



MEMORANDUM

TO: Village President and Village Board
FROM: James M. Hogue, Village Planner
DATE: June 4, 2014
RE: Board & Commissions Report for 6/10/14

This memo is intended to update the Village Board as to the status of projects and activities of the Long Grove Plan Commission & Zoning Board of Appeals (PCZBA), Conservancy & Scenic Corridor Committee (CSCC) and the Architectural Commission (AC).

PCZBA; - Regular Meeting; 6.3.14 (3 Action Items)

- 1. PUBLIC HEARING; Consideration of a request for variation of the rear yard set-back requirement (north side) from the required 40 feet down to 8 feet within the R-2 District for the construction of a deck & retaining wall and to allow the pre-existing pool to remain for property at 1509 Sumter Drive submitted by Tony & Michelle Peradotti .**

The property is located within the Long Grove Country Club Estates Units 5&7 Re-Subdivision which was recorded in May of 1983. The property is zoned under the R-2 District Classification and consists of 1.86 acres (81,337 sq. ft.). The property contains a single family residence constructed in 1987. A permit for a deck on the property in 1990 (Permit #133-90) and a separate permit issued for an in-ground pool in 1989 (Permit #92-89).

Staff noted the variation as requested will allow the construction of retaining walls, pool deck and existing pool to encroach into the required setbacks on the north side of the property down to 8'. Petitioners cite the configuration of the property as a hardship noting substantial conservancy/floodplain/floodway on the east side of the property and location of the septic system on the west as constraints in the placement of the pool & deck. As such accessory structures and uses must be in a rear yard no other suitable location exists on the property for such improvements.

Mr. Peradotti provided testimony as to the lot configuration, including topography, and the nature of the proposed improvements and standards for variation. No one from the public was present to provide testimony on the request aside from the petitioner. The petitioner noted he had received and e-mail from an abutting property owner who had no objection of the request for variation.

After discussion the PCZBA cited the configuration of the property and in particular the floodplain, floodplain, conservancy and location of the septic system as justification for the requested variation. They found that the standards for variation had been met. A motion was made by Commissioner Kazmer, seconded by Commissioner Rubin to recommend approval of the request. On a voice vote; all aye.

2. PUBLIC HEARING: Consideration of a request for an amendment to the previously approved Special Use Permit and Planned Unit Development approval known as the Fairfield Village Planned Unit Development and with the R-2 PUD District and/or additional relief necessary and/or appropriate under the zoning code including but not limited to building height, and parking to provide for a senior living center with Memory Care and Assisted Living Facilities on the property and temporary relocation of the existing T-Mobile wireless antenna currently located in the existing building to the northwest corner of the site until March 2015 for property located at 1190 Old McHenry Road, submitted by Harbor Retirement Associates.

Planner Hogue provided the PCZBA with a detailed summary of the petition, as well as maps, plans, and memoranda relevant to the hearing. He then briefly summarized that this is a request for an amendment to a special use permit for the Fairfield Village PUD. The property at issue (Midwest Bank building – Lot 17) is currently allocated as office space with a limitation of 85,000 total square feet. The petitioner is seeking approval to redevelop this property as essentially an assisted living/nursing facility (“nursing home”), which is currently allowed by the village as a special use. The petitioner submitted plans and documents including a traffic study/memorandum and a letter from Lake County relating to traffic concerns. Planner Hogue stated that in his opinion, this facility is a residential use (although not single family detached) and a much less intrusive use than the office use which is already allowed. He indicated it is a good transition from commercial use on Route 83 (Sunset Grove) to the residential area in Fairfield Village. The traffic and parking issues, as well as the cell tower concerns and related issues, are laid out in the staff report. Several additional issues such as elevations, site lighting, and other architectural issues will be considered by the Architectural Commission at their June regular meeting. Planner Hogue listed several items for consideration and discussion in the staff report as follows;

- Consideration of requested relief for building height from 35’ to 42’ feet;
- Consideration of relief from the parking requirement to allow 126 spaces;
- Use of property as a “nursing home” instead of the anticipated “office use”;
- Temporary relocation of the existing cell tower;
- Referral of signage, landscaping, lighting, site plan/plat and building elevations to the June 16th AC meeting;
- Reconfiguration of the existing berms, including the inclusion of pathways;
- Encroachment of the entrance canopy beyond the “building box”;

Charlie Jennings of HRA Senior Living, 1440 Highway A1A, Vero Beach Florida, spoke on behalf of the petitioner. HRA currently has 20 similar properties in 5 states and they currently have two other projects in the area (Naperville and Glen Ellyn). Mr. Jennings stated that typically, 75-80% of the residents would come from a 5-mile radius of the facility. He outlined demographic studies and occupancy rates in neighboring facilities, and he described the studies on aging population and the need for hospitality driven facilities. Mr. Jennings reviewed site attributes and the economic impact on the community. He also noted that he has met with the LGBCP and he discussed his intent to partner with the merchants in bringing opportunities and business to the community. He believes that this facility will attract new businesses to the downtown district. It will spur economic growth and create full and part-time jobs (90-100 employees) within the facility. Mr. Jennings also noted the infrastructure improvements, including extension of pathways, parking, and landscaping.

