



MEMORANDUM

TO: Village of Long Grove Planning Commission & Zoning Board of Appeals

FROM: James M. Hogue, Village Planner

DATE: November 3, 2020

RE: Ordinance amendments to the Village Code for the Village of Long Grove, Title 5, Zoning Regulations including without limitation modifications to allow certain temporary uses within the "HR" Highway Retail District and other applicable regulations within the Village of Long Grove.

History

In September 2015 the PCZBA first considered a request for a text amendment for temporary uses in the HR District which was ultimately approved by the Village Board. While the text amendment is district wide the amendment was crafted and specifically targeted for the former Geimer Greenhouse property.

Per this approval some uses originally requested were excluded due to the following concerns: (i) by the PCZBA about limiting storage of heavy equipment, gasoline, and similar products, and (ii) by the Village Board about confining the utility of this ordinance to the Geimer property. The existing approval (Ord. 2015-O-23) included the following provisions:

- List of uses recommended by the PCZBA. Note that there were two uses in the list originally proposed by the petitioner/ property owner (IDOT equipment yard and motor vehicle towing services) that were asked to withdraw (by the petitioner) during the public hearing and were not included in the recommendation.
- Requirement for Board approval, by ordinance or resolution, of any temporary use. Under the current temporary use regulations, certain uses can be approved by staff, while others (particularly those of greater intensity) require Board action.
- Specific prohibition on storage of heavy machinery and equipment, gasoline, and hazardous substances except in accordance with express Board approval.
- Provision that these temporary uses can only be established on a property with a principal use of open space (although this can include existing but unused structures), the intent being to limit this to uses that are essentially temporary principal uses on otherwise vacant lots, rather than allowing a business like Menard's to set up these activities as short-term accessory uses. Of course, Menard's also could not establish any new uses that were inconsistent with its PUD ordinance.

- Because these temporary uses were not intended to be a permanent fixture of the Zoning Code, the ordinance included a “sunset clause” in the amendment so that the temporary uses authorized would no longer be available after 12/31/18.

In 2017, a request was made further text amendment to the Village Code to allow modifications to the previously approved temporary uses within the “HR” Highway Retail District. These modifications included; (i) expansion of the “Contractors Office” use as identified in 5-9-3 (4) subsection (iii) of ordinance #2015-0-23 to allow a limited amount of outdoor parking and storage of equipment and materials related to the operation of the primary business, and (ii) extension of the “sunset clause” as established in ordinance #2015-O-23 from December 31, 2018 to December 31, 2023.

The PCZBA recommended the approval of these modifications and Village Board concurred and approved the additional text amendment as Ordinance 2017-O-02.

Most recently, in 2019, the Village received a request for “Irons & Woods” which was a proposed “Entertainment and Recreational Facility” consisting of four (4) “state of the art” golf simulators for rent by the hour or for private parties, fund raisers, special event and golf lessons. Other entertainment amenities include dart board games, a pool table, interactive entertainment activities such as eSports and live music. This use was allowable per the “Temporary Use” provisions noted above. As gaming was also requested a special use permit (and liquor licenses) were required and ultimately approved.

Due to size restrictions on the septic system and demand created by the proposed use, the facility never materialized.

Property Location

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 HR Highway Retail District (Ord. 2010-O-25) in anticipation of a mixed used development (commercial/office) known as “Arbor Grove”. The property is presently occupied by structures associated with the Geimer Greenhouse facility and is occupied several temporary uses per the approvals noted above.

The Arbor Grove development did not progress beyond the preliminary approval stage (and has since expired) and the property was rezoned to the “HR” District in anticipation of this development. Except for very limited uses, the bulk of the uses in HR District are anticipated to develop as a PUD. As such, the structures on the property are essentially non-conforming and unusable as presently zoned with the exception of the temporary uses as previously approved.

Current Request for Further Modification

At their October 27th meeting the Village Board the Village Board referred this item to the PCZBA for consideration.

Mr. Kurt Wandrey is the consultant to Pinnacle Capital 2727 LLC and is bringing the request forward (application, business and site plans attached). Pinnacle Capital purchased of the former Geimer Green House Property at 2727 Route 53.

This use is proposed for Unit “C” per the submitted site plan (see attached exhibits D & E).

As proposed an additional temporary use for a dog training/grooming/ boarding (day care) & kennel facility is requested as an additional text amendment to those previously approved within the HR District (to be known as Kamp-K9) .

This text amendment would be further amendment of Ordinance 2015-O-23 & 2017-O-02, (referenced above) both of which deal with the temporary uses on the property in the HR District.

ANALYSIS

Comprehensive Plan – The property is part of the Lake-Cook/RT. 53 Sub-area. In general this is targeted for commercial use (east & west side of Rt. 53); however, higher density residential development for senior housing or single family residential is also contemplated (west side of Rt. 53). The plan specifically plan targets this area for “specialty business/production”. Per the SIC code such facilities as listed as “Animal Specialty Services” (# 07529901).

