

# Request For Board Action

**REFERRED TO BOARD:** October 9, 2017

**AGENDA ITEM NO:** 13 & 14

**ORIGINATING DEPARTMENT:** Community Development

**SUBJECT:** Olsen (Glass Tinting Business) Consideration of an Annexation, Annexation Agreement, Rezoning to B-3, Special Use for PUD, and a Site Plan Review for a property located 41362 N. Route 83.

## **SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Combined Planning Commission and Zoning Board conducted a public meeting on September 14, 2017 on the applicant's petition for annexation, rezoning to B-3, Special Use for a PUD, and Site Plan. The applicant is proposing a 5,760 square foot building on a vacant parcel on Route 83. The subject site is approximately 0.50 acres and is currently located in unincorporated Lake County.

There was extensive discussion about the proposed B-3 zoning. Several commissioners were seeking B-2 zoning instead of the requested B-3 zoning. In addition, there was discussion about the applicant's proposal to construct metal storage buildings on the subject site. The applicant's has worked with Staff on revised elevations for their proposed building and is now proposing a building that will be constructed with fiber cement clapboard and a wainscot of cultured stone. The applicant additionally has preliminary approval from IDOT for an access point on Route 83.

A copy of the proposed Annexation Agreement is attached to the Staff Report for the Village Board review and consideration.

The Planning Commission recommended approval of the Annexation, Special Use for PUD and Concept Plan by a vote of 5-0.

**FINANCIAL IMPACT:** None

## **DOCUMENTS ATTACHED:**

1. Village Board Staff Report
2. Annexation Agreement
3. Elevations and Site Plan

## **RECOMMENDED MOTION:**

*We move that the Village Board direct the Village Attorney to draft an ordinance approving the annexation and annexation agreement for the subject property.*

# Request For Board Action

*We move that the Village Board direct the Village Attorney to draft a Rezoning ordinance zoning the subject property to B-3 Zoning.*

*We move that the Village Board direct the Village Attorney to draft a Special Use Ordinance for a PUD subject to the following stipulations:*

- 1. Compliance with the requirements of the Village Engineer.*
- 2. Compliance with the requirements of the Antioch Fire Protection District.*

*We move that the Village Board approve the Site Plan Review subject to the following stipulations:*

- 1. Compliance with the requirements of the Village Engineer.*
- 2. Compliance with the requirements of the Antioch Fire Protection District.*
- 3. Submittal of a revised landscape plan per the recommendations of staff outlined above.*



**REPORT TO:** VILLAGE PRESIDENT and BOARD OF TRUSTEES  
**FROM:** MICHAEL S. GARRIGAN, AICP, CNU-A, Community Development Director  
**DATE:** October 3, 2017  
**SUBJECT:** REPORT TO PZB

**CASE:** Olsen  
17-11

**REQUEST:** Annexation Agreement (Public Hearing)  
Annexation  
Special Use  
Rezoning  
Site Plan

**LOCATION:** 41362 N. IL Route 83

**APPLICANT:** Joe Olsen

**ZONING:** GC (Lake County Zoning)

**Background**

The applicant is proposing to construct an auto service business on a half of an acre of vacant property on Route 83. The subject site is currently located in Lake County and is contiguous to the Village. The applicant currently is operating in unincorporated Antioch and is interested in constructing his own building. The proposed use is a permitted use in the B-3 district. The applicant’s business relates to the tinting of vehicle glass.

The applicant is proposing to construct a 5,760 square foot building on the subject site. The property was previously used for residential purposes.

## **Annexation**

The subject site is adjacent to several parcels that are located in the Village of Antioch. In addition, the 1991 Comprehensive Plan identifies the site as commercial and the site is located adjacent to existing Village utilities. The site is located within the Village's Facility Planning Area (FPA) and utilities are adjacent to the site and can service the site.

Based on the foregoing and trend of development along the Route 83 corridor, Staff believes that the proposed annexation is a logical extension of the Village's municipal boundaries.

## **Annexation Agreement**

The applicant has submitted the Village's standard annexation agreement along with a proposed Exhibit C which modifies the Village's standard agreement. Based on discussions with the applicant, they will be seeking the following variance from Village policy:

- a. Impact Fees- The applicant will be seeking to waive the Village's water and sanitary connection fees which is contrary to Village policy. Historically, the Village does not waive tap-on fees for either commercial or residential users.
- b. Building Materials- The applicant is seeking relief from the Village's Site Plan Review Ordinance and is proposing a building that will incorporate fiber cement board siding on all four elevations. Based on discussions, the applicant is currently over budget and is looking at alternative materials that could lower their building costs.
- c. The subject site is subject to recapture and the applicant will be required to pay for any recapture prior to developing the subject site.

