

April 11, 2018

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: #RZON-000252-2017

REQUESTED ACTION: Rezoning from the Residential-3 (R-3) zoning district to the General Commercial (GC) zoning district.

HEARING DATE: April 11, 2018

GENERAL INFORMATION

APPLICANTS: Donald F. Rogers Trust

OF PARCELS: One (1)

SIZE: 0.32 acres

LOCATION: 12585 W. North Ave., Lake Bluff, Illinois

EXISTING ZONING: Residential-3

PROPOSED ZONING: General Commercial

EXISTING LAND USE: Parking Lot

PROPOSED LAND USE: Parking Lot with Visual Screening Elements and Other Voluntary Conditions

SURROUNDING ZONING / LAND USE

NORTH: Residential-3/ Single Family Dwelling
EAST: Residential-3/ Single Family Dwelling
SOUTH: General Commercial/ Restaurant
WEST: General Commercial/ Parking

COMPREHENSIVE PLANS

LAKE COUNTY: Retail/Commercial

MUNICIPALITIES WITHIN 1 1/2 MILES: Village of Lake Bluff: Retail
City of Lake Forest: Not Designated
Village of Green Oaks: Not Designated
City of North Chicago: Not Designated

DETAILS OF REQUEST

ACCESS: The property is bordered by North Avenue to the North and will take direct access via the 20-foot-wide alley to the south.

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

SEWER AND WATER: Northshore Sanitary Sewer and Lake County Public Works Water

ADDITIONAL COMMENTS

The subject parcel was created as part of the Frederick H. Bartlett's North Shore Properties subdivision, which was platted in 1927, when vehicular traffic was at a minimum, and customer vehicle parking may not have been contemplated. As land use patterns have changed, the commercial corridor in Knollwood along Illinois Route 176 has long experienced constrained parking issues. The Knollwood area has experienced accelerated growth and redevelopment as a result of a major retailer moving to the area (Target). In addition to Target and its associated outlots, other new developments along Illinois Route 176 include: Heinen's Grocery Store (previously a vacant Dominick's grocery store), Sherwin-Williams, Jimmy John's, Suzy

Swirl, and Dunkin' Donuts. Additional recent development has occurred further to the west and north as well along Waukegan Road.

The accelerated growth and increased customer traffic in the Knollwood area spurred by these developments has underscored the need for additional parking for those business located along Illinois Route 176. As a result, businesses located along the corridor have begun to contemplate utilizing the platted alleys (many of which are not improved) and finding new parking solutions. One example is the adjacent lot to the west of the subject property, which was granted a Rezoning/PUD in 2011.

Historically, it is staff's understanding that the gravel parking area on the subject property has served a principal use on Property Index Numbers 12-19-117-008 and -009. In 2011 those related parcels were redeveloped with a restaurant, Graffiti Grill. When the restaurant opened, the regularity of parking use of the subject parcel increased, and sporadic complaints have been received. This increased parking intensity on the subject property, which is in the Residential-3 zoning district, is in violation of the Lake County Code. By applying for a rezoning, the applicant is pursuing compliance. If the rezoning is approved, the applicant will apply for a site development permit to memorialize the completed work and the parking lot will remain in its current configuration until such time as the applicant's properties were redeveloped as a whole. and.

In light of the accelerated growth in the area, it is staff's understanding that the applicant has been in discussions with developers interested in purchasing and redeveloping properties along Illinois Route 176, and it is anticipated that a larger project will occur in the near future. Considering the timing and trend of economic development, the applicant has volunteered conditions below the mitigate any impacts of the parking area in its current configuration. The delayed improvement of the gravel areas would allow paving to occur at the time of redevelopment, and if redevelopment does not occur in the next four years, the parking area and alley will be paved before May 1, 2022.

1. The proposed landscaping will be installed prior to June 1, 2018. The vegetation will be planted and maintained per Section 151.167 of the Lake County Code and maintained in perpetuity of the subject parking lot.
2. The existing stockade fence will be maintained in perpetuity of the parking lot.
3. The alley will be paved by May 1, 2022. At the time of paving, two speed humps will be installed in the alley near the east and west property lines.
4. A "No Parking in the Alley" sign and a "No Thru Traffic" sign will be installed in the alley right-of way at the time of asphaltting.
5. Any future redevelopment of the subject property will be tied to the redevelopment of the properties fronting Illinois Route 176.

In addition to these conditions, the rezoning shall be subject to meeting the Lake County Code standards regarding minimum landscaping and its maintenance along North Avenue, the maintenance of the stockade fence along the east property line, and access taken from the existing improved alley to the south.

RECOMMENDATION

Staff recommends that the rezoning, if approved, be subject to the **petitioner's proposed conditions** attached as Exhibit A. It is staff's opinion that these conditions – if adopted - would help address any foreseeable impact of a nonresidential zoning classification. Further, any site improvements to the subject property are and will continue to be subject to other applicable standards of the Lake County Code. As such, in staff's opinion, the request meets the Standards in the following manner:

Map Amendment Approval Criteria – Lake County Code of Ordinances Section 151.047

Standard 1: The proposed amendment is consistent with the stated purpose and intent of Section 151.005.

