



Zoning Board of Appeals
Gregory Koeppen
Chair

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April 10, 2025

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

FROM: Thomas Chefalo, Principal Planner
Lake County Department of Planning, Building and Development

CASE NO: CUP-000959-2024

REQUESTED ACTION: An amendment to Conditional Use Permit #3599 to expand the existing landscape contractor's storage yard

HEARING DATE: April 22, 2025

GENERAL INFORMATION

OWNER: Vallecillos Land Holding Company, LLC, record owner

OF PARCELS: One

SIZE: 2.34 Acres, per Lake County Maps Online

LOCATION: 25775 N GILMER RD MUNDELEIN, IL

PINs: 1403200035

EXISTING ZONING: General Commercial (GC)

EXISTING LAND USE: Landscape contractor's storage yard

PROPOSED LAND USE: Expansion of the existing landscape contractor's storage yard into area that was not included in the site plan approved as part of CUP #3599.

SURROUNDING ZONING / LAND USE

NORTH:	General Commercial (GC) and Residential-1 (R1)/Vacant and Single-family residences
WEST:	General Commercial (GC)/Retail Commercial
SOUTH:	General Commercial (GC)/Retail Commercial
EAST:	Agricultural (AG)/farmland

COMPREHENSIVE PLANS

LAKE COUNTY:	Mixed Use
MUNICIPALITIES WITHIN 1 ½ MILES:	Village of Hawthorn Woods: Business Village of Long Grove: Commercial Village of Mundelein: None

DETAILS OF REQUEST

ACCESS:	The subject property is accessed from N. Gilmer Rd.
CONFORMING LOT:	The subject property is a conforming zoning lot in the GC zoning district.
WETLAND/FLOODPLAIN:	There is one identified wetland located in the southeast quadrant of the property.
SEWER AND WATER:	The subject property is served by a private septic system and well.

LAKE COUNTY AND EXTERNAL AGENCY COMMENTS

McHenry – Lake County Soil & Water Conservation District

- McHenry – Lake County Soil & Water Conservation report states that due to the size of the parcel and minimal new construction on the site, the impact to natural resources from the proposed use is minimal for the purpose of the NRI Report.

Lake County Department of Transportation

Joe Meyer

- Access improvements for this property were completed under the LCDOT Intersection improvement of Midlothian Rd and Gilmer Rd. However, at the time of permitting, the LCDOT

Major Access Permit must still be obtained for the landscaping business. The following is required prior to the issuance of the LCDOT permit. • Plat of dedication with all signature blocks complete except for the County Engineer's. LCDOT will record the plat of dedication.

Lake County Health Department
Mariam Vega – Environmental Health

- The Health Department has no objections to this Conditional Use Permit request.

Lake County Building and Engineering Division
Joel Krause – Engineering

- The Engineering Division has no objection to issuance of the Conditional Use Permit. Please be advised that a Site Development Permit will be needed for the site operations and improvements that are to take place on the site. Note that there are ongoing stormwater management items, which need to be addressed at the time of the Site Development Permit, including onsite wetland removal/restoration measures.

ADDITIONAL COMMENTS

- On September 26, 2006, CUP #3599 was approved by the Zoning Board of Appeals to Vallecillos Land Holding Company, LLC to allow for the establishment of a landscape contractor's storage yard, including a storage building, parking areas, and material storage bins on the subject property.
- On October 20, 2020, the property was cited for a violation. The use was expanded on the property beyond the scope of the approved plan without approval of an amendment to CUP #3599.
- Per Section 151.050 (I) of the LCC, the ZBA shall be authorized to approve a CUP amendment allowing the expansion of a principal use previously established pursuant to a delegated conditional use permit.
- The LCC Section 151.112 (FF) contains standards specific to Landscape contractor's storage yard uses within the GC District, as follows:
 - (a) Equipment, parking facilities, and bulk material storage areas shall be screened from adjoining properties as established in the conditional use permit. Bulk material storage shall not exceed ten feet in height, or a height established by the conditional use permit.
 - (b) Landscape waste composting, wood-chipping, mulching, and grinding activity, and wholesale sales of landscape-related bulk materials shall be allowed as an accessory use only if expressly approved as part of the conditional use permit application. Noise abatement measures for any permitted mulching, chipping, or grinding activity shall be addressed as part of the conditional use permit.