## **Special Use for Planned Unit Development**

When looking at any Special Use request, it is important to look at the surrounding uses in order that the proposed use of the subject site is generally in character of the surrounding uses. The character of the immediate area is commercial. In accordance with Section 10-15-5, any proposed Special Use must comply with three findings of facts that are outlined in this section of the Zoning Ordinance. The required findings of facts are as follows:

### **Analysis**

- a) *The compatibility of the proposed use with the existing and planned uses on abutting properties:*

The proposed commercial nature of this business is consistent with the auto oriented use located to the north and south of this property. Route 83 is a commercial corridor and the subject use is appropriate and consistent with the commercial trend of development.

- b) *Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area:*

The applicant's proposed use is commercial and is consistent with the general commercial character of the area. Based on the input of Staff, the applicant revised their original plans. The new proposed building is generally consistent with the Villages Site Plan Review Ordinance and should help improve the design character of Route 83. As previously highlighted by Staff, the Route 83 corridor is in need of revitalization. The predominant materials for most buildings along the corridor is CMU block and metal. The applicants proposed elevations will help improve the general character of the corridor.

*c) The proposed use will not change the predominant character of the surrounding area:*

The applicant's commercial use is generally consistent with the surrounding uses, and the general design of the building is consistent with the Village's ordinances and policies. Specifically, the applicant is proposing the use of fiber cement board which may be an appropriate replacement material for face brick depending on the design of the building.

*d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects:*

There is nothing to indicate that the proposed use will have a negative impact on air emissions, noise, vibrations, heat, odors, and water pollution. The applicant's use will be fully contained within the proposed building.

*e) Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic:*

There is nothing to indicate that this proposed use will increase traffic substantially on Route 83.

*f) The effect on infrastructure including water, wastewater, storm water, utilities and streets:*

*The proposed use will have no impact on water, wastewater or storm water.*

*g) The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use:*

The current revised elevation is generally consistent with the Village's Site Plan Review Ordinance and will help improve the design character of this commercial corridor.

## **Rezoning**

The applicant is seeking to rezone the subject property to B-3 (Service and Wholesale Business District) from its current commercial zoning in Lake County. The site is located on Route 83 and is appropriate for commercial purposes.

Prior to making any favorable recommendation for any requested rezoning, it is important that certain findings or standards be met by the applicant. Any rezoning consistent with Illinois law should meet the following criteria:

- Be consistent with zoning and land uses in the surrounding area.
- Be consistent with the Village's policies and Comprehensive Plan.
- Not have any negative impact on the surrounding properties, including the diminishing of property values.
- Consistent with the trend of development in the adjacent area.

While there is no set of formal findings that are outlined in Section 10-15-4, any proposed rezoning should take these factors into account. Based on these factors, it is important to look at the surrounding uses adjacent to the subject site:

North:	Commercial (County)
East:	Residential (County)
South:	Commercial (Village)
West:	Residential (County)

The proposed B-3 zoning is consistent with the character of the Route 83 corridor. Auto service businesses are a permitted use in the B-3 district and the proposed use is consistent with the 1991 Comprehensive Plan. Additionally, a commercial auto service is consistent with the trend of development along the corridor. Specifically, there is an oil change business located to the south of the subject site.

The commercial nature of this proposed business would not have a negative impact on the adjacent properties as long as the applicant complies with the Village's Site Plan Review Ordinance.

### **Site Plan Review**

The applicant is also proposing a Site Plan Review of their 5,760 square foot building on approximately 0.50 acres. Below is an analysis of the proposed Site Plan:

#### *Parking and Access point*

The applicant is proposing an access point on Route 83. Any access point would be subject to the approval by IDOT. The applicant has represented that they have preliminary approval by IDOT of this proposed access points.

Based on Village Ordinance there would be a requirement of 1 space per 1,200 square feet or a total of 5 spaces. The applicant is proposing a total of 11 spaces along with 1 handicapped space. The applicant has identified a business need for this number of parking spaces and Staff is generally comfortable with the proposed parking plan. The proposed parking stalls and drive aisles will comply with the Village's standards.

