

**Item #1:**  
Request For Referral To PCZBA – Arbor Grove PUD



REFERAL REPORT

TO: Village President & Trustees  
FROM: James M. Hogue, Village Planner  
DATE: 4/7/10  
RE: PCZBA REQUEST 02-10 Request for a Zoning Map Amendment (HR), a Special Use Permit (SUP) for Preliminary PUD Plan/Plat approval and disturbance of lowland conservancy areas, text amendments to the "HR" Highway Retail District for lot size & impervious surface and variations to the "HR" District yard requirements for the Arbor Grove PUD by Mr. Michael Burgmeier of MB General Investment, LLC.

**Item:** PCZBA PETITION 02-10

**Status:** Complete application received 03/12/10. Filing fees & Escrow submitted 03/12/10. Referral by Village Board sought 4/13/10.

**History:** The property is located on Illinois Route 53 north of and adjacent to the Menards Development. The property was annexed into the Village in 1998 via Ordinance 98-O-17. The property consists of approximately 14.2 acres of land area (in 2 separate parcels) and is presently zoned R-2 PUD (Ord. 98-O-18) and is the site of the Geimer Greenhouse. The property is presently occupied by the Geimer Greenhouse facility.

**Proposal:** Consideration of a request for a zoning map amendment (zoning reclassification) to the HR zoning District a Special Use Permit for Preliminary PUD Plan/Plat approval and excavation of detention areas & filling of lowland conservancy areas to allow commercial redevelopment of the property under the "HR" District Regulations with an amendments to the "HR" District Regulations to allow a minimum lot size of 14 acres instead of the required 20 acres and increased lot coverage. Variations on yard requirements in the "HR" District also appear necessary.

**Existing Land Use & Zoning Data:**

1. Surrounding Land Uses and Zoning;

<i>Direction</i>	<i>Existing Use</i>	<i>Land Use Plan Designation/Zoning</i>
<b>NORTH</b>	Right- of-Way/ Vacant (Dorothy Ln. & Rt. 53 Extension)	Residential/R-2
<b>SOUTH</b>	Commercial	Commercial (Rt. 53/Lake-Cook Subarea /HR
<b>EAST</b>	Vacant	Residential/AG (Unic. Lake County)
<b>WEST</b>	Commercial	Commercial (Rt. 53/Lake-Cook Subarea / R-2

**Zoning Analysis**

	<b><u>Proposed</u></b>	<b><u>“HR” District Requirements</u></b>
<b>Building Height</b>	<b>20’ to 35’</b>	<b>35’</b>
<b>Total District Area</b>	<b>14.21 acres</b>	<b>20 Acres</b>
<b>Individual Lot Area</b>	<b>2.7 to .3 acres</b>	<b>N/A</b>
<b>Yard Requirements</b>		
<b>Front &amp; Corner</b>	<b>Unknown*</b>	<b>30’</b>
<b>Side Yard</b>	<b>Unknown*</b>	<b>30’</b>
<b>Rear Yard</b>	<b>Unknown*</b>	<b>30’</b>
<b>Conservancy/ Scenic Corridor</b>	<b>60’</b>	<b>100’</b>
<b>Max. FAR</b>	<b>.16**</b>	<b>.15</b>
<b>Max. Impervious Surface</b>	<b>.55**</b>	<b>.40</b>
<b>Parking</b>	<b>4.5/1000 G.L.A.</b>	<b>4.5/1000 G.L.A.</b>

\*Yards were not specified on the site plan; Side Yards on Lots 3, 4 & 5 appear not to be met.

Rear yards on Lots 5 & 7 are questionable.

\*\* Maximum FAR & Impervious Surface Area exceeds "HR" District maximums. FAR however may be modified to .20 within the entire PUD and .30 per individual lot through the PUD approval process.

