

December 2, 2019

MEMORANDUM

To: Lake County Public Works, Planning, and Transportation Committee

From: Krista Barkley-Braun, Planning and Zoning Manager
Lake County Department of Planning, Building and Development

Subject: **Wanish Park PUD – Libertyville Township
Request to extend subdivision agreement**

Background:

The Planning, Building and Zoning Committee approved the Final Plat for the Wanish Park PUD in April 2008 and accepted performance assurances to ensure the completion of subdivision improvements. With a downturn in the economy, it became apparent to Wanish, LLC [the developer] that completing the subdivision improvements was not fiscally possible until market conditions improved. In an effort to maintain the viability of the subdivision and to enable the County to release the assurances, an agreement was implemented between Wanish, LLC and Lake County. The agreement temporarily suspended the Planning, Building and Zoning Committee's approval of the final plat and set terms to control the marketing and development of the subdivision over the time of the suspension. The agreement retained the development standards in effect on April 2008. The initial agreement was approved on July 13, 2010 and subsequently amended on June 13, 2012, October 2, 2013, September 1, 2015, and November 8, 2017. The agreement is scheduled to expire December 31, 2019.

As amended in 2013 and 2017, the agreement requires updates to the site's engineering/stormwater management controls and natural resource protection requirements to be compliant with standards that are in effect at the time the final development plan is ultimately submitted.

Request:

Wanish, LLC, through their attorney, Mark Eiden (see attached letter), has submitted a written request to extend the terms of the agreement until December 31, 2021. The proposed extension would preserve the general development rights of Wanish, LLC under the terms and conditions of the approved development plan (with the exception of engineering/stormwater management and natural resource protection standards), while allowing time to continue to market the development for sale and find a new buyer. At this time, the property owner continues to receive inquiries from potential developers for the project.

Recommendation:

Staff recommends approval to the Committee granting the requested extension to December 31, 2021. The proposal, although extended for a significant timeframe, will be kept current with continuously updated engineering/stormwater management and natural resource protection standards of the County Code.