

**Item #1:**

**Report Of The February 2, 2010 PCZBA Meeting  
Final Plat Of Subdivision For Long Grove Water Treatment Plant**



**MEETING AGENDA OF THE  
PLAN COMMISSION & ZONING BOARD OF APPEALS  
REGULAR MEETING  
Tuesday, February 2, 2010 at 7:00 P.M.**

**Village Hall, 3110 OLD MCHENRY ROAD LONG GROVE, ILLINOIS**

1. Call to Order.
2. Consideration of a request for approval of a final plat of subdivision to be known as the "Long Grove Water Treatment Plant Subdivision" and a variation of Title 6, Section 6-4-3 (D) of the Village Subdivision Regulations reducing the building site requirement from the required 33,000 square feet to 30,649 square feet for proposed Lot 2 on property commonly known as "The Long Grove Executive House" and located at 4180 Illinois Route 83, as submitted by the Village of Long Grove.
3. Approval of Minutes; November 3, 2009
4. Other Business; None
5. Adjournment:

**Next Regular Meeting – March 2, 2010.**

**Village Board Representative February 9, 2010;  
Commissioner Parr**

The Village of Long Grove is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to phone David Lothspeich, Long Grove Village Manager at 847-634-9440 or TDD 847-634-9650 promptly to allow the Village of Long Grove to make reasonable accommodations for those persons.

**MEETING  
PROCEDURES**

Plan Commission meeting follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chair.

1. Introduction of item by the Chair.
2. Village Staff's summary of Petition.
3. Presentation by the Petitioner.
4. Public Testimony and Comment.
5. Cross-Examination.
6. Response by the Petitioner.
7. Questions by the Commission.
8. Commission Discussion and Deliberation.
9. Commission Action.



STAFF REPORT

TO: LONG GROVE PLAN COMMISSION

FROM: JAMES M. HOGUE, VILLAGE PLANNER

DATE: 1/28/10

RE: PCZBA REQUEST 10-01; Request for approval of a Final Plat of Subdivision to be known as the Long Grove Water Treatment Plant Subdivision on Property commonly known at the "Long Grove Executive House" and located at 4180 Route 83, Long Grove, Illinois submitted by the Village of Long Grove.

**Item:** PCZBA PETITION 10-01

**Status:** Final Plat submitted 12.2.09 Referral by Village Board not required.  
Filing fees & Escrow not applicable as the Village of Long Grove is the subdivider of the property.

**History:** The property is located on east side of Illinois Route 83 and also immediately adjacent to the Sunset Grove Development to the north. The property contains 5.370 +/- acres of land area and is presently "zoned" by a Consent Decree authorizing the development of an office building. The property is currently occupied by the "Executive House" office building and was developed per the stipulations of the Consent Decree. Technically, the property carries the R-2 District classification however the Consent Decree supersedes the underlying zoning in this instance.

**Proposal:** Consideration of the final plat of a two lot subdivision for property to be known as the "Long Grove Water Treatment Plant Subdivision". **(Plat Attached)** Lot 1 is proposed essentially remain unchanged and will continue to house the "Executive House" in the short term. Ultimately, long term, reclassification of this property to the HR-1 Highway retail District is anticipated. Lot 2 will contain the water treatment plant and will be owned and maintained by the Village of Long Grove.

### Land Use, Zoning and Locational Data:

The property is located on the east side of Illinois Route 83 and immediately south of and adjacent to the Sunset Grove Property with a common street address of 4180 Route 83. The property is presently configured into a single lot and contains 5.370 acres of land area.

As previously noted a Consent Decree was issued in 1977 through the Circuit Court of Lake County regarding the development of this property. This document essentially serves as the "zoning ordinance" for this property and the development of the "Executive House", on this property, was done conformance with this judgment. An amendment was also approved in November 1977 which allowed for additional square footage to be placed on the property. Initially, a two story building with 5,880 square feet of floor area on each floor was permitted. This was modified to allow a two story building with 6,466 square feet on the first floor and 5,629 square feet on the second floor.

The Consent Decree allowed for office space on this property and mandated (among other things) a 125' setback was established from the west property line (RT. 83) and a 200 foot setback was mandated from the east property line. The 125' setback will remain intact.