Members of the public had the following comments;

Peter Tosto, 6882 RFD, asked whether the town would derive any income from the facility. Will the facility generate income for Long Grove? Mr. Jennings explained that this is a TIF property, however, some sales tax proceeds may be generated from services provided at the facility as well as building permit fees.

Ron Roberti, Landmark Partners Commercial Real Estate, believes that this will be a catalyst to bring water into the downtown, which would be particularly enticing for restaurants looking at the area. Sales tax will follow with revitalization.

Bob Gross, 1185 RFD, stated that he met with Mr. Jennings. He has lived here for 25 years and has always had the bank building behind him. His basic concern was of a mixed retail type of use. The proposed use will upgrade the quality of the lot and this particular neighbor would be the best option for traffic, lighting, etc. He really likes the plan and particularly the much-improved landscaping plan.

Peter Merageas, 1179 RFD, expressed concern over the taxing of the fire department services as well as ambulance noise. Mr. Jennings replied that there is always an emergency plan filed with the local Fire Marshall. It provides procedures on how to deal with a call. The facility does not want to alarm its particular type of residents with lights and sirens.

Athena Meyerhoff, 1179 RFD, HOA President, asked whether Fairfield Village would be a recipient of the water. Mr. Jennings stated that they are still working out the details. Attorney Filippini stated that it is the ultimate plan to include Fairfield Village in the water plan to serve its residents. The ultimate question is cost, but in terms of water delivery, the capacity would include the residential area.

Chairman *pro tem* Parr closed the public hearing and requested final comments from the board.

Commissioner Kazmer stated that he has no real concerns at this time. It is a great use for the property and the merchants are on board. The height is not an issue, the parking might be light, and the cell tower is out of our control. Signage, landscaping and lighting will all go for architectural review and encroachment is not an issue.

Commissioner Rubin stated that screening for car lights should be addressed but that this is a win-win situation.

Commissioner Peltin noted that it is encouraging to hear positive neighbor responses and is okay with the request.

Chairman *pro tem* Parr likes the proposal and is in agreement with all board comments.

Commissioner Rubin made a motion, seconded by Commissioner Peltin, (i) finding all required standards are met for an amendment to the Fairfield Village PUD authorizing preliminary PUD approval for (a) the establishment of a senior living center with memory care and assisted living facilities and (b) the temporary relocation of the existing T-Mobile wireless antenna currently located in the existing building located on the northwest corner of the site until March 2015, all in accordance with the plans submitted, and (ii) recommending approval of such amendment subject to the following conditions: final engineering review, architectural committee approval and resolution of the cell tower issue. On a voice vote, all ayes. Motion passes.

3. PUBLIC HEARING: Consideration of amendments to the Zoning Code of the Village of Long Grove in light of the adoption of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 430 ILCS 130/1 et seq., including specifically whether to include state-authorized medical cannabis dispensing organizations and medical cannabis cultivation centers as special uses in non-residential zoning districts in the Village.

Attorney Filippini presented information to the PCZBA concerning the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 430 ILCS 130/1 et seq. He provided an overview of the regulations to date and presented various scenarios of potential was to regulate this use.

He indicated the final regulation had not yet been published by the state and suggested the PCZBA continue the public hearing to the next meeting date for further discussion.

He noted whatever regulatory scheme was favored by the Village it will need to i) not contradict the State statutory and regulatory standards, and (ii) be reasonably related to the public health, safety, and welfare with respect to the medical *cannabis* facilities.