### *Architecture*

The applicant is proposing a metal structure is not consistent with the Village's Site Plan Review Ordinance. The Village's Site Plan Review Ordinance requires a predominance of quality materials including face brick, stone, or glass. Fiber cement board would also be an acceptable alternative.

The applicant has submitted revised architectural elevations that incorporate fiber cement clapboard on all four elevations and a cultured stone on the east and southern elevations. Consistent with the request of staff, additional articulation has been added to the proposed elevations. A series of gables have been incorporated into the east and southern elevations, which provides some additional articulation and movement to the structure.

### *Landscaping*

The Site Plan Review would require a total of 3 shade trees and 50 shrubs. The applicant is proposing a total of 2 shade trees and 20 shrubs. Based on the Village Ordinance, an additional shade or ornamental tree along with 30 shrubs need to be introduced to the landscape buffer along Route 83.

In addition, the applicant will be required to introduce 30 shrubs and 5 shade trees to the southern landscape buffer and an additional 6 shade trees to the northern landscape buffer.

The applicant does not have the required 40 foot rear landscape buffer that is required by the Village's Site Plan Review Ordinance. The applicant is proposing to create a landscape buffer of 100 percent opacity over time by introducing 16 arborvitae trees along the western perimeter of the site. Over time these trees will create a natural wall of vegetation which will buffer this site from the neighborhood to the west.

### *Photometric and Trash Enclosure Plan*

The applicant has submitted a photometric plan and it complies with the Village's Site Plan Review Ordinance. In addition, the applicant has submitted a trash enclosure plan and it will be constructed out of wood material and fully enclose the trash bin.

### *Engineering*

The applicant has submitted an engineering plan that shows a stormwater retention garden to be located at the southwestern perimeter of the subject site. Currently, this engineering submittal is being reviewed by the Village Engineer. Any engineering will have to be approved by the Village Engineer prior to any building permit being issued.

## **RECOMMENDATION**

The applicant's revised plans generally addressed the previous concerns of Staff highlighted at the first PZB meeting. Specifically, the applicant has improved the general design of their building and is proposing the use of fiber cement board in lieu of face brick.

The PZB reviewed this case at their meeting on September 14, 2017 and recommended 5-0 the following motions:

Based on the foregoing, Staff would make the following recommendation.

***We move that the Village Board direct the Village Attorney to draft an ordinance approving the annexation and annexation agreement for the subject property.***

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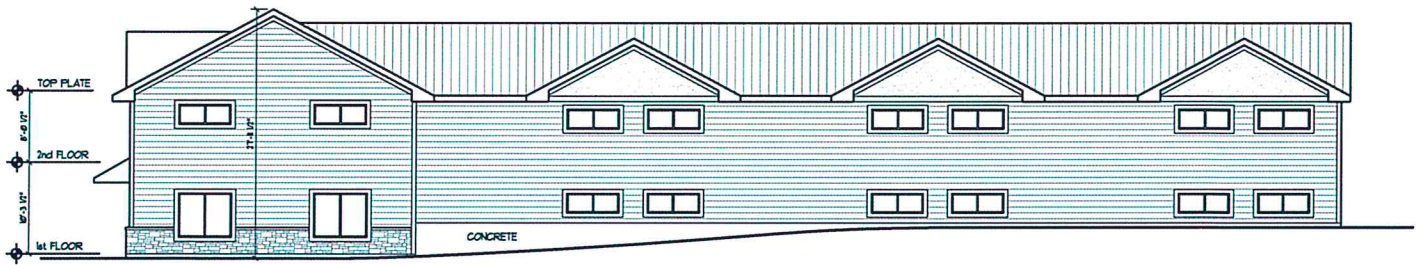
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**FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"      DATE: 9/6/17

