

INFORMATION PAPER



June 28, 2023
Planning, Building and Development Department
Eric Waggoner, Director

SUBJ: DAVIS PROPERTY – LAKE VILLA TOWNSHIP - REZONING & CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT

Background:

Kyle Davis, representative record owner and future proprietor, is requesting a rezoning of a 1.95 acre parcel from the Residential-3 (R-3) zoning district to General Commercial (GC) zoning district for a parcel located at 39660 N. Illinois Route 59, Lake Villa, Illinois. In conjunction with the rezoning request, the applicant is also requesting a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) for a proposed contractor's equipment storage building with future office space.

PROJECT DETAILS:

The proposed PUD Preliminary Development Plan includes a 5,000 square foot building and seven parking spaces. In part due to the property's configuration and location of natural resources, the applicant has concentrated the proposed development on the northeastern portion of the property. As a result, the proposed site layout does not impact the 1.29 acres of wetlands and wetland buffers. Street trees along Illinois Route 59 and parking lot landscape plantings are incorporated into the plan. Direct access to the property is from Illinois State Route 59, which is a right-of-way under the jurisdiction of the Illinois Department of Transportation (IDOT). IDOT has informed the applicant that access from Illinois State Route 59 for residential purposes would not be granted, but rather would only allow access to the property for a nonresidential use. Access to the subject property from Bishop Court from the southwest is not viable given the presence of wetlands on the property. The adjacent parcel to the south is vacant and will remain as such, as it is designated open space for the Petite Highwood Pines Subdivision and under HOA ownership. The applicant has entered into landscape transition yard waiver agreements with the property owners to the north and south. A wooden fence, eight feet in height and 174 feet in length, will be installed along the northern property line.

Recommendation:

The Lake County Planning, Building, & Development Department (PB&D) conducted the site plan review process prior to the public hearing process. Although the staff report recommended denial on the basis of the technical standards, the staff report nonetheless indicates no staff objection to the rezoning and Conditional Use Permit and PUD plan provided that the approvals are subject to the recommended CUP conditions incorporated into ZBA's Exhibit A.

Legislative Summary:

On April 19 and May 10, 2023, public hearings were held by the Zoning Board of Appeals (ZBA) concurrently on the requests for rezoning (Case #000804-2022) and on the CUP-PUD and PUD Preliminary Development Plan (Case #000083-2022). The applicant volunteered conditions as part of addenda to the PUD Conditional Use Permit approval criteria, which are related to business operations and site aesthetics and incorporate sustainable design features and additional landscaping requirements. The ZBA recommended approval for the requested rezoning by a vote of 6-1 for case #000804-2022 and recommended approval of the CUP-PUD and Preliminary Development Plan, with conditions, by a vote of 6-1 to allow a 5,000 square foot office/storage building, and the associated parking and grading for contractor's equipment storage building and future office space. As part of the conditions of approval, staff may require additional landscaping within 90 days after completion of the building as determined by on-site analysis of site-specific conditions.

Next Steps:

Following a recommendation on the rezoning and CUP-PUD by the Planning, Building, Zoning and Environment Committee, the applications are forwarded to the Lake County Board for final action on the rezoning and PUD Preliminary Development Plan. If approved, the PUD Final Development Plan – upon its submission and staff review - will be presented to the Planning, Building, Zoning and Environment Committee for final action.