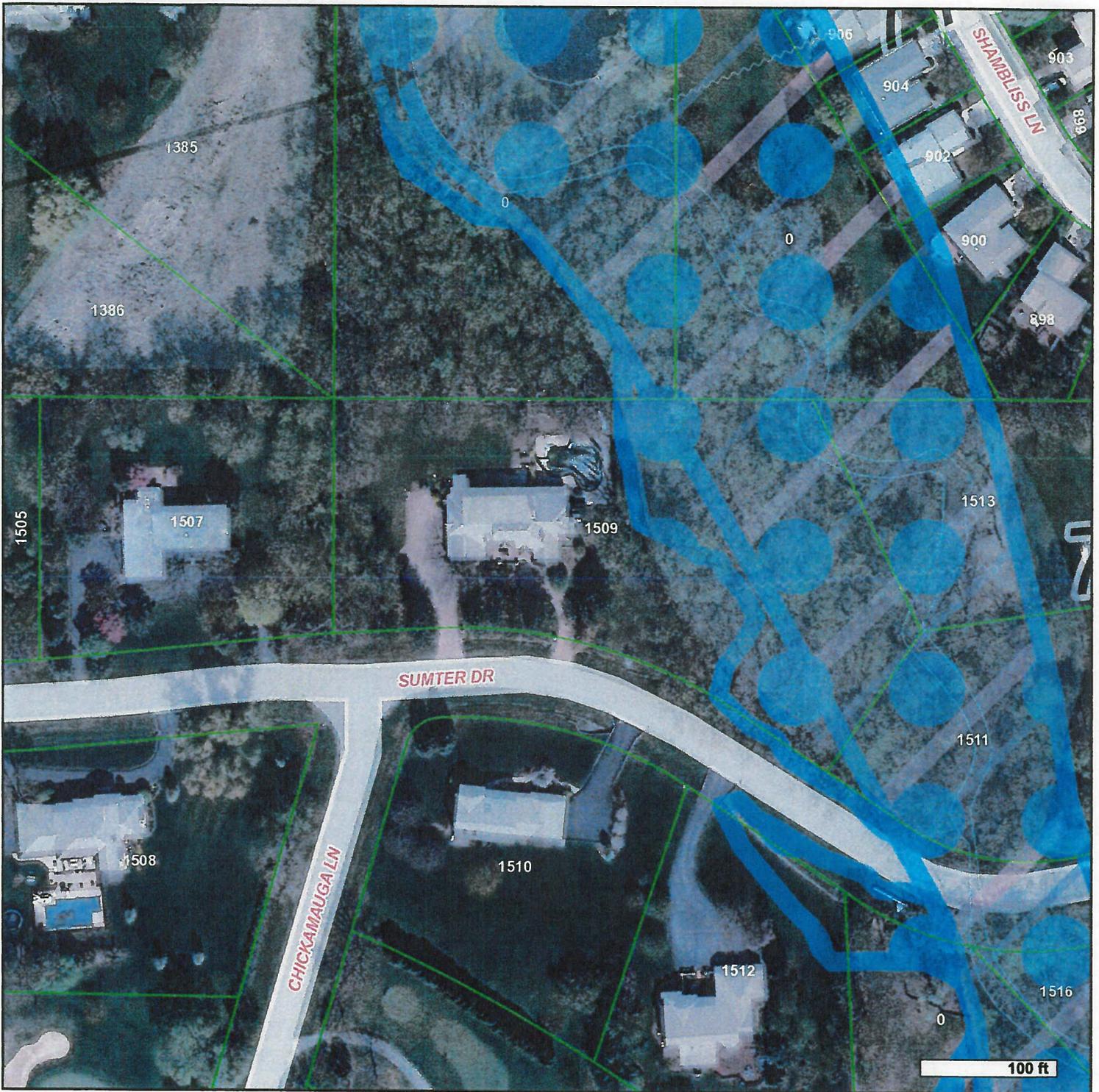
The PCZBA continued this item until their July 1st regular meeting.

AC; - Next Regular Meeting 6.16.14

CSCC; - Next Regular Meeting; 6.18.14

FLOOD HAZARD MAP

Lake County, Illinois



LakeCounty
Geographic Information System

Lake County Department
of Information Technology
18 N County St
Waukegan IL 60085
(847) 377-2373

Map Printed on 11/25/2013

ADID Boundary	Lake County Border
2011 Buildings	Streams
General Structures	Tax Parcels
FEMA Base Flood Elevation	Trails
Special Flood Hazard Areas	2012 Aerial Photography
Floodway Areas In Zone AE	
Other Flood Areas	
Forest Preserves	
Wetlands	

Disclaimer

The selected soil feature layer may not occur anywhere in the current map extent. 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.

