

# INFORMATION PAPER



April 27, 2022  
Planning, Building and Development Department  
Eric Waggoner, Director

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## **SUBJ: Elaty Property Rezoning - Waukegan Township Request for rezoning from Residential-1 (R-1) to General Commercial (GC)**

### **Background:**

Abbas Anthony Elaty, record owner and proprietor, is requesting a rezoning of 0.80 acres of property from the Residential-1 (R-1) zoning district to the General Commercial (GC) zoning district to allow for the expansion of an existing consumer vehicle sales use with outdoor display. The subject properties associated with this application are 35851, 35841, 35831, 35821, and 35811 N. Green Bay Road, Waukegan, Illinois.

In conjunction with the rezoning request, the applicant is also seeking to establish a Consumer Vehicle Sales (Outdoor) use, which is permitted in the General Commercial (GC) zoning district with approval of a delegated Conditional Use Permit (CUP) from the Zoning Board of Appeals (ZBA). For this use, the CUP decision is delegated specifically to the ZBA and does not require action by the County Board. The ZBA approved the CUP request on March 22, 2022, which approval is effective only upon the County Board's approval of the accompanying rezoning request.

In 2016, the applicant was granted a delegated CUP for consumer vehicle sales on the adjoining property to the south, which contains a vehicle display lot and the business office.

### **Recommendation:**

The Lake County Planning, Building and Development Department (PB&D) conducted the site plan review process prior to the ZBA public hearing. The PB&D staff report to the ZBA recommended approval of both requests. Specific to the rezoning, staff's recommendation was based upon compliance with the Standards for a Map Amendment in the following manner:

The Lake County Framework Plan's Future Land Use Map indicates that the subject parcels be developed with retail/commercial uses. The rezoning will allow for the expansion of the existing consumer vehicle sales use to the south which is in the GC zoning district and also owned by the applicant. Additionally, the proposed rezoning is compatible with the existing uses and zoning of nearby properties. Green Bay Road is classified as an arterial roadway, and as such, a nonresidential use would be more compatible for this site, especially considering the other existing commercial uses in the vicinity.

### **Legislative Summary:**

A public hearing was conducted by the ZBA on March 22, 2022 concurrently on the requests for a rezoning (Case #RZON-000743-2022) and a delegated CUP (Case #CUP-000744-2022). At the conclusion of the hearing, the ZBA unanimously recommended approval of the requested rezoning and approved the delegated CUP (with conditions) to establish the consumer vehicle sales (outdoor).

### **Next Steps:**

Following a recommendation on the rezoning by the PWPT Committee, the application is forwarded to the Lake County Board for a final decision. The CUP only becomes effective if and when the Board approves the rezoning.