

Request For Board Action

REFERRED TO BOARD: November 16, 2015

AGENDA ITEM NO: 8, 9 & 10

ORIGINATING DEPARTMENT: Administration

SUBJECT:

3. Consideration of an Ordinance Adopting an Amendment to the Official Comprehensive Plan for Approximately 16 acres at the Northeast corner of Illinois Route 173 and Deep Lake Road – PZB 15-05 – *Ordinance No. 15-11-16*
4. Consideration of an Ordinance Zoning approximately 16 acres at the Northeast Corner of Illinois Route 173 and Deep Lake Road in the B-2 General Retail Business District – PZB 15-05 – *Ordinance No. 15-11-17*
5. Consideration of an Ordinance Granting a Special use for a Planned Development on Approximately 16 acres at the Northeast Corner of Illinois Route 173 and Deep Lake Road – PZB 15-05 – *Ordinance No. 15-11-18*

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The subject of this action is the re-zoning of the property on the NE corner of Route 173 and Deep Lake Road from residential to business. A retail center is proposed to be developed as a PUD and has received a positive recommendation from the PZB as a preliminary plan. The Village Board must now consider the recommendation from PZB as the next step in the entitlement process.

This matter was discussed at the August 13, September 10 and October 8 Planning and Zoning Board meetings, where it was ultimately approved by a unanimous vote in favor of all aspects of the proposal. Specific elements were included in the Planning and Zoning Board recommendation that are outlined in the letter of recommendation from Ken Karasek, Chairman of Planning and Zoning, attached. The proposed ordinances address each aspect of the development separately.

The proposed ordinance for a comprehensive plan amendment allows for a designation of the appropriate use of the subject property that was not included in the original comprehensive plan due to litigation. The property is currently zoned R-1 residential, which provides for development of single family homes. The proposed zoning ordinance amends the residential zoning to commercial B-2 zoning consistent with the adjoining properties west and southwest. The final ordinance granting a special use for a PUD will protect the eastern area of the property, shape the development, maintain visual aspects for property that serves as an entryway for the Village, and provides for basic architectural elements.

The first reading of these ordinances were approved at the November 6, 2015 Village Board Meeting.

FINANCIAL IMPACT:

The potential property tax and sales tax from this development could be substantial.

DOCUMENTS ATTACHED:

1. Ordinances
2. Letter of recommendation from PZB
3. Staff report

RECOMMENDED MOTION:

Move to approve:

8. an Ordinance Adopting an Amendment to the Official Comprehensive Plan for Approximately 16 acres at the Northeast corner of Illinois Route 173 and Deep Lake Road – PZB 15-05 – *Ordinance No. 15-11-16*
9. an Ordinance Zoning approximately 16 acres at the Northeast Corner of Illinois Route 173 and Deep Lake Road in the B-2 General Retail Business District – PZB 15-05 – *Ordinance No. 15-11-17*
10. an Ordinance Granting a Special use for a Planned Development on Approximately 16 acres at the Northeast Corner of Illinois Route 173 and Deep Lake Road – PZB 15-05 – *Ordinance No. 15-11-18*

ORDINANCE NO. ____

**AN ORDINANCE ZONING APPROXIMATELY 16 ACRES AT THE
NORTHEAST CORNER OF ILLINOIS ROUTE 173 AND DEEP LAKE
ROAD IN THE B-2 GENERAL RETAIL BUSINESS DISTRICT
(FILE NO. PZB 15-05)**

WHEREAS, Devon Bank, as Trustee Under Trust No. 467, (“Trust”) is the legal title holder of approximately 16 acres of property located at the northeast corner of Illinois Route 173 and Deep Lake Road and legally described in Exhibit A, which is attached hereto and incorporated herein (hereinafter referred to as "Property"); and

WHEREAS, 2011 Antioch, LLC, is the beneficiary of the Trust; and

WHEREAS, the Trust and 2011 Antioch, LLC, are hereinafter together referred to as "Owner"; and

WHEREAS, the Property is currently zoned in the R-1 One-Family Dwelling District; and