HR Zoning District – 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.

Temporary uses in the HR District – Per the 2015 approval (as modified) the following were listed as permitted temporary uses (subject to the provisions of Ord. 2017-O-23);

- i. Seasonal retail sale of landscape nursery plants, flowers, and landscape equipment.
- ii. Self-storage or warehousing within a fully-enclosed structure.
- iii. Contractors’ offices and/or material storage in relation to a general contractor’s or landscape contractor’s operations and not accessory to an on-site construction project, which may include outdoor parking and storage of vehicles and equipment associated with such operations.
- iv. Entertainment or recreation facilities, such as batting cages or go-cart driving, within a fully-enclosed structure.
- v. Equipment rental, storage, and leasing within a fully-enclosed structure.
- vi. Seasonal and holiday retail stores.
- vii. Retail sales of alcoholic beverages.

Per this request, if approved, an additional temporary use to allow Indoor Dog Training, Grooming, Daycare and Kenneling Facilities would be added to the HR District regulations.

KAMP-K9

Should the text amendment be approved, the applicant also requests consideration of a proposed temporary use for the property to be known as “Kamp K-9”. This use is proposed for Unit “C” of the existing structure.

Mr. Dave Jenner, Libertyville, is the CEO of the Kamp-K9 LLC. A business plan has been submitted by Kamp-K-9 and is also attached for the consideration of the PCZBA (see Exhibit “B”).

As proposed this use seeks to capture part of the emerging pet daycare and boarding (also including dog training & grooming) market primarily in the Northwest Chicago suburbs. As proposed this is principally a service use with a small retail (sales tax generating) component. Transportation of pets to and from the facility will also be offered.

Unit “C” contains approximately 10,000 sq. ft. of floor area. It is anticipated that once built-out 60 dogs would be accommodated for daily care and 40 to 54 dogs for nightly boarding. 8,500 sq. ft. of exercise space (both indoor & outdoor combined) are proposed for the site. Approximately 1,400 sq. ft. of floor area, at the front of the structure will be divided between retail display, grooming and reception areas. Two outdoor pet runs (approx. 2,600 sq. ft.) area also proposed behind the building.

Conclusions

A request for further modification of the previously approved text amendment(s) to the Village Code to allow temporary uses within the “HR” Highway Retail District is being made as it relates to an additional temporary use for a dog training/grooming/ boarding (day care) & kennel facility. The HR District has very limited uses as a matter-of- right as most uses are anticipated to be allowed via a PUD within this district. Should the text amendment be approved the petitioner asks “Kamp K-9” be considered for Unit “C” of the existing structure.

The “sunset clause” of the previously approved text amendment is not proposed to be modified in this request and will remain at December 31, 2023.

Per the submitted site plan, vehicle parking is targeted to the north of the building in the existing parking area. Per the site plan 194 spaces are identified on-site (although the area is not paved or striped). Parking standards (per the village code) for the proposed service use would be at 5 spaces per 1000 **net square feet** of floor area. Using a gross floor area calculation of 10,000 (as net floor area calculations were not provided) 50 spaces would need to be provided. Per Exhibit “E”, submitted by the petitioner, 22,400 sq. ft. of the existing structure is occupied by service uses. Using the same standard of 5 spaces per 1000 of **gross** floor area (as net floor area calculations were not submitted) 122 spaces would be required for the existing uses. This number plus the spaces for the proposed use brings the total number of spaces required (per gross floor area) of 162 spaces.

Parking should not be an issue with any of the existing or the proposed use on-site.

Facilities of this nature must receive a license from the Illinois Department of Agriculture (application form attached as part of “Exhibit C”) which sets the standards for animal care including annual inspections to ensure facility readiness at the start and maintenance of the facility in compliance with those standards. County standards are included in this Exhibit as well which are the “Animal Control” standards adopted by the village.

Conditions on Approval

Should the text amendment be approved staff suggests the following be considered by the PCZBA for the proposed “Kamp – K9” use of the site;

- A state license for such a facility shall be obtained and compliance with all applicable State and Local animal care regulations shall be met.
- Animals shall be kept in a safe, clean and healthy environment at all times and their well-being monitored including adequate water supplies, proper environment (airflow/temperature) & sanitation, and including video monitoring.
- Services to be provided shall be limited to those outlined in the “Kamp K-9” business plan (dated 10.1.20) and submitted as Exhibit “B”
- The Kamp K-9 facility shall be in substantial conformance with the site & floor plans (Exhibits D & E) as submitted for PCZBA consideration.
- Other appropriate conditions as the result of testimony at the public hearing.

Should you have questions feel free to contact me; e-mail is best.

Lake County, Illinois



Lake County, Illinois



Map Printed on 11/18/2020



 Tax Parcel Lines

Tax Parcel
Information



SUBJECT PROPERTY

Disclaimer:

The selected feature 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.