### **Land Use and Locational Data**

The property is located at 2727 Route 53 and north of and adjacent to the Menards Development at the corner of Route 53 and Lake-Cook Road. The property is presently zoned R-2 PUD with a PUD approval granted in 1998 to permit the existing greenhouse facility at this location. The property falls within the boundaries of the Route 53/Lake Cook Subarea (maps A & B attached). This sub-area plan was designed to provide "flexibility for a wide range of uses and demonstrate the requirements that any development must meet". In general, the proposed project is in conformity with this plan with regard to use (commercial – office\ retail). However, the greenhouse facility is an identified use in this plan and a 100' Scenic easement is proposed along the length of the Route 53 frontage per the plan recommendations. The petitioner is asking for a reduction from this standard in a manner consistent with the approvals granted to the Menards Development. The greenhouse facility on-site would be removed and the property redeveloped under this proposal.

**1) Previous Approvals** - Previous approvals which were granted in 1998 (Ordinances 98-O-17 & 18) annexed this property to the Village and granted the "Geimer Planned Unit Development" which allowed the property to develop as retail garden center. As part of this approval the PUD ordinance specifically prohibited any and further rezoning or re-subdivision of property approved as the "Geimer PUD". The Village Board needs to determine whether modifications of the restrictions of the prior PUD approval are appropriate or if the restrictions with regard to no further subdivision or rezoning should remain.

**2) Proposed Land Uses** – The "HR" District only allows Opens Space and Parks as permitted uses as a "matter-of-right". Special Uses may be considered as follows;

1. Home improvement stores, retail stores, and restaurants, if approved pursuant to an ordinance granting approval of a planned unit development.

2. 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.

Petitioner has submitted a list of uses which are attached. These are similar to the uses approved in the Menards PUD approval and include the following as among others; all uses permitted in the B-1; B-2; O & OR Districts.

Staff questions the following however; Bed & Breakfast, Home Improvement Stores (given the proximity to Menards), Restaurants and Fast Food Restaurants given the proposed parking ratio and higher standard of parking in the "HR" District for Restaurants; Automotive Service Facilities (as a special use) these and gas stations were specifically prohibited in the Menards approval.

The proposed uses in general, and those specifically outlined, should be given careful consideration.

### **Project Specifics**

As proposed on the site plan & plat the property would be divided into seven (7) lots. A total of 100,000 square feet of gross leasable area is proposed. 3 outlots are proposed largely for stormwater management purposes. Individual lots would range from 2.7 acres in size to 0.35 acres in size.

Lots 1 through 5 are proposed to contain one story structures. Lot 6 is anticipated to contain a two story structure (possibly a hotel\motel) and Lot 7 will be a one story structure providing a complementary use (possibly a restaurant) to Lot 6.

A text amendment for minimum lot size and maximum impervious surface in the "HR" District are required for this proposal to move forward. Variations to yards requirements in the "HR" District also appear necessary.

The Floor Area Ratio (FAR) is proposed at .16. The maximum FAR in the "HR" District is .15 however this may be modified through relief built in to the PUD process to .20 in the entire development and .30 per individual lot within the "HR" District.

No specific tenants or anchors have yet been identified as a part of this proposal and the exact detail of uses is unknown at this time.

**a). Traffic** – A preliminary traffic study has been submitted as "Tab 4" in the application package. Access to the site is proposed off of Route 53 in two locations; on the north end of the site and in the approximate middle of the site. A third access, connecting to the Menards Development is possible if a recapture agreement can be negotiated with Menards. Menards built the access road to the south. Although labeled as future access; staff finds access at this location to be desirable and potentially beneficial to both developments.

The northerly access is contemplated to be signalized, the middle access proposed as  $\frac{3}{4}$  access prohibiting outbound left turns. Off-site roadway improvements will be constructed to IDOT standards and petitioner has been in contact with IDOT. A private internal roadway system will be installed within the development.

Although the exact detail of uses remain unknown at this time, the preliminary traffic impact analysis indicates that existing roadways, as enhanced by the improvements recommended in the traffic study, can accommodate 100,000 square feet of "Shopping Center" development.

An internal pathway connection is shown along the west side of the internal roadway system. This pathway must connect to the "Menards Pathway" to the south and should be continued across the northerly access point and through "Outlot A" to the northern edge of the property. An "external" pathway system through the Scenic Corridor along Route 53 should also be considered.