WHEREAS, Owner has filed with the Village of Antioch, Illinois (hereinafter referred to as “Village”) a Petition for Zoning Amendment (hereinafter referred to as “Petition”) to zone the Property in the B-2 General Retail Business District pursuant to the Zoning Ordinance of the Village of Antioch (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, on August 13, 2015, and continued to October 8, 2015, a public hearing was held on the Petition, designated as PZB 15-05, before the Combined Plan Commission and Zoning Board of the Village of Antioch (hereinafter referred to as the "Plan Commission"); and

WHEREAS, the Plan Commission has submitted its report recommending approval of the Petition, which report is hereby incorporated into this ordinance; and

WHEREAS, the current zoning of the Property in the R-1 District is not appropriate, due to the difficulty of developing and marketing the Property for residential purposes, its location in close proximity to commercial uses to the west, such as Walmart, Menard’s and Aldi’s, and to the Red Wing Slough to the east, and its proximity to two arterial roads; and

WHEREAS, the Mayor and the Board of Trustees of the Village of Antioch have determined that the best interests of the Village will be attained by zoning the Property in the B-2 General Retail Business District.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The foregoing recitals are incorporated herein as though they were fully set forth herein.

SECTION 2: The Property is hereby zoned in the B-2 General Retail Business District.

SECTION 3: All ordinances or parts of ordinances of the Village of Antioch in conflict herewith are, to the extent of such conflict only, hereby repealed.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, as provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED and APPROVED this _____ day of _____, 2015.

LAWRENCE M. HANSON, Mayor

ATTEST:

LORI K. FOLBRICK, Village Clerk

EXHIBIT A

THE SOUTH 368.5 FEET OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THAT PART THEREOF DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBERS 374073 AND 1138162) AND THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THE NORTH 330.0 FEET THEREOF AND EXCEPT THE SOUTH 368.5 FEET THEREOF) ALL IN SECTION 15, TOWNSHIP 46 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF SAID NORTHWEST QUARTER OF SECTION 15 AND THE EAST LINE OF THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 00 DEGREES 14 MINUTES 23 SECONDS EAST, A DISTANCE OF 623.57 FEET, ALONG SAID EAST LINE OF THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE NORTH LINE OF THE SOUTH 368.5 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 89 DEGREES 29 MINUTES 05 SECONDS WEST, A DISTANCE OF 95.52 FEET, ALONG SAID NORTH LINE OF THE SOUTH 368.5 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15 TO THE EAST LINE OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 00 DEGREES 14 MINUTES 33 SECONDS EAST, A DISTANCE OF 335.03 FEET, ALONG SAID EAST LINE OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE NORTH LINE OF SAID LAND DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBER 374073; THENCE SOUTH 89 DEGREES 24 MINUTES 46 SECONDS WEST, A DISTANCE OF 1032.38 FEET, ALONG SAID NORTH LINE OF LAND DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBER 374073; THENCE NORTH 35 DEGREES 28 MINUTES 54 SECONDS EAST, A DISTANCE OF 101.12 FEET; THENCE NORTH 09 DEGREES 53 MINUTES 53 SECONDS EAST, A DISTANCE OF 116.59 FEET; THENCE SOUTH 80 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF 38.61 FEET; THENCE SOUTH 55 DEGREES 18 MINUTES 44 SECONDS EAST, A DISTANCE OF 128.60 FEET; THENCE NORTH 60 DEGREES 22 MINUTES 20 SECONDS EAST, A DISTANCE OF 52.38 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 16 SECONDS EAST, A DISTANCE OF 71.50 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 43 SECONDS WEST, A DISTANCE OF 184.44 FEET; THENCE NORTH 56 DEGREES 40 MINUTES 29 SECONDS EAST, A DISTANCE OF 173.82 FEET; THENCE NORTH 24 DEGREES 29 MINUTES 41 SECONDS EAST, A DISTANCE OF 284.68 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 17 SECONDS EAST, A DISTANCE OF 282.76 FEET, TO SAID SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE NORTH 89 DEGREES 27 MINUTES 00 SECONDS EAST A DISTANCE OF 519.61 FEET, ALONG SAID SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

CONTAINING AN AREA OF 691816 SQUARE FEET OR 15.882 ACRES (MORE OR LESS).

ORDINANCE NO.

