



VILLAGE BOARD PLANNING SERVICES REPORT

To: Village President Bill Jacob
Village Board of Trustees

From: Taylor Wegrzyn, Planning Services

Meeting Date: June 28, 2022

Property: 2727 IL Route 53

Re: Text Amendment Concerning Certain Temporary Uses

Attachments: 1. Petitioner's Application
2. Location Map
3. Ordinance Approving Text Amendment

Staff has received a request for a text amendment to extend the expiration date for certain temporary uses within the HR, Highway Retail zoning district. While the amendment would apply to the whole of the HR zoning district, the current criteria for these temporary uses is such that it is most applicable to the property at 2727 IL Route 53, for which temporary uses have been previously granted.

History:

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. The property received this zoning designation via Ordinance 2010-O-25 in anticipation of a proposed mixed-use development known as "Arbor Grove". That development did not progress beyond the preliminary approval stage (and has since expired).

The uses permitted within the HR District are extremely limited. As such, Planned Unit Developments (PUD) are anticipated for any prospective developments within the district. Because there is not a PUD on the property, the existing structures on the property are non-conforming and obsolete without additional approvals by the Village. For this reason, the property owner pursued a text amendment to allow for certain temporary uses within the district.

In September 2015, the PCZBA first considered a request for a text amendment for temporary uses in the HR District. That request was ultimately approved by the Village Board. While the text amendment is applicable to the entire HR District, the amendment was crafted and specifically targeted for the former Geimer Greenhouse property at 2727 Route 53. Uses permitted by this ordinance, on a temporary basis, included: seasonal landscape retail, self-storage facilities, entertainment facilities, equipment rentals, seasonal retail, and retail sales of

alcoholic beverages. The ordinance also contained a “sunset” clause so that the temporary uses would no longer be permitted uses after December 31, 2018.

In 2017, the temporary use ordinance was further amended to include “Contractors Office” as a permitted use and extended the expiration date to December 31, 2023.

In 2019, the Village Board received a request for a proposed golf simulator business at the property. This “Entertainment and Recreational Facility,” as defined in the Zoning Code, was a permissible use. While the golf simulator use was permitted, the business also desired video gaming which required a Special Use Permit and was ultimately approved. Despite the approvals, the business did not open at the subject property.

On December 29, 2020 the Village Board approved a further amendment to the Zoning Code to permit a pet day care and grooming facility on the property, in addition to the pre-existing users.

Request:

The Petitioner is requesting a text amendment to extend the expiration date for the temporary uses permitted in the HR District as set forth in Section 5-9-3(D)(4)(c) of the Long Grove Zoning Code.

The ordinance is currently set to expire on December 31, 2023 and the Petitioner is seeking an extension. They originally requested a 36-month extension to December 31, 2026 and staff recommended an 18-month extension to June 30, 2025. If approved, only the date of expiration within the Zoning Code would be changed, and no other changes to the Zoning Code are proposed.

The proposed amendment to the Zoning Code would be as follows, with all changes shown in red, struck, or underlined:

- “(b) The following uses shall be permitted as temporary uses in accordance with this subsection (D)4:*
- (1) Seasonal retail sale of landscape nursery plants, flowers, and landscape equipment.*
 - (2) Self-storage or warehousing within a fully enclosed structure.*
 - (3) Contractors' offices and/or material storage in relation to a general contractor's or landscape contractor's operations and not accessory to an onsite construction project, which may include outdoor parking and storage of vehicles and equipment associated with such operations.*
 - (4) Entertainment or recreation facilities, such as batting cages or go-cart driving, within a fully enclosed structure.*
 - (5) Equipment rental, storage, and leasing within a fully enclosed structure.*
 - (6) Seasonal and holiday retail stores.*
 - (7) Retail sales of alcoholic beverages.*

- (8) *Dog daycare, overnight boarding, grooming, and training facilities within a fully enclosed structure; provided, however, that such facilities may also include designated outdoor dog training, exercise, and relief areas. Dog Kennels in which dogs are bred, sold, or offered for sale or adoption shall not be permitted.*
- (c) *The temporary use authorizations set forth in this subsection (D)4 shall expire as of ~~December 31, 2023~~ [date determined by Village Board].”*

ANALYSIS

Plan Commission and Zoning Board of Appeals. On Tuesday, June 7, 2022, the Long Grove Plan Commission and Zoning Board of Appeals (PCZBA) held a public hearing regarding the petitioner’s request for a text amendment. The Commission voted 4-0 in favor of recommending approval of the requested amendments and with an expiration date of December 31, 2026. It should be noted that this date varied from staff’s recommendation for an expiration date of June 30, 2025.

There were no comments made by members of the public.

CONCLUSIONS

The Village Board should consider the recommendation of the PCZBA and those other factors which it believes are in the best interest of the community. In particular, the Board should consider whether the petitioner’s original 36-month extension request (expiring December 31, 2026) is warranted or if staff’s recommendation for 18-months (June 30, 2025) would be more appropriate.

Recommended Action:

The following motion is recommended:

Motion to adopt an ordinance approving a text amendment to Section 5-9-3(D)(4)(c) of the Long Grove Zoning Code to extend the expiration date for certain temporary uses within the HR Zoning District.

TW/AO/jm