**b). Services**

- 1) Water – Water to the development is proposed via a private well. The water distribution and fire protection system would be privately owned and operated. Eight inch (8”) water mains are proposed for potable water and fire protection. Inch and a half (1.5”) service would provide water service to structures. All water system improvements will be done in accordance with Lake County Health Department (LCHD) standards. The existing well on the property will be abandoned in accordance with LCHD standards.
  
- 2) Sewer – Per the HR District regulations (5-4-9 (D) 2); All developments located in the HR district shall be served by public sanitary sewer systems. A connection to an existing manhole on the Menards property to the south is proposed for sanitary sewer service to the development. A recapture agreement exists for this sanitary sewer line and the terms of that agreement must be met for the connection to be made. Gravity fed ten (10”) PVC is proposed for sanitary sewer service on-site. The existing septic field will be abandoned per LCHD standards.
  
- 3) Stormwater – Stormwater detention will be accommodated via detention ponds located on “Outlots A & C”. Concrete storm sewers will direct runoff to detention areas. Roof drain connections will be made of PVC pipe.
  
- 4) Parking – has been designed for a minimum ration of 4.5 spaces per 1000 square feet of gross leasable area (GLA) on the property. Parking will be located on each lot and a cross parking easement will be implemented over the entire development. Spaces will be constructed per Village Regulations.

Per the “HR” District regulations retail uses (unless specifically listed) must provide 4.5 parking spaces per 1000 square feet of leasable area. Restaurants & drive-in restaurants, homes improvements stores, bed & breakfasts all have specific parking requirements as listed below which may exceed the minimum retail standard of 4.5 spaces per 1000 of leasable area.

<u>Use</u>	<u>Required Spaces</u>
All retail, service, and office uses not otherwise listed below (except retail uses in the HR district)	5 for each 1,000 square feet of net floor area
<b>All retail uses not otherwise listed below (HR district only)</b>	4.5 for each 1,000 square feet of net floor area
<b>Bed and breakfast</b>	1 for each guestroom
Grocery store	10 for each 1,000 square feet of net floor area, plus 1 for each 200 square feet of storage area
<b>Home improvement store</b>	3 for each 1,000 square feet of net floor area

Public assembly uses	See section <u>5-9-12</u> of this chapter
<b>Restaurants, fast food with drive-in</b>	2 for every patron seats or 20 for each 1,000 square feet of net floor area, whichever is greater, plus 1 for each employee on the largest work shift
Restaurants, standard (except HR district)	1 for each 3 patron seats or 10 for each 1,000 square feet of net floor area, whichever is greater, plus 1 for each employee on the largest work shift
<b>Restaurants, standard (HR district only)</b>	8 for each 1,000 square feet of net floor area
Shopping center (over 100,000 square feet of gross floor area)	4 spaces for each 1,000 square feet of net floor area

(Ord. 2008-O-7, 2-26-2008)

**c). Elevations** - As the specific tenants and/ or anchors have yet been identified as a part of this proposal the exact detail of building elevation is unknown at this time. Petitioner has included photographs representing concepts of what the structures proposed for the property will look like.

In general, masonry & stone building facades and in some instances siding is contemplated as well as fabric awning over windows. Asphalt\Fiberglass shingles are also proposed. EFIS panels along the top of cornices are anticipated. Wall signage is proposed to be handled as was done with the Long Grove Commons & Sunset Grove Developments. General sign placement and square footage will be identified, but final review and approval of signage will be done on a case by case basis by the Architectural Commission once tenants have been identified.

Site furnishings, consistent with those found in Downtown Long Grove, specifically the Archer Parking Lot are also anticipated in the development.

**d). Lighting** - A lighting plan has been submitted. Per the Village Code this proposal would be considered as "Class 2" lighting. All commercial building lighting and parking lot lighting in this class requires AB approval.

Metal Halide lamps (@ 150 watts max.) are proposed for lighting fixtures. A Halide light source may be permitted with AB review and approval however, light sources over 200 watts are not permitted.

Decorative fixtures are proposed for the external lighting. Fixtures proposed are identical to those used in the Archer Parking lot renovation.

Parking lot lighting is proposed at maximum of 25' feet in height. By right a maximum of 15' is permitted by the Village Zoning Code. Variations to the exterior lighting requirements however may be granted by the AB for "good cause".