**AN ORDINANCE ADOPTING AN AMENDMENT
TO THE OFFICIAL COMPREHENSIVE PLAN
FOR APPROXIMATELY 16 ACRES AT THE
NORTHEAST CORNER OF ILLINOIS
ROUTE 173 AND DEEP LAKE ROAD
(FILE NO. PZB 15-05)**

WHEREAS, Section 11-12-6 of the Illinois Municipal Code, 65 ILCS 5 *et seq.*, authorizes municipalities in the State of Illinois to prepare and adopt an official comprehensive plan; and

WHEREAS, Section 11-12-7 of the Illinois Municipal Code, 65 ILCS 5 *et seq.*, authorizes municipalities in the State of Illinois to amend their official comprehensive plan; and

WHEREAS, the Mayor and Board of Trustees of the Village of Antioch (“Village”) have adopted an official comprehensive plan, which comprehensive plan was supplemented in 2004 by the Route 173 Amendment to the Comprehensive Plan (the comprehensive plan and supplement are hereinafter referred to as the “Official Comprehensive Plan”); and

WHEREAS, the Owner of the property that is legally described in Exhibit A, attached hereto and incorporated herein, (“Property”) has requested the Village’s Combined Planning Commission and Zoning Board to amend the Official Comprehensive Plan to change the designation of the Property from “Site Involved in Litigation” to “Commercial” (“Proposed Amendment”); and

WHEREAS, on August 13, 2015, and continuing on to October 8, 2015, the Village’s Combined Planning Commission and Zoning Board held a public hearing regarding the Proposed Amendment and at the conclusion of said hearing recommended to the Mayor and Board of

Trustees of the Village that the Proposed Amendment be approved, which recommendation is hereby incorporated into this ordinance; and

WHEREAS, the Mayor and Board of Trustees of the Village have considered the Proposed Amendment to the Official Comprehensive Plan of the Village, deem it to be in the best interests of the Village and its residents and desire to adopt the same.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

SECTION 1: The Official Comprehensive Plan of the Village of Antioch, including the maps incorporated therein, is hereby amended by changing the designation of the Property from “Site Involved in Litigation” to “Commercial.”

SECTION 2: All ordinances or parts of ordinances of the Village of Antioch in conflict herewith are, to the extent of such conflict only, hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED and APPROVED this ____ day of _____, 2015.

LAWRENCE M. HANSON, Mayor

ATTEST:

LORI K. FOLBRICK, Village Clerk

EXHIBIT A

THE SOUTH 368.5 FEET OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THAT PART THEREOF DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBERS 374073 AND 1138162) AND THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER (EXCEPT THE NORTH 330.0 FEET THEREOF AND EXCEPT THE SOUTH 368.5 FEET THEREOF) ALL IN SECTION 15, TOWNSHIP 46 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF SAID NORTHWEST QUARTER OF SECTION 15 AND THE EAST LINE OF THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 00 DEGREES 14 MINUTES 23 SECONDS EAST, A DISTANCE OF 623.57 FEET, ALONG SAID EAST LINE OF THE WEST 1428.0 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE NORTH LINE OF THE SOUTH 368.5 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 89 DEGREES 29 MINUTES 05 SECONDS WEST, A DISTANCE OF 95.52 FEET, ALONG SAID NORTH LINE OF THE SOUTH 368.5 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15 TO THE EAST LINE OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE SOUTH 00 DEGREES 14 MINUTES 33 SECONDS EAST, A DISTANCE OF 335.03 FEET, ALONG SAID EAST LINE OF THE WEST HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE NORTH LINE OF SAID LAND DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBER 374073; THENCE SOUTH 89 DEGREES 24 MINUTES 46 SECONDS WEST, A DISTANCE OF 1032.38 FEET, ALONG SAID NORTH LINE OF LAND DEDICATED FOR HIGHWAY PURPOSES BY DOCUMENT NUMBER 374073; THENCE NORTH 35 DEGREES 28 MINUTES 54 SECONDS EAST, A DISTANCE OF 101.12 FEET; THENCE NORTH 09 DEGREES 53 MINUTES 53 SECONDS EAST, A DISTANCE OF 116.59 FEET; THENCE SOUTH 80 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF 38.61 FEET; THENCE SOUTH 55 DEGREES 18 MINUTES 44 SECONDS EAST, A DISTANCE OF 128.60 FEET; THENCE NORTH 60 DEGREES 22 MINUTES 20 SECONDS EAST, A DISTANCE OF 52.38 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 16 SECONDS EAST, A DISTANCE OF 71.50 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 43 SECONDS WEST, A DISTANCE OF 184.44 FEET; THENCE NORTH 56 DEGREES 40 MINUTES 29 SECONDS EAST, A DISTANCE OF 173.82 FEET; THENCE NORTH 24 DEGREES 29 MINUTES 41 SECONDS EAST, A DISTANCE OF 284.68 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 17 SECONDS EAST, A DISTANCE OF 282.76 FEET, TO SAID SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15; THENCE NORTH 89 DEGREES 27 MINUTES 00 SECONDS EAST A DISTANCE OF 519.61 FEET, ALONG SAID SOUTH LINE OF THE NORTH 330 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 15, TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

