

RESOLUTION

PUD #000524-2019

Warren Township

STATE OF ILLINOIS

COUNTY OF LAKE

COUNTY BOARD, LAKE COUNTY, ILLINOIS

January 14, 2020

CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

The Lake County Zoning Board of Appeals conducted a public hearing on November 21, 2019, on the application of Gurnee Truck Stop, Inc., record owner, requesting approval for a Major Modification to a Conditional Use Permit for a Planned Unit Development (PUD) #7617 and Preliminary Plan for PIN 07-10-200-009.

After due consideration, we hereby recommend by a vote of 7 - 0 this application be approved subject to the applicant complying with the conditions listed in Exhibit "A" attached to this resolution. We find this application meets the standards for a Conditional Use Permit and a Planned Unit Development PUD Preliminary Plan in the following manner:

Standard 1: The use in its proposed location will be consistent with the stated purpose and intent of Section 151.005:

Comment: The property has a long-standing history of retail and commercial development. Given the size of the property and its location, the reduction of the amount of plant material would satisfy this requirement. The new plan's emphasis on native plant material promotes sustainable development and consequently represents a more environmentally context-sensitive approach to landscaping. Other factors outlined in Section 151.005, such as protection of sensitive natural resources and open space will continue to be maintained and are not detrimentally affected by the request.

Standard 2: The proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Section 151.112:

Comment: The uses on site are allowed within the GC zoning district. The initial Final Development Plan presented more landscaping than required for a conventional landscape plan. Although the proposed amount of landscape material is reduced, the modified landscape plans still meets minimum requirements.

Standard 3: The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Regional Framework Plan:

1. Adjacent Property

Comment: The existing development has been operating with no impact on adjacent properties for over 13 years. The minor enhancements to the property serve to improve customer service and meet the demands of the diverse business functions. The adjacent parcel to the south is Residential-1 (R-1), however because the gas station improvements are located some distance from the residential parcel with a dense woodland area separating the two uses, landscaping on the south side of the subject property was not proposed on the Final Development Plan. The proposed reduction of the landscape material will not have an effect upon this or other adjacent properties.

2. Character of the neighborhood

Comment: The character of the area along and near the US Route 41 corridor is well-established as a mixture of residential and commercial uses. The proposed reduction of the landscaping will be consistent with best management practices given the size and location of the property. Consideration of traffic visibility for safety purposes was incorporated into the new plan.

3. Natural Resources

Comment: The initial Final Development Plan addressed natural resource protection. The reduction of landscaping will not impact the natural resources on the eastern portion of the property. Further, the new plan includes species that are native and appropriate for the conditions present on site and eliminates species that are non-native and considered invasive in certain situations, such as *Euonymus alata* (burning bush).

4. Infrastructure

Comment: The site is served by public sewer and water. The reduction of landscaping will not affect the infrastructure. Emphasis on native species selection and site compatibility will eliminate the need for irrigation.

5. Public sites

Comment: The reduction of landscape material will not affect the Des Plaines River Watershed.

6. Any other measures affecting the public health, safety, or general welfare

Comment: The development has existed in the same configuration for approximately 13 years with no negative impact on the public health, safety, or general welfare. The reduction of landscape material is appropriate given the size and location of the property and will improve visibility and aesthetics for this mixed-use site. Reduction of the number and type of plant material along U.S. Route 41 will increase traffic visibility for motorists leaving the site and those passing by the site on Route 41.

We make the following findings with respect to standards for Preliminary Planned Unit Development:

Standard A: The proposed development in its proposed location is consistent with the Regional Framework Plan.

Comment: The existing mixed-use development present in its current location is consistent with the Regional Framework Plan. The proposed reduction of the landscaping does not affect the intent of the Regional Framework Plan

Standard B: The proposed development in its proposed location complies with the PUD standards of Section 151.132.

Comment: The proposed modifications to the PUD comply with the standards set forth in Section 151.132(B) of the Lake County Code as follows:

- 1) Greater choice in the type of environment and living units to the public:
Not applicable.
- 2) More open space through conservation development practices
Not applicable.
- 3) Open space resources connected to one another
Not applicable.
- 4) A creative approach to the use of land and related physical development
The Final Development Plan included a substantial amount of landscaping on the west side of the property and along the landscape island adjacent to the car wash. Given the size and location of the property, a reduction of the plant material which incorporates native species is appropriate.
- 5) An efficient use of land resulting in smaller networks of utilities and streets
The modification does not include any new or additional uses of utilities or streets.
- 6) Promotion of mixed-use development
Not applicable

Standard C: The proposed development in its proposed location will not result in a substantial adverse effect on any of the following, either as they exist at the time of application or as they may in the future be developed as a result of implementation of the Regional Framework Plan:

1. Adjacent property

Comment: The existing development has been operating with no impact on adjacent properties for over 13 years. The minor enhancements to the property serve to improve customer service and meet the demands of the diverse business functions. The adjacent parcel to the south is Residential-1 (R-1), however, since the site improvements associated with the gas station are concentrated on the north side of the parcel and separated from the residential parcel with dense woodland area, landscaping on the south side of the subject property was not proposed on the Final Development Plan. The proposed reduction of the landscape material will not have an effect upon adjacent properties.

2. Natural resources

Comment: The initial Final Development Plan addressed natural resource protection. The modified landscaping plan will not affect any protected natural resources on site and is compatible with the adjacent natural areas.

3. Infrastructure

Comment: The site is served by public sewer and water. The reduction of landscaping will not affect the infrastructure.

4. Public sites, or,

Comment: The reduction of landscape material will not affect the Des Plaines River Watershed.

5. Any other matters affecting the public health, safety, or general welfare.

Comment: The development has existed in the same configuration for approximately 13 years with no impact on the public health, safety, or general welfare. The reduction of landscape material is appropriate given the size and remote location of the property. Further, elimination of canopy and evergreen trees proposed adjacent to U.S. Route 41 will improve signage and access visibility for traffic. .

EXHIBIT A

Proposed Conditions for Case #PUD-000524-2019 Major Modification to a Conditional Use Permit for a Planned Unit Development (PUD) #7617

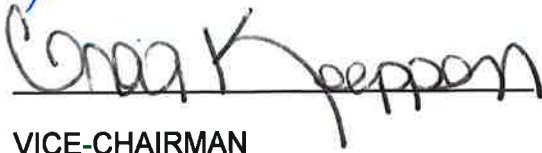
1. Landscaping is installed within one year of approval.
2. The applicant submits a performance assurance.

Zoning Case PUD #000524-2019

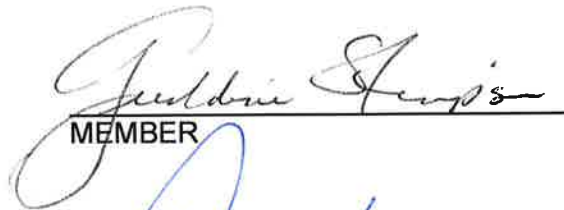
Warren Township



CHAIRMAN



VICE-CHAIRMAN



MEMBER



MEMBER



MEMBER



MEMBER



MEMBER

Dated this 19th day of December 2019