External lighting may not glare or "escape" into traffic or onto adjoining properties.

**E). Landscaping** - A landscape plan is attached as part of the submittal package.

Perimeters of the site as well as parking lot islands as some building perimeters are proposed to be landscaped. A list of plantings is also attached to the landscape plan. Buffer yards may be required along lots 5 & 6.

Review and approval of this plan by the AB is also required.

### **Signage**

Monument (ground) signage is proposed for identification of the development. Two types of sign, a "Development and Tennant Sign" and a "Development Monument Sign" are proposed. A total of three monument signs are proposed. One "Development & Tennant Sign" at the north entrance and one at the middle entrance. A "Development Monument Sign" is proposed "Outlot C" on the south end of the development.

All monument signs would be constructed of masonry and stone with a pre-cast cap. An aluminum panel with acrylic copy would display tenant and development information (i.e. "Arbor Grove"). These signs would be externally illuminated. Signs must be setback at least 5' from the street ROW and outside of the vision triangle as well as comply with all Village Code requirements.

The "Development and Tennant Sign" would be 18 feet tall by 16 feet wide at the base. Tennant sign would be 2 foot high. The "Development Monument Sign" would be 8.5 feet tall and 16 feet wide at the base. This sign would simply say "Arbor Grove" and contain no tenant information.

Tennant signage to be displayed on each individual structure or tenant's space has not been identified or provided with the application materials. Internally illuminated or neon signage is not permitted per the Village Code. AB review and approval of all signage is required.

### **Preliminary PUD Plat**

A preliminary PUD plan and plan is also submitted. Staff is reviewing the plan and plan for conformance with the Village PUD and subdivision regulations.

Wetlands (.94 acres total) exist on the property and a jurisdictional determination will be made. Wetland areas are proposed to be preserved and not impacted by the proposed development.

A reduction in the 100' scenic corridor easement down to a minimum of 60' is requested. This is proposed to be consistent with the reductions granted for the Menards Development.

Lowland Conservancy District Soils ( 103 Houghton Muck, 232 Ashkum Silt, 300 Peotone Silt) exist on the property on proposed "Outlots B & C". Petitioner also request a Special Use Permit to allow for the excavation of stormwater detention facilities in this area and filling of 9,250 sq. ft. of this area for parking on proposed Lot 4 as well as a small portion of the interior access road. Both encroachments may be allowed by Special Use per procedures identified in 7-5-3 F, G, & H of the Village Code.

These modifications, as well as the proposed improvements to the scenic corridor, will require CSCC review.

### **Requested & Other Relief**

The following is a synopsis of the relief requested and required for the project to move forward;

- Relief from further subdivision & rezoning restrictions per the previous PUD approval.
- Text amendments to the “HR” District regulations of allow a lesser minimum lot size and greater impervious surface ratio.
- Variations yard requirements in the “HR” District
- Greater FAR; which may achieved through the PUD process.
- A reduction in the Scenic Corridor Requirement from 100’ to 60’ feet ( similar to Menards)
- Special Use for disturbance of Lowland Conservancy soils.
- 25’ tall light fixtures & metal halide light sources (may be approved by the AC)
- Proposed land uses ( may be allowed per PUD approval)
- The “HR” District mandates no more than 7% of the aggregate floor area be devoted to non-retail use unless modified through a PUD ordinance approval.

### **Preliminary Conclusions:**

As proposed the development is generally in conformity with the Route 53/Lake Cook Subarea Plan with regard to proposed land use (commercial – office retail). However, the greenhouse facility is an identified use in this plan and a 100’ Scenic easement is proposed along the length of the Route 53 frontage per the plan recommendations. The petitioner is asking for a reduction from this standard in a manner consistent with the approvals granted to the Menards Development. The greenhouse on-site would be removed and the property redeveloped under this proposal.

Obviously the uses as proposed by the petitioner could not be accomplished under the underlying R-2 zoning district nor would the previously approved PUD allow development of this nature. For this development to move forward reclassification of this property is required.