PRELIMINARY P.U.D. FOR HARBORCHASE of LONG GROVE, ILLINOIS

LEGAL DESCRIPTION

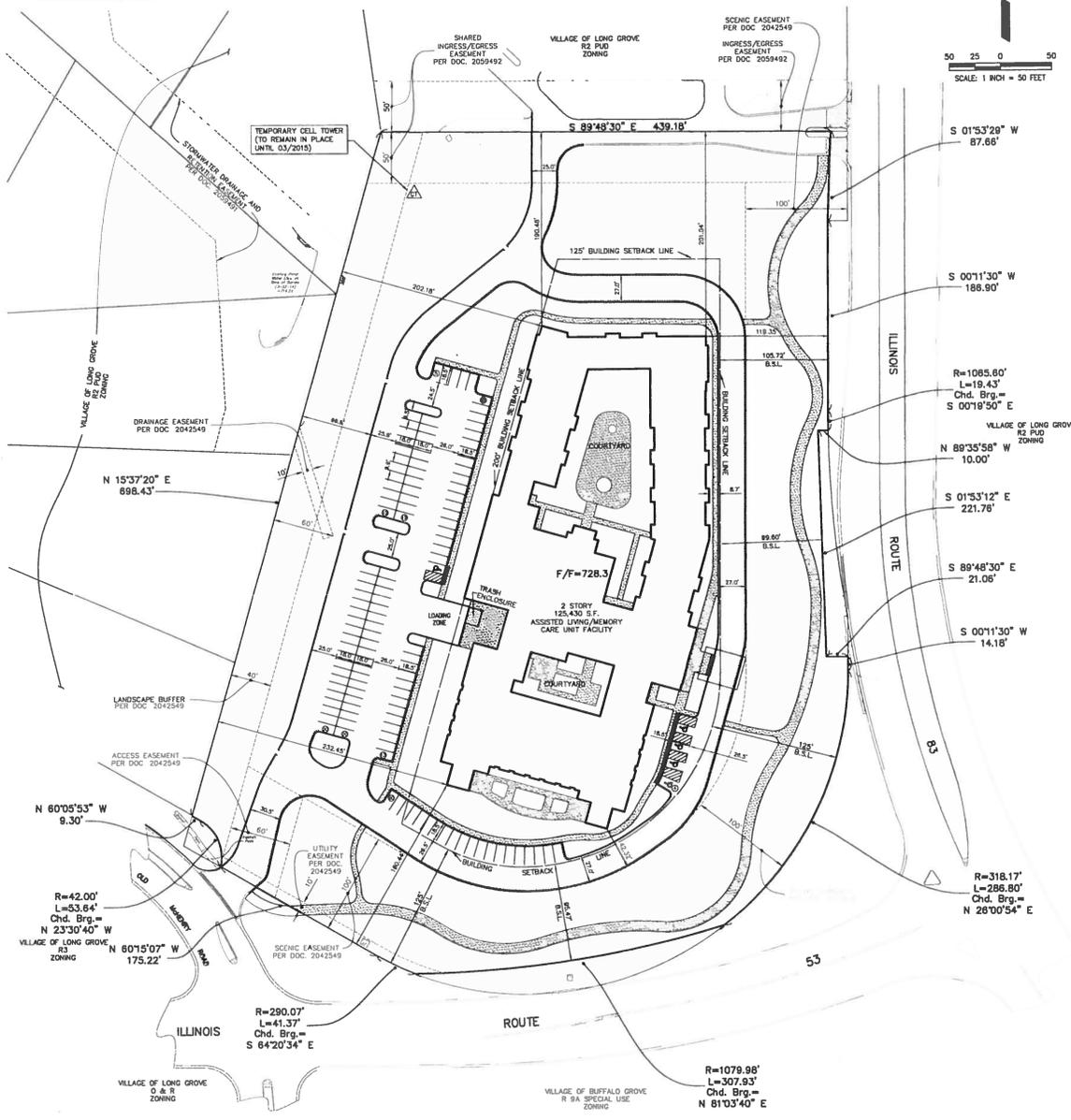
LOT 17 IN FAIRFIELD VILLAGE (EXCEPT THOSE PARTS TAKEN FOR ROAD BY INSTRUMENT RECORDED AS DOCUMENT 318853), BEING A SUBDIVISION IN THE EAST 1/2 OF THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 4, 1980 AS DOCUMENT 2042549 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED APRIL 7, 1980 AS DOCUMENT 2055492, IN LAKE COUNTY, ILLINOIS.



LOCATION MAP



50 25 0 50
SCALE: 1 INCH = 50 FEET



NOTES
ALL MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS OF A FOOT.
DIMENSIONS SHOWN ALONG CURVED LINES ARE ARC DISTANCES.
THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 17 BEING N 10°37'20" E (MEASURED).
CURB DIMENSIONS ARE SHOWN TO BACK OF CURB

LINE LEGEND
- - - SUBDIVISION BOUNDARY LINE (Heavy Solid Line)
- - - ADJACENT LOT LINE/PROPERTY LINE (Solid Line)
- - - BUILDING LINE (Long Dashed Lines)
- - - EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)

SITE DATA

A. TOTAL SITE	5.73 AC.	100.00%
B. PROPOSED ZONING	R2-PUD	
C. BUILDING S.F.	125,430 S.F.	
1. ASSISTED LIVING UNITS	60	
2. MEMORY CARE UNITS	58	
3. TOTAL BEDS	100	
D. F.A.R.	0.296	16.16%
E. BUILDING LOT COVERAGE	68,492 S.F.	42.57%
F. BUILDING FOOTPRINT	42,977	62.10%
G. OPEN SPACE (SCENIC EASEMENT, COMMON AREAS, COURTYARDS, ETC.)	6.04 AC.	
H. IMPERVIOUS AREA	193,283 S.F.	45.63%
I. NO. OF PARKING SPACES PROVIDED	128	
J. NO. OF ADA PARKING SPACES REQUIRED	5	
K. NO. OF ADA PARKING SPACES PROVIDED	5	

PREPARED FOR:
HARBOR RETIREMENT ASSOCIATES
1440 HIGHWAY A1A
VERO BEACH, FL 32963

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100
Aurora, Illinois 60502-9875
PH: 630.862.2100 FAX: 630.882.2199
E-Mail: ccm@cemcon.com Website: www.cemcon.com

DISC NO.: 814003 FILE NAME: PREOVR
DRAWN BY: LAL FLD. BK. / PG. NO.: BK./PG.
COMPLETION DATE: 05-02-14 JOB NO.: 814-003
XREF: TOPO PROJECT MANAGER: KMM