The Consent Decree will need to be modified with regard to both land use and setback in order for the water treatment plant/water well to proceed on proposed Lot 2 of the subdivision. Village legal staff has worked with the property owner to established suitable modifications to the existing Consent Decree to allow the well, treatment plant and development of Lot 2 to proceed. Lot 1, containing the "Executive House" will remain essentially unchanged (as will the consent decree as it relates to this lot) at this time. Once modified, this revised consent decree and not the Village Zoning Code will govern the land use and development (bulk, setback, etc.) on this property.

### Issues/Conclusions:

#### Final Plat

Title 6, Section 6-2-2 (B) provides for "Minor Subdivisions". Minor subdivisions are defined as follows:

*MINOR SUBDIVISION: Any subdivision containing not more than five (5) lots, and fronting on an existing improved minor street, and not involving any new street or road or the extension of municipal facilities, and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the official plan, zoning title<sup>3</sup> or this title.*

Staff finds as this subdivision as proposed to qualify as minor subdivision under this definition. As such, Section 6-2-2 (B) allows for this subdivision proceed directly to the final plat stage.

The final plat conforms to the requirements for final plats as identified in Title 6, Section 6-3-5 of the Village Code with the exception of the lot size on proposed Lot 2.

## Lot sizes

Proposed Lot 1 (The “Executive House”) will contain 4.666 acres of land area. This exceeds the 33,000 square feet of land area as mandated by the Village Subdivision Regulations. As previously noted the “Executive House” is target to remain on this lot in the short term. Further development of the property under the HR-1 District Regulations (similar to the “Sunset Grove Development to the north) is anticipated long term on this lot.

Lot 2 does not contain the minimum 33,000 square feet of lot area mandated by the Village Code. The Village proposes a variation of the this requirement as provided for in Title 6, Section 6-8-1 “Hardship” as provided for in the Village Subdivision Regulations as follows;

*When the planning commission<sup>1</sup>, in interpreting this title with section [6-4-1](#) of this title, finds that extraordinary hardship or injustice will result from strict compliance with this title, said commission may vary the terms thereof to the extent deemed necessary and proper to grant relief, provided that the modification:*

*(A) Is due to physical features of the site;*

*(B) Is the least deviation from this title which will mitigate the hardship; and*

*(C) Is not detrimental to the public interest, and is in keeping with the general spirit and intent of this title. (Ord., amd. 1977)*

Staff submits that due to the unique nature of the proposed use of the property as a Village owned and operated water treatment facility, the minimum amount of property required for the plant was negotiated for purchase. This was done principally for two reasons;

- 1). To keep the purchase price of the property at a minimum thereby protecting the fiscal resources of the Village.
- 2). To maximize the amount of developable land which remains on Lot 1 with the understanding that long term development under the HR-1 District Regulations is anticipated.

The deviation in lot size is minimal. The reduction in square footage is 2,351 square feet (or 7%) of the required minimum building area. In short, the lot contains 93% of the required building area. Additionally, only a limited number of properties exist in the area on which the treatment plant can be placed to provide water service to the Sunset Grove Development and ultimately downtown Long Grove as well.

Furthermore, this standard has been typically applied to the building area of residential lots. Lot 2 will be used for non-residential purposes (and in fact will remain unmanned most of the time). Presently the Village Code makes no provision for “municipal uses” of any kind. This is likely due to the fact that other than Village Hall relatively few properties are controlled by the Village for “municipal use”. Often times zoning codes will recognize and make special provisions for uses which are necessary for the municipal entity to function.

Staff further submits that keeping the lot size minimal is in the public interest as opposed to being detrimental to it. A smaller lot represents a smaller expenditure of public dollars and retains a larger area for future development under the HR-1 District regulations as is anticipated under the Downtown Master Plan as adopted in 2008. This has the potential to provide additional sales tax

revenues to the Village and promotes more efficient use of land all of which serve to benefit the public interest.

Finally, provision of a reliable potable water supply is often a primary responsibility of a municipality. Typically this is a basic element in maintaining the health, safety and welfare of a community. The provision of a municipal water supply therefore promotes and benefits the public interest as opposed to being detrimental to it.

The PCZBA should be aware that this is a variation to the Village Subdivision Regulations and **not a variation of the Zoning Code** which the PCZBA typically deals with.

### **Ingress & Egress**

Ingress to the Lot 1 will not change under this proposal. Access to Route 83 as it presently exists will be maintained to service the "Executive House" in the short term. Lot 2 (the Water Treatment Plant) will be accessed by a private driveway which ties into the access to Coffin Road via the Sunset Grove Development.