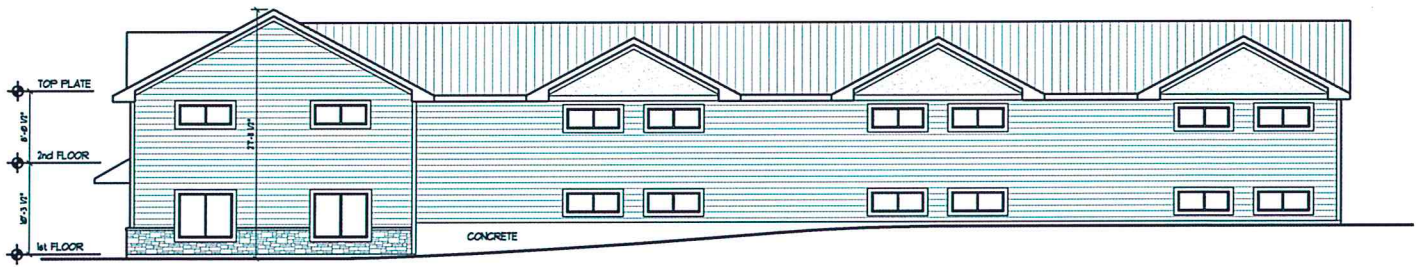
AKL	ARCHITECTURAL
	SERVICES
1102 WILSHIRE LANE PHONE: 847-356-8025	LAKE VILLA, ILLINOIS 00046 FAX: 847-356-8105