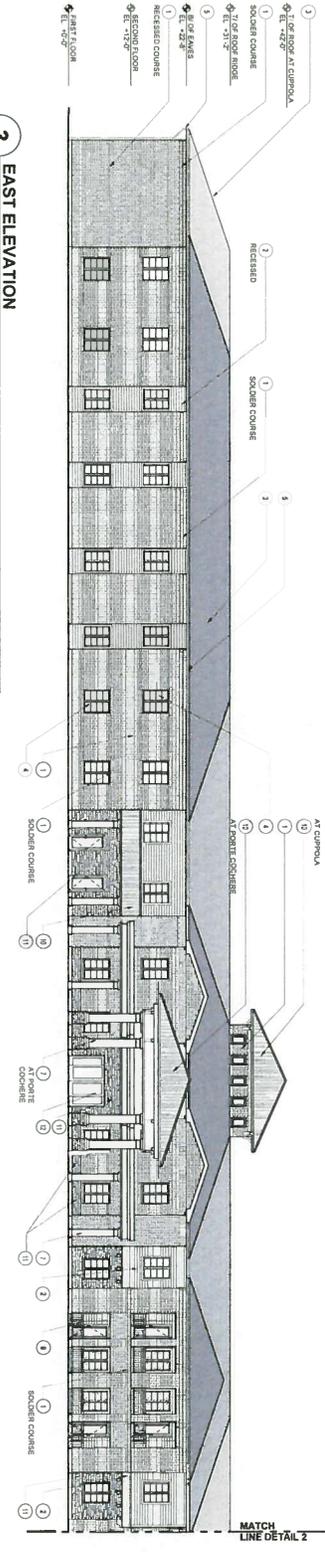
RENDERING AT ENTRY
06.03.2014

HARBOR RETIREMENT ASSOCIATES
Lester George Ilunokis

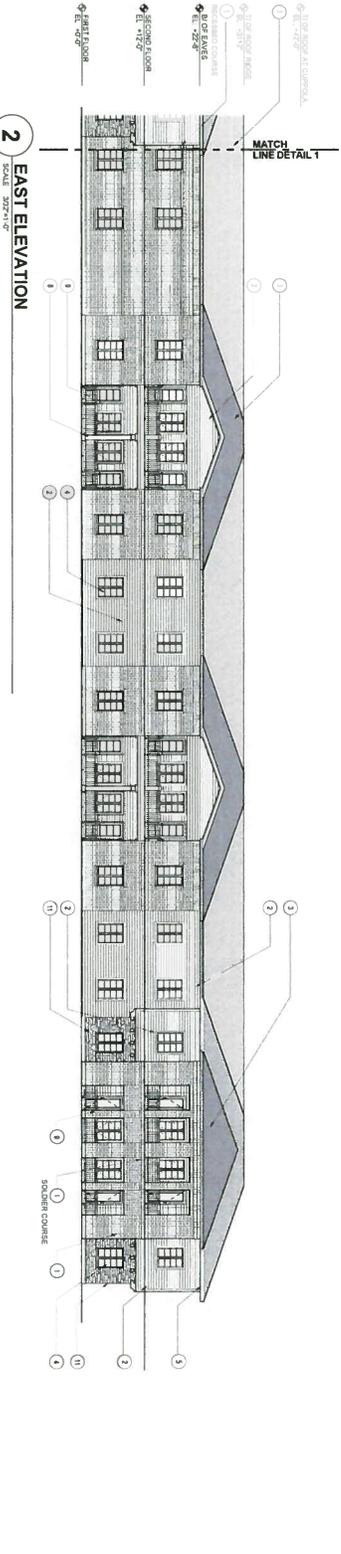


- ① FACE BRICK
- ② FINEST CLAUDET BOARD SIDING
- ③ ASPHALT SHINGLES
- ④ VINYL CASHEMINT WINDOWS WITH ARCHITECTURAL MUNTINS
- ⑤ PRE-FINISHED ALUMINUM GUTTER AND DOWN SPOUT
- ⑥ PRECAST DECORATIVE SANDING
- ⑦ PAINTED FIR/ENGLISCH BIRCH
- ⑧ PAINTED WOOD COLUMN & SALOON DOOR
- ⑨ PRE-FINISHED METAL SKATING
- ⑩ PRE-FINISHED METAL STAIRWAYS SEAM ROOF
- ⑪ RECREATIVE STONE

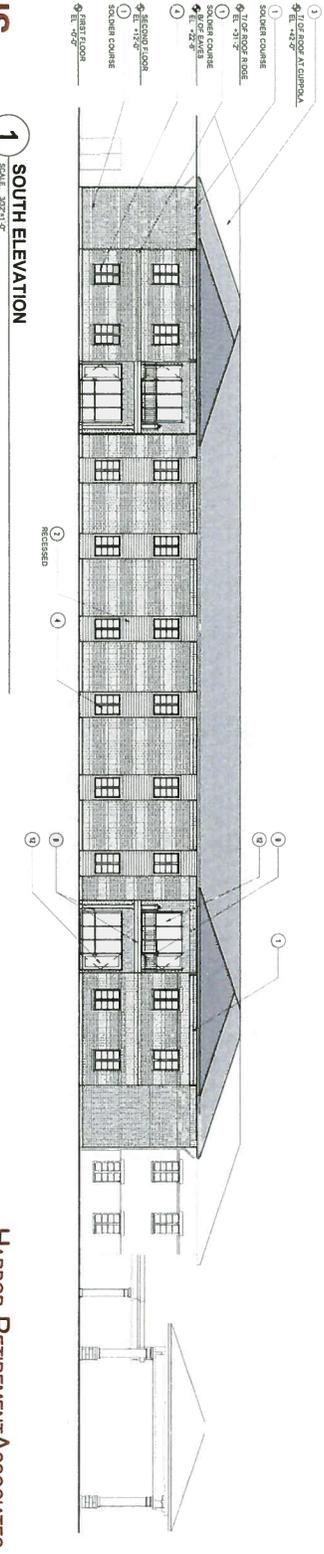
⑫ PRE-FINISHED ALUMINUM STONE FRONT AND CORNERS