Comment: Subsection 151.005(A) states that the purpose of the ordinance is to implement the regional framework plan. The comprehensive plan indicates the Future Land Use of this property to be retail/commercial. The parking lot is an accessory use to the restaurant which is a permitted use in the General Commercial zoning district. In addition, commercial parking is also a permitted use within the General Commercial zoning district.

Subsection 151.005(K) indicates that the intent of the ordinance is to manage growth by concentrating development in areas where adequate roads now exists or can be provided. The existing alley was platted in 1927 and the improvement of the alley will continue to concentrate the development of commercial properties to the properties located to the north and south of the alley.

A third purpose of the Lake County, Illinois Code of Ordinances per Subsection 151.005(P) is to ensure the continued usefulness of all elements of the highway system for their planned function by increasing the safety and free flow of traffic by limiting numbers of intersections and driveways on major roads, while requiring greater connectivity of local streets. By avoiding an additional access point onto W. North Avenue, this site plan accomplishes the intent of the Lake County Code.

It is the intent of the property owner to continue the use of the existing property as a parking lot for the restaurant to the southeast. The rezoning will not threaten the existing health safety and general welfare of existing or future Lake County residents.

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

Comment: The rezoning of the subject parcel from Residential-3 to General Commercial is consistent with both the Lake County Future Land Use Map and the Village of

Lake Bluff's comprehensive plan which both designate this parcel as retail/commercial.

The individual parcels located along Illinois Route 176 were platted in 1927 and are considered legal nonconforming by today's standards. These parcels were platted at a time when vehicular traffic was minimal, and parking may not have been contemplated. Over time vehicles have become the main form of transportation, and businesses along Illinois Route 176 are trying to meet the challenge of providing adequate parking. The adjacent property to the west of the subject parcel was rezoned in 2011 due to similar customer parking challenges. As redevelopment continues to occur and accelerates along this commercial corridor, pressure to provide additional parking for new and existing businesses will continue to increase.

A second challenging aspect affecting the Illinois Route 176/Illinois Route 43 vicinity is the accelerated economic development of the area. In particular, the large retailer, Target, and its developed outlots located east of the subject property along Illinois Route 176 has become a shopping destination for the area along with Carriage Way Plaza with its main anchor Heinen's located on the southeast corner of Illinois Routes 176 and 43. Furthermore, the recently developed Sheridan at Green Oaks (a senior lifestyle community at the southwest corner of Illinois Route 43 and Atkinson Avenue), with its commercial outlots located north of the subject property on Illinois Route 43, is anticipated to add additional customer traffic to the area. The increase in customer traffic created by these developments has helped to create an accelerated economic redevelopment of the Knollwood area, which includes the recent establishment of Sherwin-Williams, Dunkin' Donuts, Suzy Swirl, Jimmy John's, and Starbucks.

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

Comment: The properties to the south as well as the property to the west are zoned General Commercial. The proposed use on the subject property is a parking lot to supplement the parking provided for the restaurant to the southeast. The property to the west of the subject parcel was rezoned from R-3 to General Commercial in 2011 to provide additional parking for the restaurant located to its south. The proposed rezoning and use are compatible to those uses established to the west and south of the subject property. Buffering will mitigate any impact to the residences to the north and east.

The development is compatible with other recently established businesses along Illinois Route 176 including Sherwin-Williams, Suzy Swirl, Jimmy John's and Dunkin' Donuts.

In light of the accelerated redevelopment pattern, it is likely that the subject property and other parcels along Illinois Route 176 will be improved together. The applicant has been in discussions with developers about this possibility. The volunteered condition to improve the alley before May 1, 2022 would guarantee that paving would not be indefinitely delayed should such redevelopment of the parcels as a whole be delayed beyond that point. Simultaneously, the condition

would reasonably allow the applicant to delay investment in substantial paving improvements that may require reconfiguration upon eventual redevelopment.

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: Although the property has frontage along North Avenue, the parking area will take direct access from the 20' wide alley to the south. The alley is improved with crushed asphalt; however, the applicant has volunteered to pave the alley the entire length of the property. To avoid any confusion to the public, "No Parking" signs will be installed to prevent parking in the alley and "No Thru Traffic" signs will be installed to deter cut-through traffic. In addition, at time of paving, speed humps will be installed to reduce speed and improve pedestrian safety.

The property is served by sewer and water. 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 parcel will not have an adverse 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 and future land use of the parcel. The existing stockade fence and proposed landscaping will provide year-round screening from the neighboring residentially zoned parcels.

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

Comment: The parcel meets 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 General Commercial zoning district.

EXHIBIT A
PETITIONER'S PROPOSED CONDITIONS

1. **Landscaping Maintenance:** The proposed landscaping will be installed prior to June 1, 2018. The vegetation will be planted and maintained per Section 151.167 of the Lake County Code and maintained in perpetuity of the parking lot.
2. **Fence Maintenance:** The existing stockade fence will be maintained in perpetuity of the parking lot.
3. **Alley Paving:** The alley must be paved with asphalt by May 1, 2022. At the time of paving, two speed humps will be installed in the alley near the east and west property lines.
4. **Signage:** A "No Parking in the Alley" sign and a "No Thru Traffic" sign will be installed in the alley right-of way at the time of asphaltting.
5. **Redevelopment:** Any future redevelopment of the subject property will be tied to the redevelopment of the properties fronting Illinois Route 176.