

Item #3:
Referral To PCZBA Text Amendment(s) HR Zoning District

James Hogue, Director of Planning
Village of Long Grove
Box 3110 R.F.D.
Long Grove, IL 60047

August 4th 2015

Subject: Establishment of a text amendment to the HR zoning district providing for "temporary uses" for the Geimer Property located at 2727 Route 53.

Dear Mr. Hogue,

On behalf of Pinnacle Capital 2727 LLC we are submitting the attached application and Legal Description for the Geimer property for your review and consideration. We note that paragraph 4 of the listed special uses states as follows:

"Such other uses as may be consistent with the village's comprehensive plan and expressly authorized pursuant to an ordinance granting approval of a planned unit development".

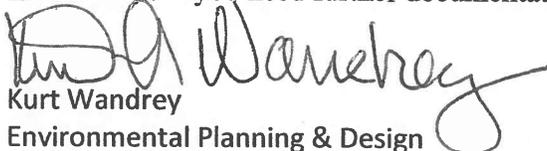
We are requesting that the Village consider amending the ordinance to establish one or more of the uses listed below on a temporary basis for a period of up to three years. In as much each of the proposed uses will have unique requirements we understand that we will be require to submit to you the details associated with each land use proposal at the time we enter into a lease for the property and request the appropriate Special use permit. This will give both the village and the owner the benefit of leaving the final land use policy for the property open until such time that the village finalizes the comprehensive plan update.

We have listed below the following "Temporary Uses" for your consideration. Please let us know your thoughts and schedule us for the next available board meeting to discuss further details.

Proposed uses:

Landscape nursery and landscape equipment sales
Self-storage facility
Outdoor storage of vehicles, equipment and material for the owner's uses and for third parties.
Construction material yard
Contractor office/ yard
Boat storage
Motor vehicle towing services
IDOT equipment yard
Entertainment – Batting Cages and Go-Carts
Taxicab, Limo offices and storage
Recycling Center
Equipment rental, storage and leasing

Let us know if you need further documentation at this time.


Kurt Wandrey
Environmental Planning & Design



3110 Old McHenry Road 60047-9635
Phone: 847-634-9440 Fax: 847-634-9408
www.longgrove.net

PLAN COMMISSION ZONING BOARD OF APPEALS GENERAL ZONING APPLICATION

1.0 General Information (See Subsection 5-11-8(E) of the Long Grove Zoning Code).

1.1 **Applicant Name:** Kurt Wandrey, Environmental Planning & Design

Address: 4005 Royal Fox Drive, Saint Charles, Illinois

Telephone Number: 847-875-9513 E-mail Address: kurtwandrey@gmail.com

Fax number: _____

Applicant's Interest in Property: Consultant to Contract Owner, Pinnacle Capital 2727 LLC

1.2 Owner (if different from Applicant).

Name: Contract Purchaser, Pinnacle Capital 2727 LLC

Address: 555 Corporate Woods Parkway, Vernon Hills, Illinois 60061

Telephone Number: 847-634-9400 E-mail Address: JLevin@aportho.com

Fax number: 847-634-2900

1.3 Property.

Address of Property: 2727 Route 53, Long Grove, Illinois

Legal Description: Please attach Parcel Index Number(s): 14-35-400-042 & 14-35-400-044

Present Zoning Classification Long Grove HR Size of Property (in acres) 14.21 Acres

Has any zoning reclassification, variation, or special use permit/PUD been granted for the Property?
Yes: X No: _____

If yes, please identify the ordinance or other document granting such zoning relief: 2010-0-24, 2010-0-26

Describe the nature of the zoning relief granted: Special use for an Office Commercial PUD, expired

Present use of Property:

Residential _____ Commercial X Office _____ Open Space _____ Vacant X

Other (explain) Existing commercial greenhouse building has closed for business and remains vacant.