3 EAST ELEVATION
SCALE 3/32"=1'-0"



2 EAST ELEVATION
SCALE 3/32"=1'-0"

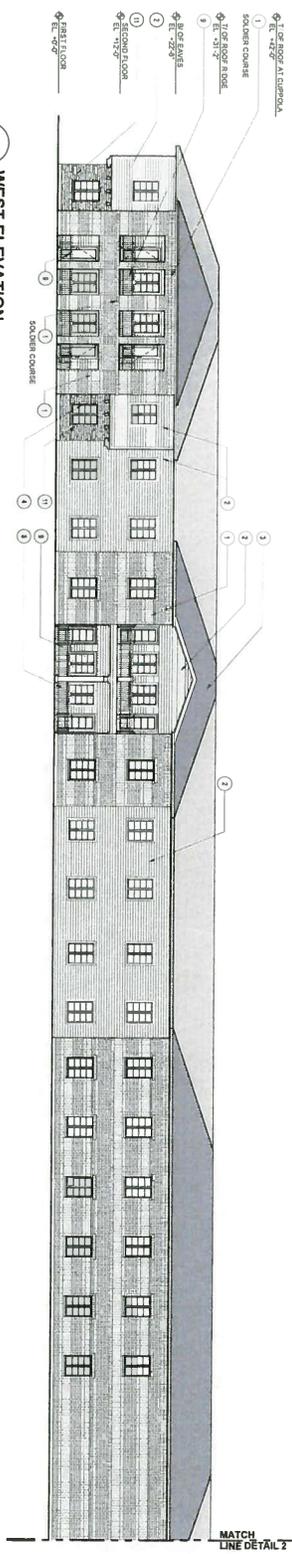


1 SOUTH ELEVATION
SCALE 3/32"=1'-0"

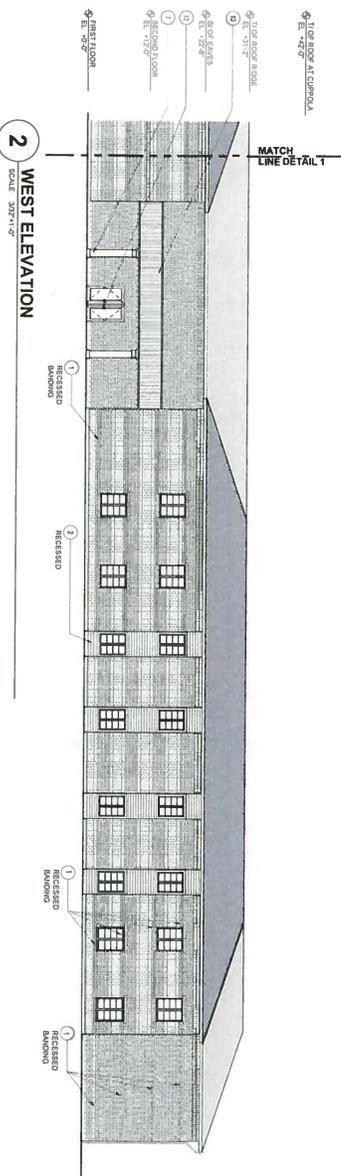
ELEVATIONS
06.03.2014 ZBA SUBMISSION

HARBOR RETIREMENT ASSOCIATES
LONG GROVE LUMINOUS

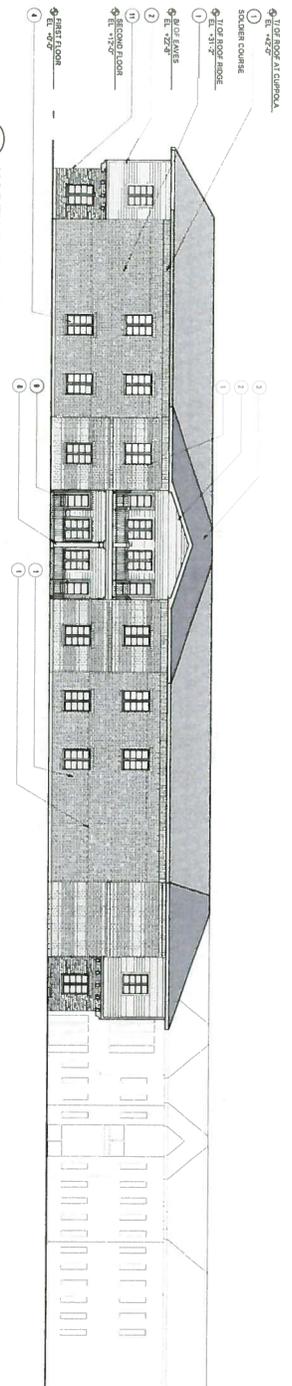
- ① FACE BRICK
- ② PRE-FINISHED ALUMINUM STONE FRONT AND DOORS
- ③ FIBER CEMENT BOARD SIDING
- ④ ASPHALT SHINGLES
- ⑤ VINYL CASHEMINT WINDOWS WITH ARCHITECTURAL FINISHING
- ⑥ PRE-FINISHED ALUMINUM GUTTERS AND DOWN SPOUT
- ⑦ PRE-CAST DECORATIVE BRANNO
- ⑧ PAINTED FIBER GLASS COLUMN
- ⑨ PAINTED IRON COLUMN & BALCONY ROST
- ⑩ PRE-FINISHED METAL DOORING
- ⑪ PRE-FINISHED METAL STANDING SEAM ROOF
- ⑫ DECORATIVE STONE