The Village Board needs to determine whether modifications of the restrictions of the prior PUD approval are appropriate or if the restrictions with regard to no further subdivision or rezoning should remain. This needs to be done as part of the referral process.

Petitioner has submitted a list of uses which are attached. These are similar to the uses approved in the Menards PUD approval and include the following as among others; all uses permitted in the B-1; B-2; O & OR Districts.

Staff questions the following however; Bed & Breakfast, Home Improvement Stores (given the proximity to Menards), Restaurants and Fast Food Restaurants given the proposed parking ratio and higher standard of parking in the “HR” District for Restaurants; Automotive Service

Facilities (as a special use) these and gas stations were specifically prohibited in the Menards approval.

The proposed uses in general, and those specifically outlined, as well as requested and required relief should be given careful consideration.

An amendment to the "HR" District Regulations to allow a minimum lot size of 14 acres instead of the required 20 acres and increased lot coverage are also required for this proposal to move forward. Variations on yards requirements within the "HR" District appear necessary in some instances as well. The Village Board should also consider ramification of the modification on future development proposals in the "HR" District and in particular how this may (or may not) affect the Route 53 Lake-Cook Subarea Plan.

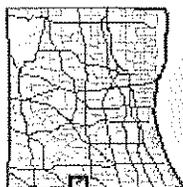
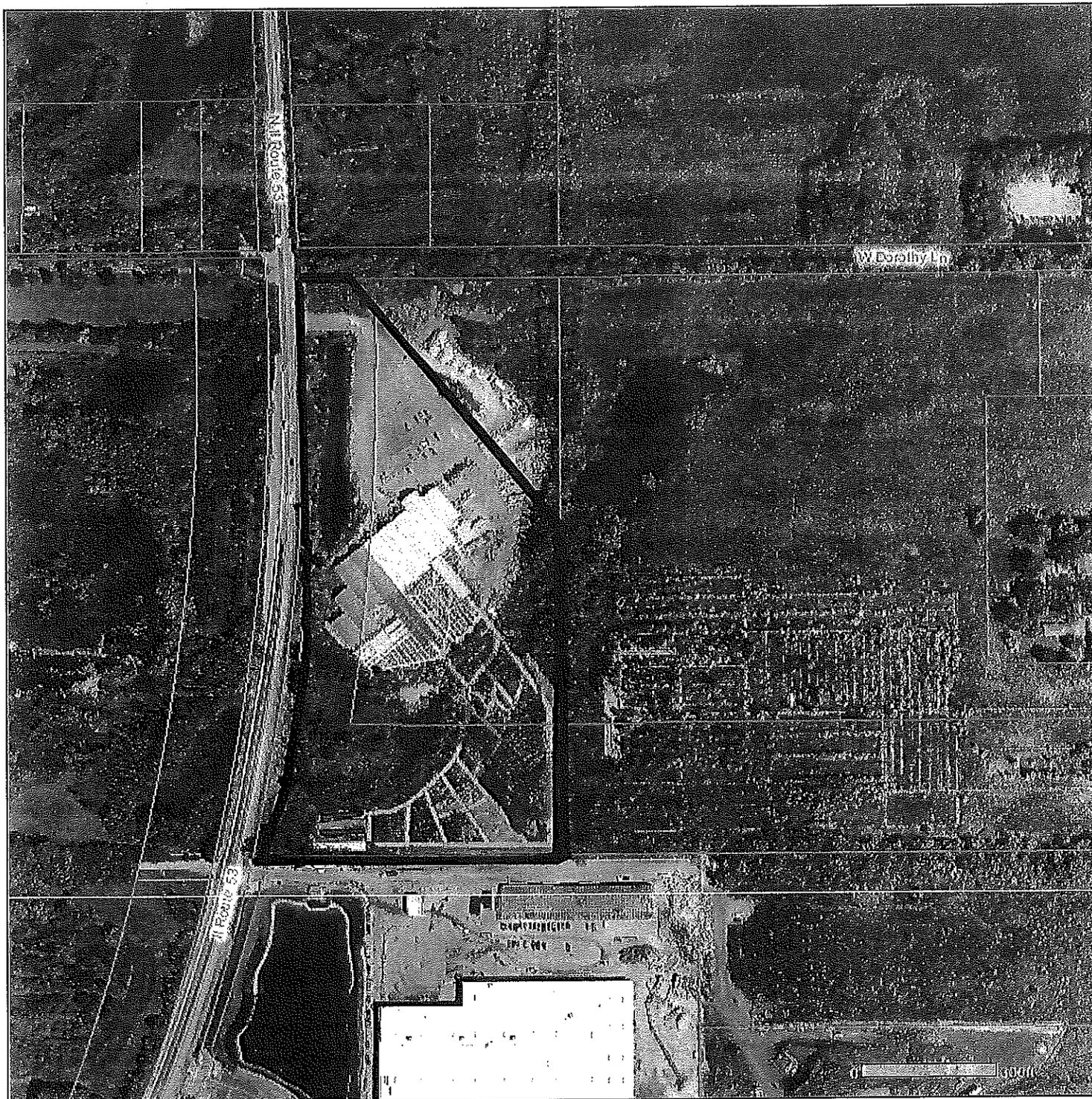
Modifications to the proposal as submitted will be required. However, the proposal is "substantially complete" to the point where referral to the PCZBA may proceed should the Village Board so choose.