NORTH ELEVATION  
SCALE: 1/4"=1'-0" DATE: 9/6/11







NORTH ELEVATION  
SCALE: 1/4" = 1'-0" DATE: 9/6/11





SOUTH ELEVATION  
NOT TO SCALE DATE: 9/6/11



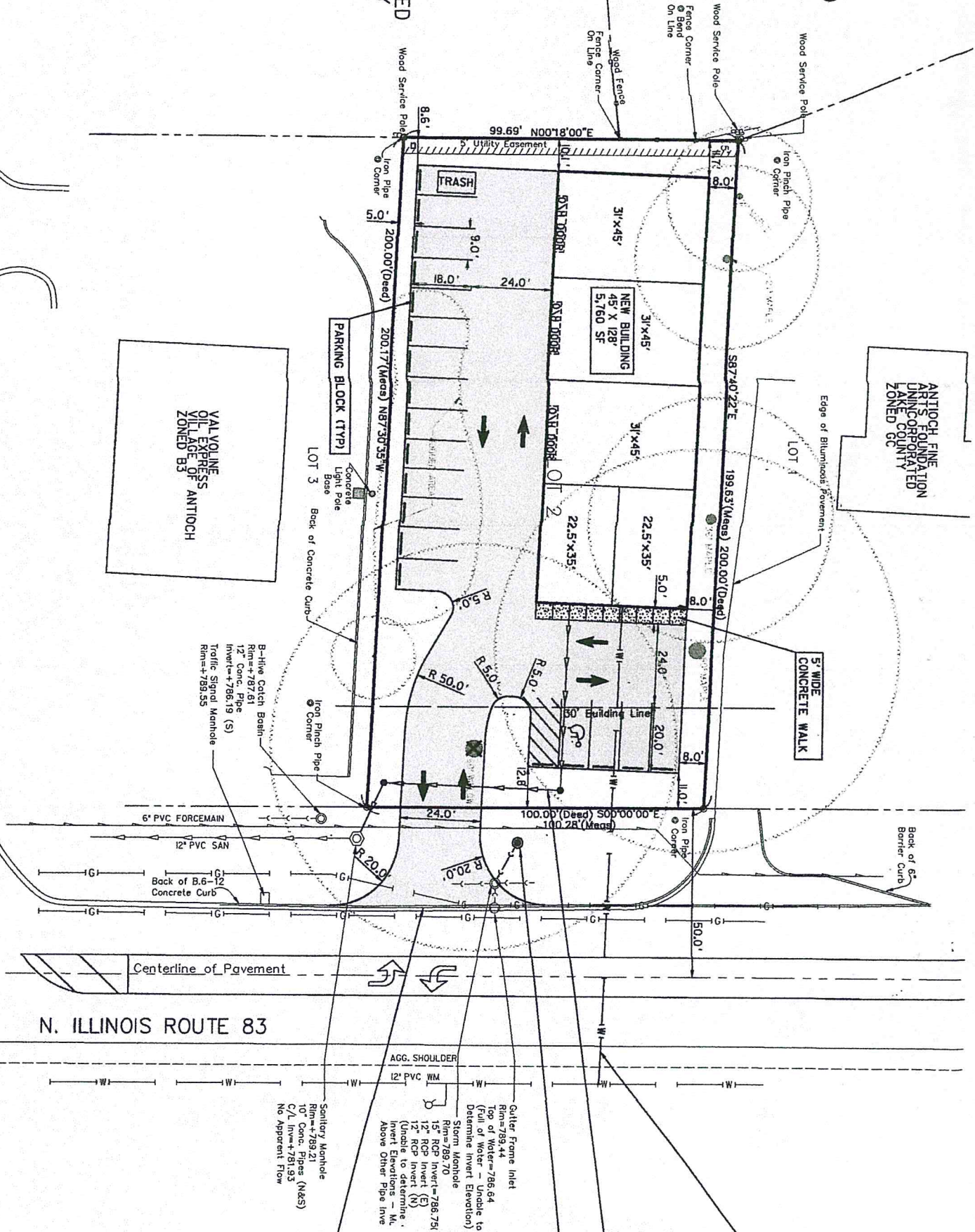
UNINCORPORATED  
LAKE COUNTY  
ZONED RI

UNINCORPORATED  
LAKE COUNTY  
ZONED RI

ARTI OCH FINE  
ARTS FOUNDATION  
UNINCORPORATED  
LAKE COUNTY  
ZONED GC

VAL VOLINE  
EXPRESS  
VILLAGE OF  
ANTIOCH  
ZONED B3

AINSLIE STREET



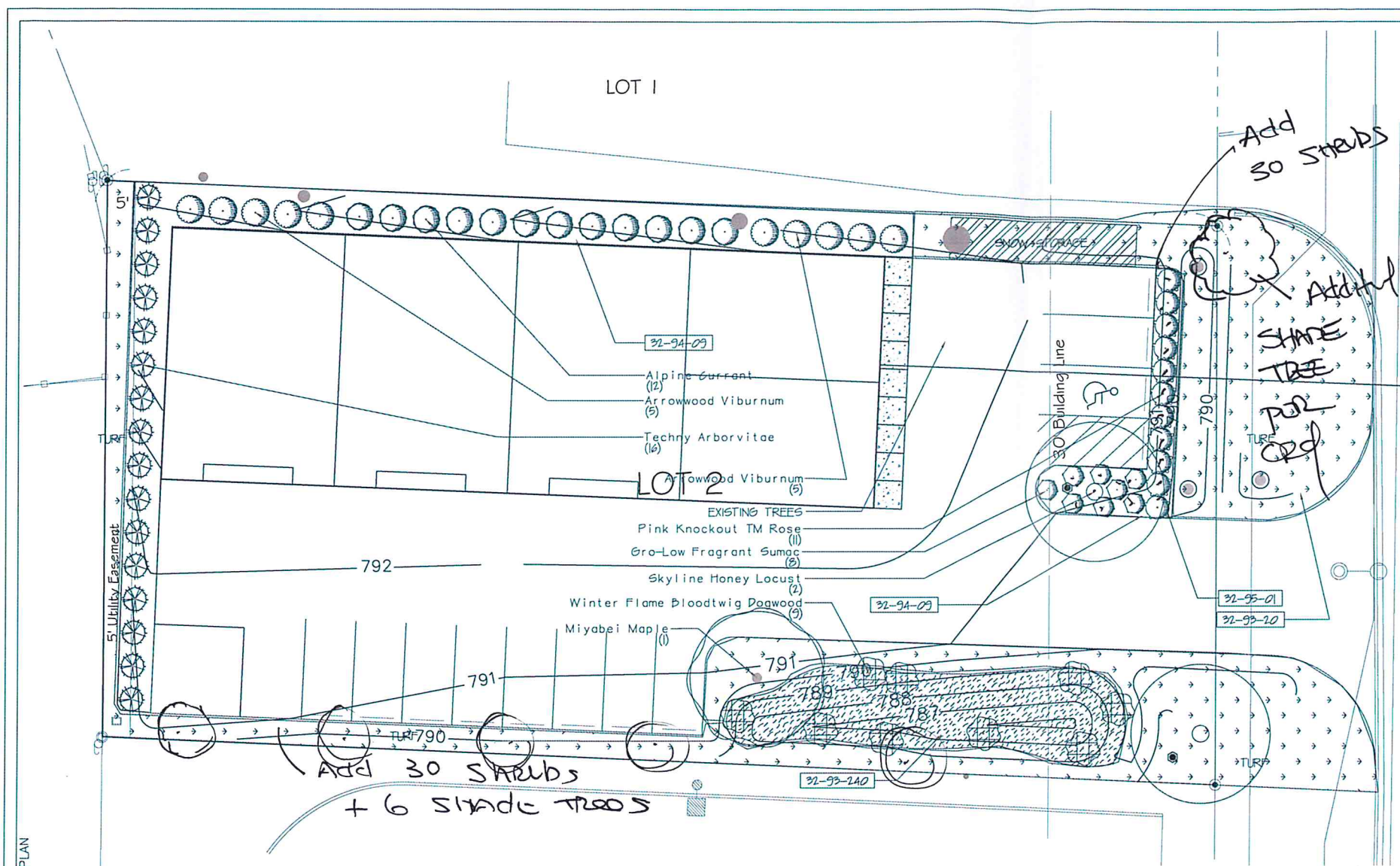
N. ILLINOIS ROUTE 83

Sanitary Manhole  
Rim = +785.21  
C/L Invert = 781.53  
No Apparent Flow

Gutter Frame Inlet  
Rim = 789.44  
Top of Water = 786.84  
(Full of Water - Unable to  
Determine Invert Elevation)

Storm Manhole  
Rim = 789.70  
15" RCP Invert = 786.75k  
12" RCP Invert (E)  
12" RCP Invert (W)  
Invert Elevations  
Above Other Pipe Inve





**GENERAL LANDSCAPE NOTES:**

1. Topsoil return to depth of 4" minimum is by excavating contractor. Perms (if applicable) are by others. Returned topsoil to have no rock larger than 1", construction debris and/or roots in the soil. Contact general contractor if soil is not acceptable for proper plant growth.
2. Always contact Diggers Hotline (800-242-8511) or JULIE 811 (or 1-800-892-0123) before proceeding with any work.
3. Landscape contractor is required to visit the site and review all civil plans related to the project. The civil plans take precedence over the landscape plans.
4. Plant material to be of the highest quality available and should not include #2 grade trees, evergreens or shrubs. Landscape contractor is to verify plant quantities due to changes in the overall phase I landscape plan.
5. Labeled plants have precedence over the plant table. Verify quantity with a hand takeoff of the plan. Any substitutions of plant type, quantity or size must be approved by city forester.
6. Planting beds shall receive a 3" layer of high quality non-dyed shredded hardwood mulch. 3" diameter tree rings shall be installed around all trees and evergreens in the turf areas. Perennial and annual beds shall receive between a 1-2" layer of shredded bark mulch.
7. Spade cut plant beds and tree rings with a 4" deep shovel cut.