3 WEST ELEVATION
SCALE: 3/32"=1'-0"



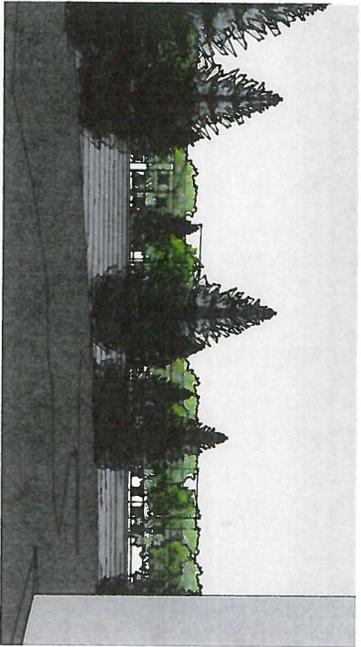
2 WEST ELEVATION
SCALE: 3/32"=1'-0"



1 NORTH ELEVATION
SCALE: 3/32"=1'-0"

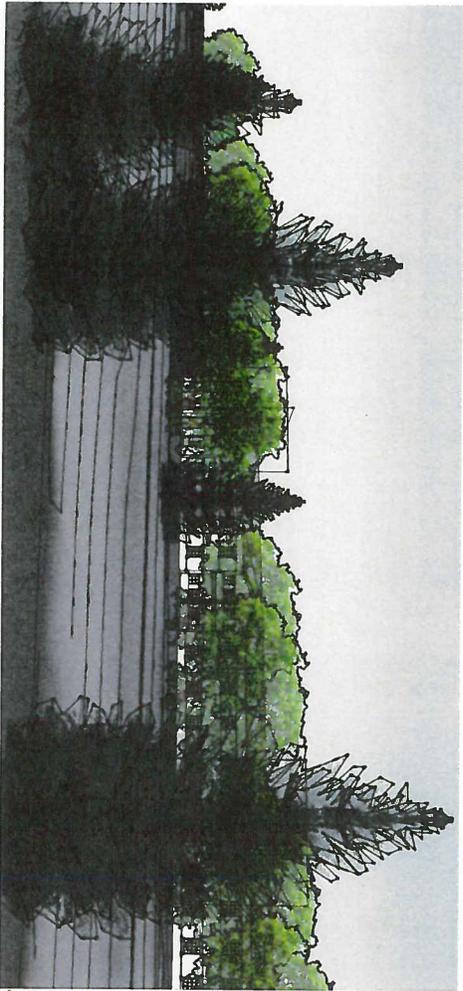
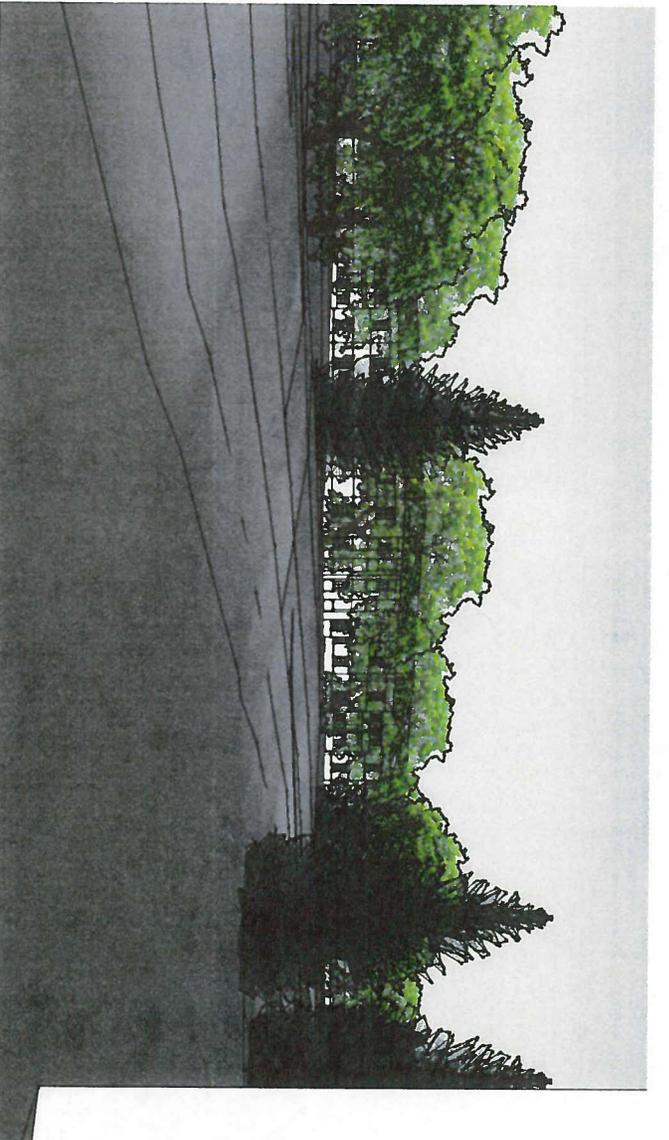
ELEVATIONS
06.03.2014 ZBA SUBMISSION