Respectfully Submitted,

*James M. Hogue*

**James M. Hogue**  
**Village Planner**

# Lake County Tax Parcel Map



Lake County  
Geographic Information System

Lake County Department of  
Information Technology  
18 N County St  
Waukegan IL 60085

Map Printed on 3/16/2010

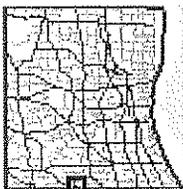
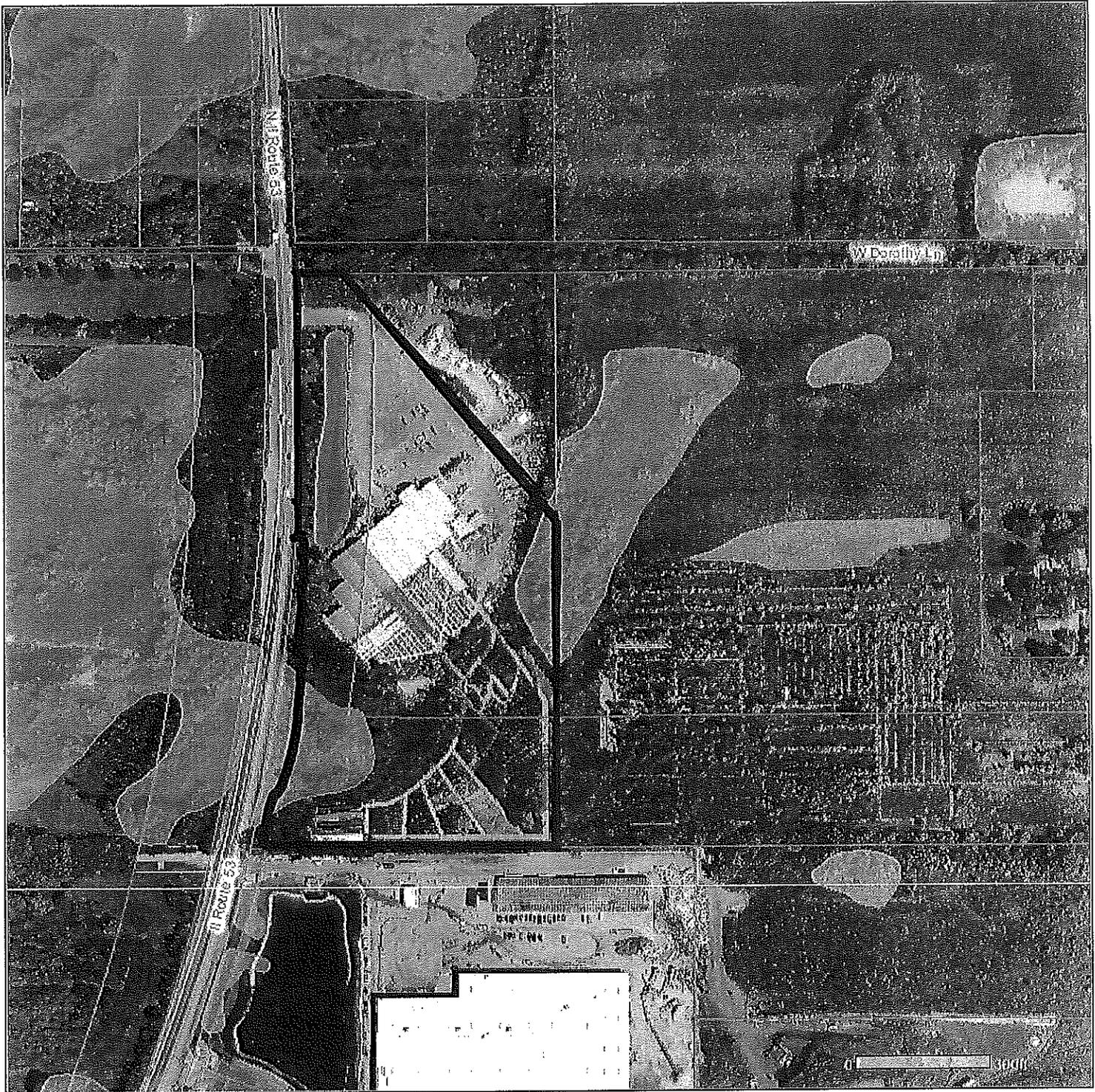