8. Perennial and annual beds to have a 2" layer of compost mulch incorporated 6" deep into the planting bed before installation of plants.
9. Seeded lawn areas to have high quality Bluegrass seed blend for sunny areas, shade areas to have a Bluegrass and Fescue blend of seed. See civil plans for turf restoration. Apply a 10-10-10 starter fertilizer after turf has germinated. Follow manufactures directions on fertilizer application rates.
10. Sodded turf (if applicable) to be installed in staggered fashion with tight joints. Sod to be rolled and watered to a depth of 3-4" immediately upon laying of the turf. Stake sod on slopes of less than 3% grade. Peat sod is not acceptable.
11. Erosion blanket shall be installed on seeded slopes with a grade of 3% or less. 30 day single net, double net or Turf Reinforcement Mats shall be installed per the required use. Follow manufactures stapling guidelines to ensure proper stabilization. Install erosion blanket for dormant seed applications (after November 1st) or mid-summer installations where ever applicable to promote healthy turf establishment.
12. Landscape contractor is responsible to maintain the site for a period of 45 days after substantial completion of project. This will include watering, mowing of turf areas as needed, weeding plant beds, maintaining a clean site and other activities to ensure proper growth of the landscape.
13. If an irrigation system is not installed a temporary irrigation system shall be set up for a period of 30 days to water lawn areas. Install drip irrigation for plant beds. Install timers that will enable the new turf areas to receive enough water to properly germinate seed. Owner to provide access to water from outside of building to facilitate proper watering. Seed areas may require additional time for proper establishment.
14. Warranty of plants, trees, evergreens, shrubs shall be for a period of 12 months from date of substantial completion. Perennials, ornamental grasses, annuals shall be guaranteed for one (1) growing season. One replacement will be required of each dead plant at the end of the warranty period.