Present zoning and land use of surrounding properties within 250' of Property:

	Zoning Classification	Land Use
North:	<u>Lake County R-2</u>	<u>Vacant</u>
South:	<u>HR PUD</u>	<u>Home Improvement Center</u>
East:	<u>Lake County R-2</u>	<u>Vacant</u>
West:	<u>Lake County AG/OS</u>	<u>Vacant</u>

1.4 **Trustees Disclosure.**

Is title to the Property in a land trust? Yes _____ No X

If yes, full disclosure of all trustees, beneficiaries and their legal and equitable interests is required. Attach a copy of all documents showing ownership of the Property and the Applicant's and/ or Owner's control of or interest in the Property.

1.5 **Requested Action (Check as many as are applicable).**

<input type="checkbox"/> Appeal	<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Variation	<input type="checkbox"/> Special Use Permit (non-PUD)
<input type="checkbox"/> Zoning Map Amendment (rezoning)	<input checked="" type="checkbox"/> Zoning Code Text Amendment
<input type="checkbox"/> Preliminary PUD Plat	<input type="checkbox"/> Final PUD Plat

1.6 **Supplemental Information (General):****

Every Application filed shall, in addition to the data and information required above, provide the following general information when applicable to the use or development for which approval is being sought:

- (a) A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.
- (b) A table showing the following, as applicable:

- the total lot area of the lot, in acres and in square feet; and
 - the total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to: residential uses, business uses; office uses; college uses; institutional uses; open space; rights-of-way; streets; and off-street parking and loading areas; and
 - the existing and proposed number of dwelling units; and gross and net floor area devoted to residential uses, business uses, office uses, college uses, and institutional uses.
- (c) A table listing all bulk, space, and yard requirements; all parking requirements; and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. When any lack of compliance is shown, the reason therefore shall be stated and an explanation of the village's authority, if any, to approve the Application despite such lack of compliance shall be set forth.
- (d) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction, or development complies with all provisions of this code and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.
- (e) A landscape development plan, including the location, size and species of plant materials.

1.7 Supplemental Information (per specific request):

- _____ Appeals, Code Interpretations, and Variations: See 5-11-8(E)3, 4, & 5 of the Zoning Code and Form "A"
- _____ Special Use Permit (non-PUD): See 5-11-8(E)7 of the Zoning Code and Form "B"
- _____ Zoning Map Amendment (rezoning): See 5-11-8(E) 8 of the Zoning Code and Form "C"
- X Zoning Code Text Amendment: See Form "D"
- _____ Preliminary PUD Plat: See 5-11-18(D)(2) of the Zoning Code and Form "E"
- _____ Final PUD Plat: See 5-11-18(D)(3) of the Zoning Code and Form "F"

** The scope and detail of information shall be appropriate to the subject matter of the Application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the Application. Information required in the application shall be considered the minimum information required for filing an application. Additional information including but not limited to graphic depictions, environmental impacts, plans for sewer and water service and storm water management, photometric plans, traffic studies and effects on property values, among others, should also be considered and may be helpful in detailing the Application.

Special Data Requests. In addition to the data and information required pursuant to this Application, every Applicant/Owner shall submit such other additional data, information, or documentation as the

building superintendent or any board or commission before which the Application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular Application.

1.8 Consultants.

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this Application, including architects, contractors, engineers or attorneys:

Name: <u>John Mays</u>	Name: <u>Kurt Wandrey</u>
Professional: <u>Attorney, Gould & Ratner</u>	Professional: <u>Land use & Zoning</u>
Address: <u>222 North LaSalle St. Chicago, IL</u>	Address: <u>4005 Royal Fox Dr. St. Charles, IL</u>
Telephone: <u>312-236-3241</u>	Telephone: <u>847-875-9513</u>
E-mail: <u>jmays@gouldratner.com</u>	E-mail: <u>kurtwandrey@gmail.com</u>

Name: _____	Name: _____
Professional: _____	Professional: _____
Address: _____	Address: _____
Telephone: _____	Telephone: _____
E-mail: _____	E-mail: _____

1.9 Village Officials or Employees.

Does any official or employee of the Village have an interest, either directly or indirectly, in the Property? Yes: _____ No: X

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

1.10 Successive Applications (5-11-9).

Second Applications Without New Grounds Barred. Whenever any Application filed pursuant to this code has been finally denied on its merits, a second Application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the officer, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

New Grounds to Be Stated. Any such second Application shall include a detailed statement of the grounds justifying consideration of such Application.