CONTAINING AN AREA OF 691816 SQUARE FEET OR 15.882 ACRES (MORE OR LESS).

Trustees
Mary C. Dominiak
Jerry T. Johnson
Jay Jozwiak



Trustees
Ed Macek
Scott A. Pierce
Ted P. Poulos

Lawrence M. Hanson, Mayor

Lori K. Folbrick, Village Clerk

October 9, 2015

To: The Honorable Larry Hanson, Mayor; and
Members of the Village Board of Trustees

From: Ken Karasek, Chairman
Combined Planning and Zoning Commission

RE: PZB 15-05
Petition of Spiro Hortis et. al. to rezone property, grant a special use permit, approve a
Comprehensive Plan amendment, and approve a preliminary PUD plat.

Dear Mayor Hanson and Trustees,

The Planning and Zoning Board heard the referenced case in a public hearing that opened on September 13, 2015, and was continued to October 8, 2015. Due and proper notice of the hearing was given pursuant to statute and the Antioch Municipal Code and sworn testimony was taken. It should be noted that there were no members of the public at either hearing session speaking in opposition to the proposal.

Presenting the proposal were Attorney Jerry Callaghan of Freeborn & Peters and Design Engineer Glenn Christensen from Manhard Consulting. Administrator Keim, acting Director of Planning and Consulting Engineer Tim Hartnett from H.R. Green testified on the Staff's review and analysis of the proposal.

The petition included several distinct, but interrelated aspects. They all addressed the unique attributes of this particular parcel which borders the IDNR Red Wing Slough property and two arterial highways, Deep Lake Road and Illinois Route 173. The Petitioner provided the PZB with evidence of conditional approvals and design comments from IDNR, IDOT and Lake County DOT. Additional, and extensive, review materials and reports were submitted by Village Staff and our consultants at H.R. Green. These materials were closely considered by the PZB and the recommendations were considered in the final recommendation to the Village Board.

Since the petition had multiple aspects, I will attempt to address each one before wrapping up with the PZB's recommendation.

Comprehensive Plan. At the time the current Comprehensive Plan was adopted, the subject parcel (and adjoining lands to the east) was involved in an eminent domain action brought by IDNR. The State was seeking lands to expand its holdings on Red Wing Slough, including buffer properties. As such, the subject land was not included in the Plan as such, but was designated as “in litigation”. That lawsuit was settled about 10 years ago, with the State receiving title to the eastern portion of the property, leaving the remainder which is involved in the current petition. With the settlement, the remaining land needs a designation for an appropriate use. The landowner sought designation as Commercial property. The Petitioner suggested that this designation is fundamentally consistent with the Village’s Route 173 Corridor Plan.

Rezoning. The land is currently zoned R-1, which would allow a large lot single family home subdivision to be developed. R-1 was the default zoning classification when the land was annexed in the 1980’s and it’s never been rezoned. The Petitioner suggested that due to the proximity of the two arterial roadways and adjoining commercial areas, any residential use would be impractical to build and market. Rather, Petitioner sought approval to change to a commercial B-2 zoning consistent with adjoining properties to the west and southwest.

PUD / Special Use. The proposed use of the land is to develop a shopping center. At the present time, there are no end users identified. The Petitioner suggested that the downturn in the economy has resulted in commercial users being interested only in more or less turnkey sites where the zoning and use entitlements exist or are readily available. This is unlike proposals from a decade ago where the end users were identified before the petition was presented. This approach brings a couple of issues to the fore.