**REFERENCE NOTES SCHEDULE**

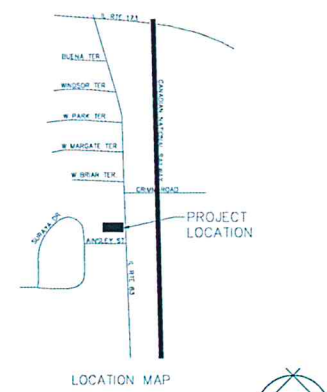
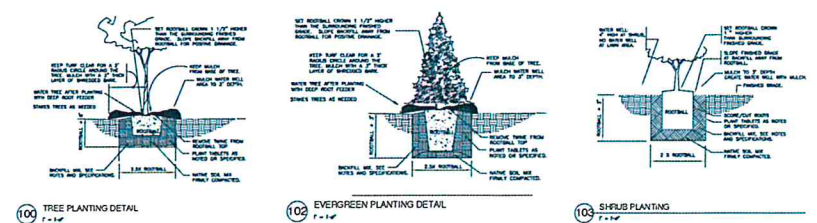
SYMBOL	PLANTING DESCRIPTION	QTY
32-95-10	TURF-SEED AND IN EROSION BLANKET	550 SY
32-95-110	DETENTION POND SEED MIX, PRAIRIE NURSERY, 10 LBS/ACRE	948 51
SYMBOL	PLANTING ACCESSORIES DESCRIPTION	QTY
32-94-09	AREA TO RECEIVE 3" THICK DARK MULCH	20 CY
32-95-01	EDGE, SHOVEL CUT BED EDGE, 4" DEPTH-SEE DETAIL	257 LF
	PULVERIZED TOPSOIL	25 CY



**PLANT SCHEDULE**

TREES	COMMON NAME / BOTANICAL NAME	QTY
AGE M12	Miyabei Maple / Acer miyabei	D & D 2
Ø14	Skyline Honey Locust / Gleditsia triacanthos 'Skyline'	D & D 2
EVERGREEN TREES	COMMON NAME / BOTANICAL NAME	QTY
TØ3	Techny Arborvitae / Thuja occidentalis 'Techny'	4
SHRUBS	COMMON NAME / BOTANICAL NAME	SIZE
GOR SAN	Winter Flame Bloodtwig Dogwood / Cornus sanguinea 'Winter Flame'	5 gal
RA6	Gro-Low Fragrant Sumac / Rhus aromatica 'Gro-Low'	3 gal
RAT	Alpine Currant / Ribes alpinum	24"
RXT	Pink Knockout TM Rose / Rosa x 'Knockout' TM	3 gal
VID EXE	Arrowwood Viburnum / Viburnum dentatum 'Arrowwood'	5'

SITE PLANT CALCULATIONS:  
 TOTAL SHRUBS ON SITE: 50  
 TOTAL TREES ON SITE: 3  
 TOTAL EVERGREEN SHRUBS: 16



SCALE: 1" = 10'  
 LANDSCAPE PLAN

THOMAS NORDLOH ASSOCIATES  
 Landscape Architecture  
 Project Management  
 4111 Taft Rd, Kenosha WI 53142

FIRE GUYS TINTING  
 41632 N. ILLINOIS RT 83  
 ANTIPOCH, ILLINOIS

Thomas H. Nordloh  
 Landscape Architect  
 Reg. # 051-000624

Date: 9-30-16  
 Sheet: L-1

**RESOLUTION NO. 17-**

**A RESOLUTION APPROVING THE SITE PLAN FOR OLSEN DEVELOPMENT AT  
41362 N. ROUTE 83**

WHEREAS, the Village is considering a proposed Site Plan for the Olsen Development located at 41362 N. Route 83

WHEREAS, the Olsen Development is proposing to construct a 5,760 square foot auto service building on approximately 0.50 located at the above-referenced address; and

WHEREAS, the Village requires new developments to proceed with a Site Plan Review application; and

WHEREAS, the PZB reviewed the applicant's Site Plan in September 4, 2017 and recommended approval of the Site Plan Review;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Trustees of the Village to Approve a Resolution for the Site Plan Review for Olsen Development as follows:

SECTION ONE: Compliance with the requirements of the Village Engineer.

SECTION TWO: Compliance with the requirements of the Antioch Fire Protection District.

SECTION THREE: Submittal of a revised landscape plan as per Staff's proposed modifications.

SECTION FOUR: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

APPROVED this \_\_\_\_\_ day of October 2017

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Lawrence M. Hanson  
Mayor

ATTEST:

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Lori K. Romine  
Village Clerk