### **Easements**

A 20' utility easement is identified around the perimeter of the entire 5.370 acre site (including both proposed Lots 1 & 2). This easement will be used to run waterman from the treatment plant among other things.

No conservancy soils exist on the property therefore Conservancy Easements are not required to be identified on the plat.

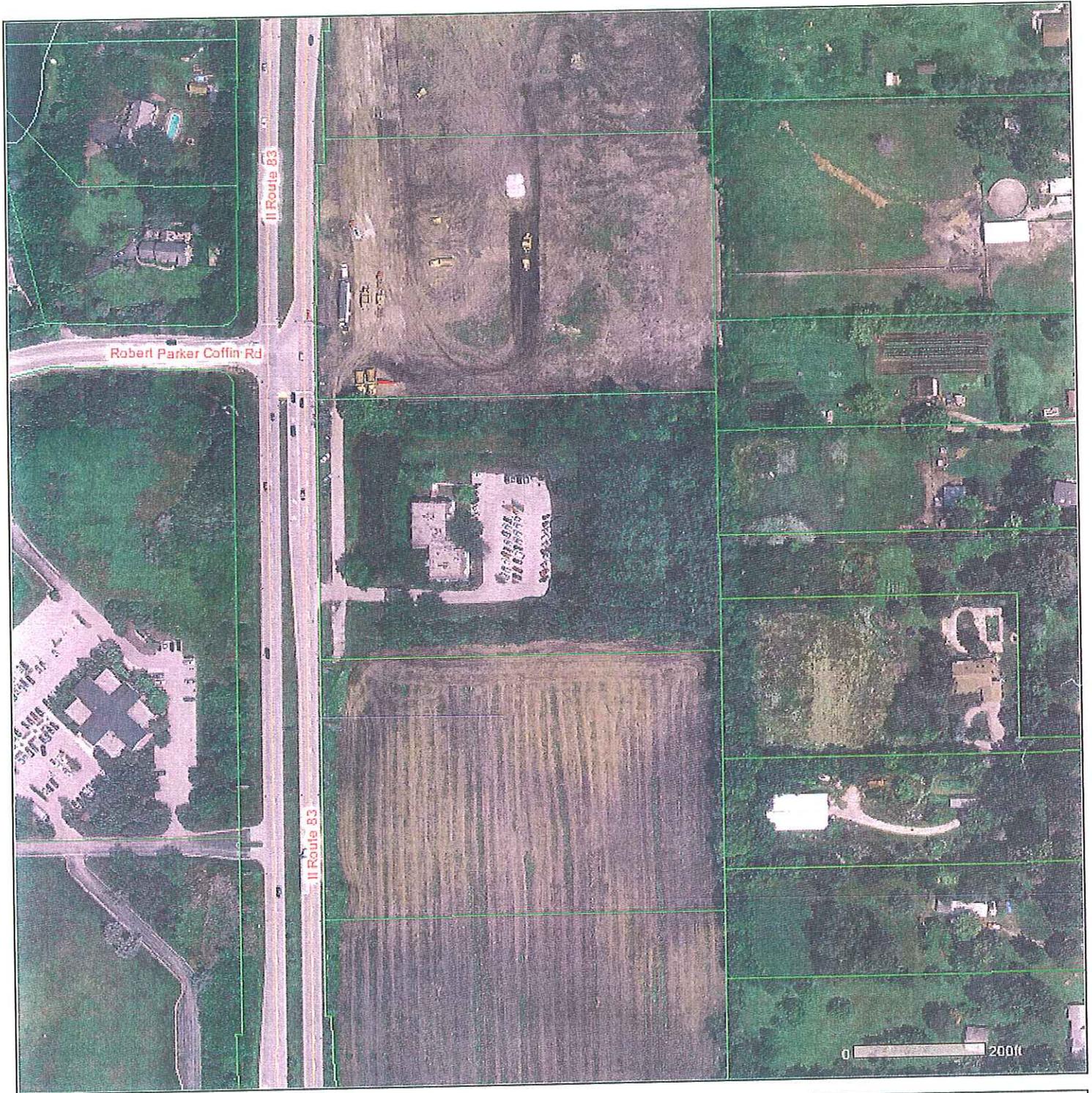
Respectfully Submitted,

*James M. Hogue*

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



# Lake County Tax Parcel Map



LakeCounty  
Geographic Information System

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

Map Printed on 1/20/2010



-  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.

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# U.S.D.A. Soil Survey, Lake County, Illinois



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**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.