Summary Denial With or Without Hearing. Any such second Application may be denied by the building superintendent summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such Application is set for hearing, the owner shall be required to establish grounds warranting reconsideration of the merits of its Application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the Application may be summarily dismissed for such failure.

Exception. Whether or not new grounds are stated, any such second Application filed more than two years after the final denial of a prior Application shall be heard on the merits as though no prior Application had been filed. The Applicant or Owner shall, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first Application. In the absence of such evidence, it shall be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first Application.

2.0 Required Submittals (See Specific Supplemental Information Form for filing Fees).

- Fully completed Application with applicable supplementary information
- Non-refundable Filing Fee. Amount: \$ \$100.00
- Planning Filing Fees. Amount: \$ \$1,000.00
- Minimum Professional Fee/deposit Escrow. Amount \$ \$5,000.00

3.0 Certifications. The Applicant and Owner certify that this Application is filed with the permission and consent of the Owner of the Property and that the person signing this Application is fully authorized to do so.

3.1 The Applicant certifies that all information contained in this Application is true and correct to the best of Applicant's knowledge.

3.2 The Applicant acknowledges that the Village may seek additional information relating to this Application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying an Application.

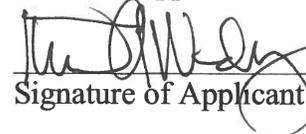
- 3.3 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this Application, including any consultants' fees. By signing this Application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.
- 3.4 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the Property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this Application.
- 3.5 **The Owner, Applicant, and/or designated representative is required to be present during the meeting.**

Name of Contract Purchaser

Signature of Contract Purchaser

Date

Kurt A Wandrey Environmental Planning
Name of Applicant


Signature of Applicant

Aug 4th 2015
Date



**Village of Long Grove
Plan Commission Zoning Board of Appeals
Supplemental Application Information
(Zoning Code Text Amendment)**

FORM "D"

In addition to the information required by the General Zoning Application, the Applicant must provide specific supplemental information as required below for Applications for a Zoning Code Text Amendment

Applications for a Comprehensive Plan or Zoning Code Text Amendment. In addition to the information required in the General Zoning Application, every Application for a **Zoning Code Text Amendment** shall provide the following supplemental information:

- (a) The exact wording of the proposed text amendment.
- (b) A statement of the need and justification for the proposed text amendment.
- (c) A statement concerning the conformity or lack of conformity of the approval being requested to the official comprehensive plan and the official Map of the village. When the approval being requested does not conform to the official comprehensive plan or the official map, reasons justifying the approval despite such lack of conformity shall be stated.

Fee Schedule for Zoning Code Text Amendments (Per 12-12-2 Village Code).

1. Filing fee	\$ 100.00
2. Planning fee:	
Text amendment	\$ 1,000.00
3. Professional fee escrow minimum deposit, which may be greater as determined by the village manager commensurate with scope of amendment	\$ 5,000.00**

**** PROFESSIONAL FEE ESCROWS MUST BE MAINTAINED AT THE \$5,000.00 MINIMUM DEPOSIT LEVEL.**

File Number: 70002003

EXHIBIT "A"

