. Said petition involved a rezoning of a vacant lot (a.k.a. Lot 5 representing the eastern half of PIN 12-19-117-018) from Residential-3 to General Commercial and a Conditional Use Permit for a Planned Unit Development that integrated the above-noted vacant property with existing restaurant properties (a.k.a. Scooters) located on PINs 12-19-117-020 and 12-19-117-021. The development is entitled: "Scooters Restaurant's Parking Lot and Alley Improvement Plan". The land contained in the original development plan is described as follows:

Lots 5, 9, and that part of Lot 8 and the east-west vacated alley (as vacated by resolution passed by the Board of Supervisors of the County of Lake dated October 14, 1960, and recorded November 28, 1960, as document number 10906830) lying easterly of a line drawn from a point in the south line of Lot 8 which is 82.27 ft. west of the southeast corner of said Lot 9 (as measured along the south line of said Lot 8 and 9) thence north 7 degrees, 35 minutes, 50 seconds east, 73.5 ft. to the southeast corner of Lot 7 in Block 50 in Fredrick H. Bartlett's North Shore Properties in Section 19, Township 44 North, Range 12, East of the Third Principal Meridian, according to the plat thereof recorded March 21, 1927, as document number 295961 in book "R" of Plats, pages 35, 36 and 37, excepting therefrom that part of Lot 8 dedicated for road by document number 359010 recorded September 12, 1930, all in Lake County, Illinois; and

WHEREAS, on June 16, 2011, your Zoning Board of Appeals, after reviewing the testimony presented at the public hearing on the aforesaid petition, submitted its report thereon to the Planning, Building and Zoning Committee, and its report recommended by a vote of 7 "ayes" and 0 "nays" that the petition be approved; and

WHEREAS, on June 28, 2011, your Planning, Building and Zoning Committee duly considered the petition and reports aforescribed and recommended by a vote of 6 "ayes" and 0 "nays" to approve said petition; and

WHEREAS, on July 12, 2011, the Lake County Board unanimously approved a resolution for a rezoning from Residential-3 to General Commercial and a Preliminary PUD Plan for a Conditional Use Permit (CUP) for a PUD entitled "Scooters Restaurant's Parking Lot and Alley Improvement Plan"; and

WHEREAS, subsequent to the action on the rezoning and CUP for the aforementioned Preliminary PUD Plan by the County Board, the applicant added approximately 630 ft. of additional impervious surface area west of the restaurant parcel (PINs 12-19-117-020 and 12-19-117-021) on PIN 12-19-117-019 consisting of approximately .04 acres, for servicing the restaurant. Said parcel was not part of the originally approved Preliminary

PUD Plan for the application represented by Exhibit "A" attached to this resolution and is described as follows:

That part of Block 50 in Frederick H. Bartlett's North Shore Properties in Section 19, Township 44 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded March 21, 1927, as document Number 295961 in Book "R" of Plats, pages 35, 36 and 37 described as follows:

Beginning at a point that is 82.27 ft. west of the southeast corner of Lot 9 in said Block 50, thence south 89 degrees, 59 minutes, 53 seconds, west along the south lines of Lots 8 and 9 in said Block 50, 82.27 ft., more or less to a point of curvature; thence northwesterly 38.57 ft. along a curved line concave northeasterly, which line is the northeasterly line of said lands dedicated for highway by document number 359010; thence north 32 degrees, 35 minutes, 31 seconds east, a distance of 61.7 ft. more or less to the point of beginning, all in Lake County, Illinois; and

WHEREAS, the modification introduced by the applicant to the approved Preliminary PUD Plan is consistent with the provisions of Article 3, Section 3.7.4 of the Unified Development Ordinance (UDO) for a minor amendment to an approved Preliminary PUD Plan; and

WHEREAS, staff reviewed the plans and application for the proposed minor amendment to the approved Preliminary PUD Plan and recommended approval of said plans for compliance with all applicable regulations for said application; and

WHEREAS, following proper public notice of the Planning, Building and Zoning Committee meeting on February 7, 2012, said Committee considered the minor amendment and approved the amendment by a vote of ____ "ayes" and ____ "nays"; and

WHEREAS, upon the applicant having complied with the requirements of all ordinances and having submitted a Final PUD Plan with a recommendation to approve the Plan, your Planning, Building and Zoning Committee has duly considered the petition by Jeffrey Glogovsky, Trustee and Beneficiary of the Chicago Land Trust Company, Land Trust Number LT-2643, for the Final PUD Plan for "Scooters Restaurant's Parking Lot and Alley Improvement Plan", and recommends by a vote of ____ "ayes" and ____ "nays" to approve said petition subject to the conditions identified in Exhibit "A" attached.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Planning, Building and Zoning Committee that the Final PUD Plan be _____.

BE IT FURTHER RESOLVED, that the Director of the Planning, Building and Development Department notify the Petitioners as to the action taken by the Committee.

Dated at Waukegan, Illinois, on this 7th day of February, 2012.

Exhibit "A"

1. The development shall be constructed in substantial conformance with the approved Final Development Plan dated February 7, 2012.
2. The applicant shall obtain all required permits for implementation of the approved Final Development Plan on or before February 7, 2014.
3. The applicant shall post a performance assurance for the improvements based on the cost of the improvements at the time the Site Development Permit is issued to commence construction.