First, the environmentally sensitive area to the east needs to be closely protected, and the development shaped accordingly. Without knowing the exact users and their space requirements this is clearly more difficult. Second, this is a key entryway into the Village, and the visual aspects of the site open between a scenic vista on the east and a fairly standard commercial corridor on the west. This brings not only differences in scale forward, but also the basic architectural elements of the appropriate buildings and aspects such as parking lot design, drainage and detention basins, etc. Access from the arterial highways also had to be taken into consideration.

Testimony and Discussion.

With the input from Staff and the Village’s consultants, the Petitioner brought forward a site plan showing some details on the main building, substantial detail on the engineering and parking lot design and less specificity on future building lots along Deep Lake Road. The parking lot is designed with “Dark Sky” lighting and a series of filtering basins designed to improve runoff water quality before it enters the buffering lands between the property and the Slough. The building design allows exterior spaces that the PZB found attractive and useful for restaurants and similar uses. The PZB member found the elevations of the buildings to be attractive, with appropriate scales, good quality exterior materials and details that break the monotonous look of shopping centers into more segmented structures joined with common walls.

The Petitioner provided details on landscaping including compliance with all applicable Village planting codes, screening of garbage dumpsters, management of litter and the like. The architecture included parapets which will effectively block views of the roof-mounted HVAC systems and other mechanicals. Village sewer and water is available to the parcel.

There was discussion about matters such as snow removal and salting. The parking lot is designed with a central landscape strip that can accept plowed snow and salt. The Petitioner wishes to avoid being required to use alternative snow melting materials such as CMA since they haven't proved effective in the Walmart property across the street. For this reason, the filtering system of ponds and drainage-ways are intended to restore water quality before it gets to the IDNR buffers and eventually the Slough itself. The Village Staff and consultants appear to be satisfied with the engineering principles being utilized in this regard.

The road access will be governed by input and oversight from both IDOT and Lake County DOT since they have jurisdiction over Route 173 and Deep Lake Road respectively. It appears that there will be a right turn in from westbound 173 and a main entrance directly across from the Walmart entry on Deep Lake Road. The PZB members expressed no criticism of the plans, which seemed to be well-developed.

The Petitioner has agreed to install an 8 foot wide multi-use walking/biking path along the frontage-way of the property in lieu of ordinary sidewalks. The Village will ultimately maintain this path, although it will lie within the County's Deep Lake Road right-of-way. The internal roadway system, combined with the parking lot layout appears to meet our codes, and provide ample and logically laid out parking.

The Petitioner suggested the need for a larger and more architecturally significant monument sign near the 173 / Deep Lake Road corner. While the concept plan submitted was interesting to the PZB, ultimately, the preliminary nature of this request suggests that the final analysis of that proposal should come somewhere down the road, probably with a reduction in size from the sign proposed. Similar considerations exist for the internal signage on the site.

The preliminary nature of the proposal also figures into issues as varied as the scope and content of the covenants that will be required of the tenants and outbuilding users. The adherence to the basic architectural concepts and principles will need to be carried over into the final PUD.

Overall, there were a series of important comments in the Staff Report which should be given consideration. The difficulty posed by the preliminary nature of this proposal needs to be balanced against the Petitioner's intentions to move forward and need for a reasonable degree of certainty in what the Village will look for at the time of final PUD approval. All of these factors built into the ultimately positive recommendation made by the PZB.

Recommendation. The PZB unanimously voted in favor of all aspects of this proposal. Incorporated into that recommendation are the following specific elements, intended primarily to clarify what has been recommended currently and what should be reserved to the final PUD process:

1. That the Staff Report of October 8, 2015 be incorporated into the Ordinance, and this letter as an attachment and substantive guide to interpretation of the Ordinance and the entitlements thereby given;
2. That updated consultation letters be obtained prior to final PUD approval as described therein;
3. That all necessary regulatory letters be obtained from jurisdictional entities as described therein;
4. That the site plan, landscape plan and Development Standards be amended as necessary to bring them into more complete compliance with the 173 Corridor Plan once the IDOT and County requirements are clarified;
5. That the final covenants, conditions and restrictions be reviewed and approved by the Village Attorney and Staff to ensure compliance with applicable codes, and to ensure that this development bears the burden of any expense of required or necessary maintenance of the site.

Respectfully submitted,

Ken Karasek, PZB Chairman