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE NORTH 86 DEGREES 07 MINUTES 06 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 684.63 FEET TO THE EASTERLY LINE OF ILLINOIS STATE HIGHWAY NO. 53 AS DEDICATED PER INSTRUMENT RECORDED JUNE 16, 1936 AS DOCUMENT 425678; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF ILLINOIS STATE HIGHWAY NO. 53, BEING A CURVED LINE CONVEX EASTERLY AND HAVING A RADIUS OF 4132.65 FEET, AN ARC DISTANCE OF 1189.23 FEET TO A POINT OF TANGENCY IN SAID LINE {THE CHORD OF SAID ARC BEARS NORTH 09 DEGREES 20 MINUTES 43 SECONDS EAST, 1185.13 FEET}; THENCE NORTH 01 DEGREES 06 MINUTES 05 SECONDS EAST ALONG THE EASTERLY LINE OF SAID ILLINOIS STATE HIGHWAY NO. 53, BEING A LINE TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, 138.96 FEET TO THE NORTH LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 86 DEGREES 04 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION, 81.69 FEET TO THE SOUTHWESTERLY LINE OF F.A.P ROUTE 432 PER WARRANTY DEED RECORDED NOVEMBER 16, 1993 AS DOCUMENT 3435170; THENCE SOUTH 35 DEGREES 03 MINUTES 18 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF F.A.P ROUTE 432, BEING A LINE 150.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE TRANSIT LINE OF F.A ROUTE 61 AS SHOWN ON THE PLATS OF SURVEY RECORDED JUNE 22, 1971 AS DOCUMENT 1508620, 792.40 FEET TO AN INTERSECTION OF SAID LINE WITH THE EAST LINE OF SAID QUARTER QUARTER SECTION AT A POINT 616.00 FEET, AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 03 DEGREES 58 MINUTES 34 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, 702.13 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4; THENCE NORTH 89 DEGREES 56 MINUTES 44 SECONDS WEST {NORTH 86 DEGREES 07 MINUTES 06 SECONDS WEST - RECORD}, ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 664.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 56 MINUTES 44 SECONDS WEST, ALONG SAID SOUTH LINE, 20.59 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF ILLINOIS STATE HIGHWAY NUMBER 53 {HICKS ROAD}; THENCE NORTHERLY, 685.01 FEET, ALONG SAID EASTERLY RIGHT-OF-WAY AS DEDICATED PER DOCUMENT NUMBER 425678, BEING A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 4,137.22 FEET (4,132.65 FEET - RECORD), A CHORD BEARING NORTH 09 DEGREES 04 MINUTES 01 SECONDS EAST, AND A CHORD DISTANCE OF 684.24 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 30 SECONDS EAST, 10.01 FEET, TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHERLY, 103.87 FEET, ALONG A CURVE 10.00 FEET EASTERLY OF AND CONCENTRIC WITH SAID EASTERLY RIGHT-OF-WAY, CONCAVE WESTERLY, HAVING A RADIUS OF 4,147.22 FEET, A CHORD BEARING SOUTH 05 DEGREES 02 MINUTES, 02 SECONDS WEST, AND A CHORD DISTANCE OF 103.86 FEET; THENCE SOUTH 84 DEGREES 14 MINUTES 55 SECONDS EAST, 10.00 FEET, TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHERLY, 146.51 FEET, ALONG A CURVE 20.00 FEET EASTERLY OF AND CONCENTRIC WITH SAID EASTERLY RIGHT-OF-WAY, CONCAVE WESTERLY, HAVING A RADIUS OF 4,157.22 FEET, A CHORD BEARING SOUTH 06 DEGREES 45 MINUTES 39 SECONDS WEST, AND A CHORD DISTANCE OF 146.50 FEET; THENCE SOUTH 82 DEGREES 13 MINUTES 46 SECONDS EAST, 10.00 FEET, TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHERLY, 305.13 FEET, ALONG A CURVE 30.00 FEET EASTERLY OF AND CONCENTRIC WITH SAID EASTERLY RIGHT-OF-WAY, CONCAVE WESTERLY, HAVING A RADIUS OF 4,167.22 FEET, A CHORD BEARING SOUTH 09 DEGREES 52 MINUTES 05 SECONDS WEST, AND A CHORD DISTANCE OF 305.06 FEET; THENCE NORTH 78 DEGREES



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 ALTA Commitment - Schedule A (continued)

02 MINUTES 03 SECONDS WEST, 10.00 FEET, TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHERLY, 128.93 FEET, ALONG A CURVE 20.00 FEET EASTERLY OF AND CONCENTRIC WITH SAID EASTERLY RIGHT-OF-WAY, CONCAVE WESTERLY, HAVING A RADIUS OF 4,157.22 FEET, A CHORD BEARING SOUTH 12 DEGREES 51 MINUTES 16 SECONDS WEST, AND A CHORD DISTANCE OF 128.93 FEET, TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

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This commitment is invalid unless the insuring Provisions and Schedule A and B are attached.
glundstr 06/12/2015

ALTA Commitment - Schedule A Page 5