-  Major Roads
-  Railroads
-  Major Water
-  Parcels
-  2008 Aerial Photography

**Disclaimer:**

This map is for general information purposes only. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

# Lake County, Illinois Wetland Inventory



Lake County  
Geographic Information System

Lake County Department of  
Information Technology  
18 N County St  
Waukegan IL 60085

Map Printed on 3/16/2010



-  Wetlands
-  2008 Aerial Photography
-  Major Roads
-  Railroads
-  Major Water
-  Parcels

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# PROPOSED USES – ARBOR GROVE

## Proposed Permitted Uses

The following uses are proposed to be allowed on the Property as permitted or special uses:

A. All uses permitted in the B-1 Business District pursuant to Chapter 4, Business Districts, 5-4-2, (A) Permitted Uses of the Long Grove Zoning Code.

B. All uses permitted in the B-2 Business District pursuant to Chapter 4, Business Districts, 5-4-2, (B) Permitted Uses of the Long Grove Zoning Code.

C. All uses permitted in the O and OR Office Districts pursuant to Chapter 5, Office Districts, 5-5-2, Permitted Uses of the Long Grove Zoning Code.

D. Medical Office Buildings

E. Scientific or Research Laboratories; provided, however, that any such scientific or research laboratory shall require a special use permit.

F. Home improvement stores.

G. Outdoor dining that is ancillary to a primary restaurant use; provided, however, that any such outdoor dining shall require a special use permit.

H. Restaurants containing a bar within its premises; provided, however, that any restaurant containing such bar shall require a special use permit.

I. Fast Food Restaurants

J. Garden Specialty Stores.

K. Hotels.

L. Auto Dealers

M. Warehouses.

N. Theaters.

O. Banks; provided, however, that any drive-through accessory to a bank shall require a special use permit.

P. Senior Housing, including assisting living facilities and continuing care retirement communities; provided, however, that any such senior housing facilities shall require a special use permit.

Q. Bed and Breakfast accommodations; provided, however, that any such accommodations shall require a special use permit.

R. Automotive Service Facility; provided, however, that any such automotive service facility shall require a special use permit.

S. Daycare Centers; provided, however, that any such daycare center shall require a special use permit.

T. Tanning Salons

U. Animal Hospital and veterinary Clinic; provided, however, that any such clinic shall require a special use permit.

V. Convenience Retail Store and drive – through as an accessory use.

W. Printing Shops.

X. Game Room, Restaurants; provided, however, that any such game room shall require a special use permit.

Y. Car Wash.

Z. Grocery Retail.

AA. Amusement Establishments; provided, however, that any such establishment shall require a special use permit.

