

RESOLUTION

#RZON-000252-2017
Shields Township

STATE OF ILLINOIS)
)SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS
June 12, 2018

CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

The Lake County Zoning Board of Appeals has conducted a public hearing on the application of Donald F. Rogers Trust, record owners, who request a rezoning of PIN 12-19-117-002 from the Residential-3 (R-3) zone to the General Commercial (GC) zone. After due consideration, we hereby recommend by a vote of 6 to 0 that this application be approved.

We find this application meets the standards for rezoning in the following manner:

- Standard 1: The proposed amendment is consistent with the stated purpose and intent of Sec. 151.005 of the Lake County, Illinois Code of Ordinances Code.

- 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.

THE ZONING BOARD OF APPEALS GRANTS A RECOMMENDATION OF APPROVAL OF THE REQUESTED REZONING SUBJECT TO THE FOLLOWING 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.

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CHAIRMAN

VICE-CHAIRMAN









Dated this 10th day of May 2018