RECOMMENDATION FOR CONDITIONAL USE PERMIT

Staff recommends approval of the proposed Conditional Use Permit amendment. The staff recommendation is based on the following approval criteria for Conditional Use Permits as stated in Section 151.050(F)(3) of the LCC:

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 located within the General Commercial (GC) Zoning District. The Framework Plan's Future Land Use map designates the subject property as Mixed Use. This land use category includes areas undergoing a transition from less intensive to more intensive uses. A landscape contractor's storage yard is a relatively low-intensive use that is frequently used in transitional areas. The requested use is compatible with other uses in the vicinity and is consistent with the purpose and intent of the Ordinance.

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: The applicant has completed the site capacity/site plan review process. The applicant will be required to comply with all other applicable standards of the LCC.

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: The subject property is located between R1-zoned property to the north and GC-zoned property to the south and will provide a transition between the residential and more intense commercial uses. The proposed landscape plan shows a 30-foot-wide transition yard, 8' tall solid wooden fence and landscape materials buffering the adjacent residential uses on the north from the activity areas of the landscape contracting storage yard. The area immediately west of the subject property, across Gilmer Road, is zoned GC and also has a CUP for a landscape contractor's storage yard. The subject property's narrow, eastern edge adjoins AG-zoned property that is used as farmland. Granting the CUP amendment will address the outstanding violation and should not have a substantial adverse impact on adjacent property. Additional conditions can be required by the Zoning Board to ensure compatibility.

b) Character of the neighborhood

Comment: The character of the neighborhood is defined by the intersection of Gilmer and Midlothian Roads and by the mix of commercial and limited industrial zoning and uses in the surrounding area. The area is undergoing a transition to more intense non-residential uses. The future land use plans adopted by the County and the Villages of Hawthorn Woods and Long Grove contemplate the area transitioning to nonresidential

uses. The use is compatible with the neighborhood at the present time and the expansion will not have a foreseeable detrimental impact on its character.

c) Natural resources

Comment: Wetlands on the subject property must be protected as specified in the Ordinance. Complying with all regulations, including approval for a site development permit with its associated inspections will ensure there will not be any significant negative impact on natural resources.

d) Infrastructure

Comment: There will not be an impact on infrastructure. The property is served by private water well. The proposed access to the property is from Gilmer Road; an access permit must be obtained from LCDOT accompanied by right-of-way dedication.

In addition, the applicant's site planning submittals have satisfactorily shown that the required stormwater infrastructure can be adequately accommodated on the site.

e) Public sites

Comment: This use will not have a detrimental impact on public sites.

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

Comment: The expansion of the use beyond the extent which was approved through CUP #599 will have to comply with all Ordinance requirements, the requirements of other permitting agencies, and any appropriate conditions applied by the Zoning Board of Appeals as part of the CUP. The site plan contains modifications to the site that will resolve the code violation issued when the owner expanded the use without permits. When all requirements have been met, granting the CUP will not have a foreseeable substantial negative impact on public health, safety or general welfare.

RECOMMENDED CONDITIONS FOR CUP #000959-2024

1. The site will be developed in compliance with the site plan accompanying ZBA application CUP-000959-2024.
2. The hours of operation are 6:00 a.m. to 6:30 p.m., Monday through Friday; 6:30 a.m. to 3:00 p.m. Saturday; and the business will be closed on Sundays. However, the use of landscaping equipment and vehicles that emit an audible warning signal is limited to 7:00 a.m. to 5:00 p.m., Monday through Friday. The use of non-vehicle equipment which produces loud noises (e.g., chain saw, backhoe, etc.) is limited to 8:00 a.m. to 5:00 p.m., Monday through Friday. These conditions were included as conditions of approval for CUP #3599.
3. All equipment shall only be parked on the paved area, as shown on the site plan.