Figure J-3

DETAILED SUBAREA PLAN FOR THE  
LAKE COOK ROAD/ ROUTE 53 PLANNING AREA (PLAN A)

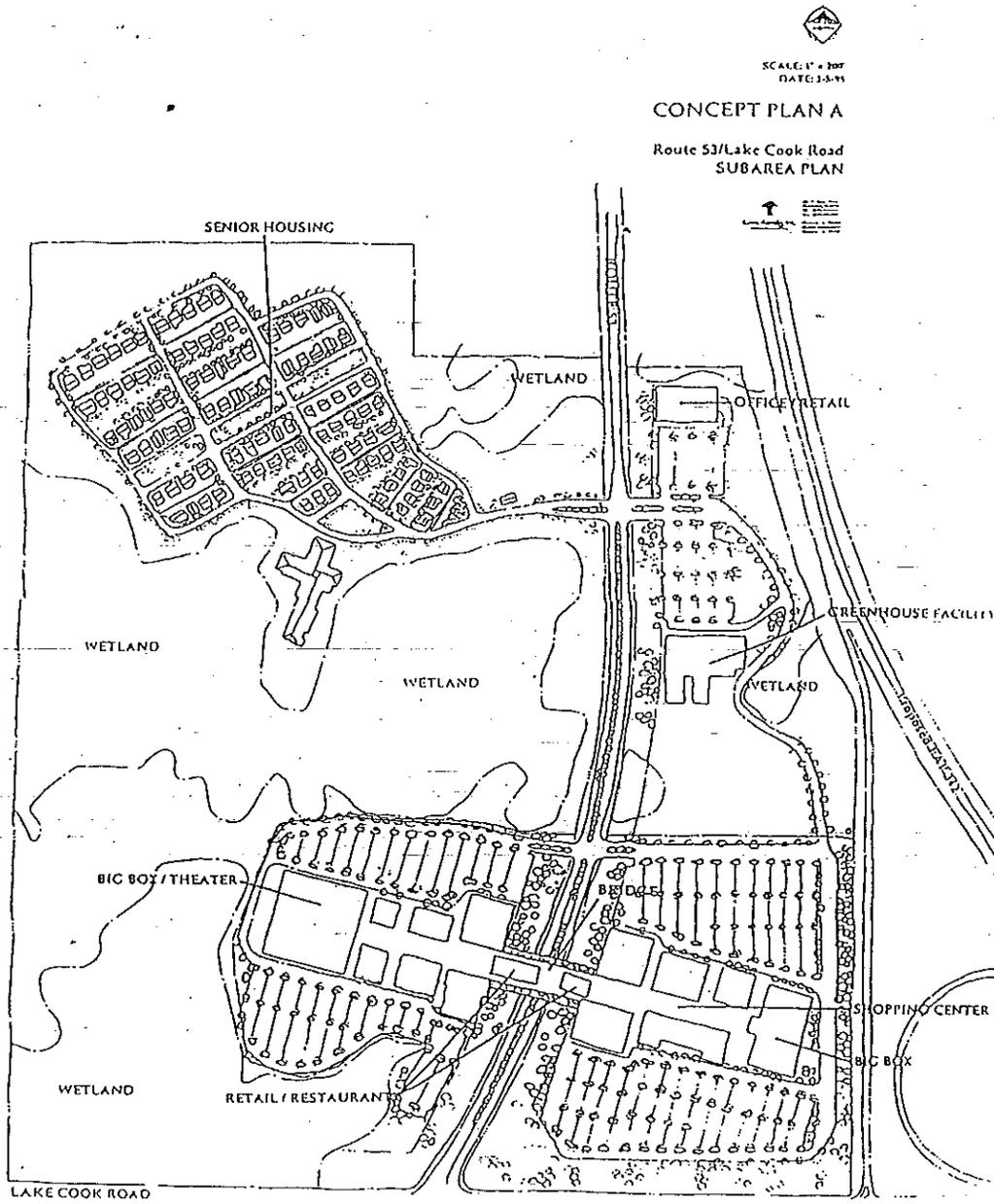


Figure J-4

DETAILED SUBAREA PLAN FOR THE  
LAKE COOK ROAD/ROUTE 53 PLANNING AREA (PLAN B)