HARBOR RETIREMENT ASSOCIATES
LONG GROVE LUNOS

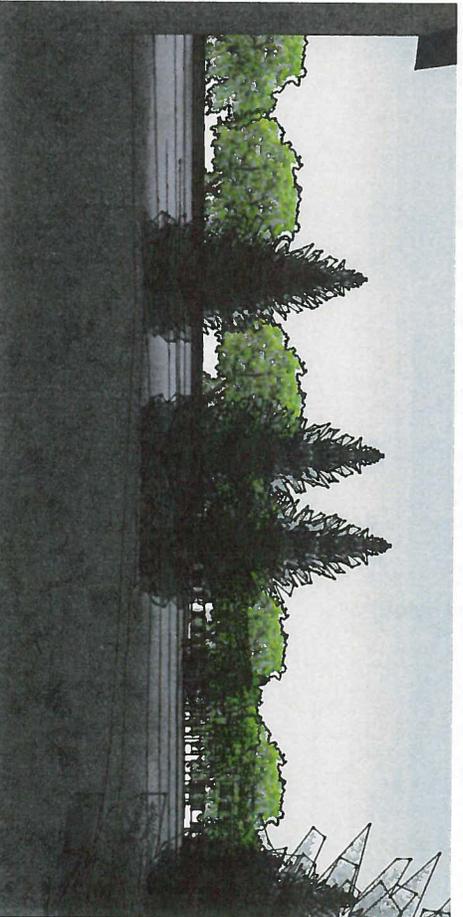


2.

1.



4.



3.

VIEWS FROM NEIGHBORHOOD
06.03.2014 ZBA SUBMISSION

HARBOR RETIREMENT ASSOCIATES
LONG GROVE ILLINOIS

MEMORANDUM

TO: Plan Commission and Zoning Board of Appeals, Village of Long Grove

FROM: Victor P. Filippini, Jr., Village Attorney

RE: Regulation of Medical Marijuana Dispensaries and Cultivation Centers

The Illinois General Assembly enacted the Compassionate Use of Medical Cannabis Pilot Project Act, 410 ILCS 130 (the "**Act**"). The Act sets forth an extensive regulatory scheme that is to be administered statewide. In addition, the Act establish some basic regulations for the location of both dispensaries and cultivation centers for medical *cannabis*. Although the Act provides for "reasonable" local land use regulations over dispensaries and cultivation centers, the administrative regulations have further circumscribed local discretion in this regard.

This memorandum outlines the basic State land use regulations over dispensaries and cultivation centers. In addition, it outlines various approaches the Village might take in developing regulations of medical *cannabis* dispensaries and cultivation centers. It is recommended that the PCZBA discuss this matter this evening and provide direction for the preparation of draft language that can be reviewed and discussed at a future meeting.

Basic Statutory Requirements for Locating Facilities

- Dispensaries
 - Must be licensed by State
 - A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use. [410 ILCS 130/130(d)]

- Cultivation Centers
 - Must be licensed by State
 - A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use. [410 ILCS 130/105(c)]

Local Zoning Regulatory Considerations – Cultivation Centers

- Ascertain potentially eligible locations based on statutory standards
- Determine which non-residential districts might appropriately host a cultivation center
- Permitted or special use?
- Any special considerations?
 - Required security measures
 - Mandatory surveillance cameras with police access
 - Fencing
 - Lighting
 - Screening (especially if lighting required for security)
 - Minimum lot size (to ensure adequate buffering)
 - Fully enclosed activities
 - Separation/proximity to other uses
 - Distance from fire department
 - Required utilities/facilities (e.g., public water supply or standard for private supply)
 - Signage (size, location, lighting)

Local Zoning Regulatory Considerations – Dispensaries

- Determine which non-residential districts might appropriately host a cultivation center
- Permitted or special use?
- Any special considerations?
 - Required security measures
 - Mandatory surveillance cameras with police access
 - Fencing
 - Lighting
 - Separation from adjoining buildings
 - Screening (especially if lighting required for security)
 - Minimum lot size (to ensure adequate buffering)
 - Separation/proximity to other uses
 - Signage (size, location, lighting)

Summary

Whatever regulatory approach is taken, the Village will need to establish that the regulatory scheme (i) does not contradict the State statutory and regulatory standards, and (ii) are reasonably related to the public health, safety, and welfare with respect to the medical *cannabis* facilities.