

Project Narrative and Standards for Approval for a Map Amendment and Special Use for a Planned Development

Project Address: 1761 and 1765 North Milwaukee Avenue

Project Narrative: The applicant, CHILM Libertyville Residential LLC (the “Applicant”), is the contract purchaser of approximately 11.6 acres of land owned by The Young Family Trust (the “Owners”), which is proposed to be redeveloped with an attached single-family home development on approximately 10.6 acres (the “Residential Development”) and a public road on approximately 1.2 acres (“Wildberry Lane”), all as further described herein and on the attached plans.

The co-applicant, 1783 N. Milwaukee Parking, LLC (the “Co-Applicant”), is the contract purchaser of approximately 3.6 acres of land owned by Owners and located immediately east of the Residential Development. This property is proposed to be divided into two commercial lots (the “Commercial Development”). One lot will be developed as additional parking which will serve the existing Wildberry Restaurant located on the southwest corner of Peterson Road and Milwaukee Avenue. The second lot, located along Milwaukee Avenue, will be developed in the future as commercial development consistent with the existing C-3 General Commercial Zoning District regulations. In the interim, this lot will be cleared, graded, and seeded to enhance the visual appeal of the area. Additional details regarding the Commercial Development are further described herein and on the attached plans.

The Applicant seeks a map amendment to rezone the approximately 10.6 acre Residential Development portion from C-3 to R-7, a special use for a planned development and a preliminary plat of subdivision. The planned development and preliminary plat of subdivision include the Residential Development, Commercial Development and public road. The following deviations are sought as part of the planned development approval: (1) Increase height of the single family attached homes to 39 feet from 37 feet; (2) reduction in front setback to 30 feet for point condition at building 16 fronting Wildberry Lane (zoned C-3); (3) reduction in the required rear yard to 30 feet on north side of the Residential Development adjacent to C-3 zoned existing commercial uses; (4) reduction in minimum perimeter landscaping to a minimum of 5’-7” on the west side of the parking expansion lot.

History of the Project

The Applicant first met with Village staff in August 2020. A neighborhood meeting was held via ZOOM on May 6, 2021. Thereafter, the Village’s Land Use Application and required materials were submitted. The Applicant and Co-Applicant presented the project to the Appearance Review Committee (“ARC”) on June 21, 2021 and again on August 15, 2021. After the August 15, 2021 meeting, the ARC unanimously recommended approval with conditions. ARC supported the proposed 39 foot height for the Residential Development. On September 27, 2021, the project was heard by the Plan Commission, and then continued to November 8, 2021. As a result of comments and feedback received from neighbors, Village staff, ARC and the Plan Commission, the Applicant and Co-Applicant have made significant changes to the project as set forth herein.

2030 Comprehensive Plan

The Village's 2030 Comprehensive Plan, adopted in March of 2021, identifies the subject property as a key infill development site with two primary objectives: (1) commercial development along Milwaukee Avenue and (2) the provision of alternative housing types with modest density increases as a transitional land use and to help expand options for alternative housing. The Comprehensive Plan identifies C-3 as the appropriate zoning for the Commercial Development site and R-7 for the Residential Development site.

The Comprehensive Plan also recommends a north-south road from Route 137 south to Adler Avenue.

Residential Development

The Residential Development has been revised to lower the unit count by 11% from 90 to 80 attached single-family homes within sixteen (16) five (5) unit buildings. The orientation of the buildings adjacent to the neighbors to the west (buildings 7 & 8) has been changed to replace the long access drives and exposed garage doors of the earlier 12 units with two, side-oriented elevations. This lessens any potential impact on the single family neighborhood to the west and increases the landscape buffer area from 30 to 50 feet. The detention areas have been consolidated to two (instead of four) basins, and the basin in the central community open space has been eliminated. Open space area has been doubled as a result of the changes. Changes also include the elimination of 6 unit buildings and increased setbacks, especially along the southern edges of the development and along Wildberry Lane.

Each home will have two-car parking garages as well as space for 2 additional cars in front of each of the garages. Additional on-street parking is provided through the development. The neighborhood is connected by sidewalks throughout that connect to the future public road and south to Adler Drive.

The homes are three-stories and will have three-bedrooms. The facades consist of masonry, high-quality cementitious siding, cast stone caps, headers, and sills.

The Residential Development's landscape plan is conducive to the site's climate zone, offers multiple seasons of interest, and will include a diversity of plant species, sizes, textures, bloom times, and colors. Plantings will buffer the neighboring residential uses and takes into consideration window locations, pedestrian travel, and vehicular visibility (both for aesthetics and safety). The proposed landscape plan includes shade, ornamental and evergreen trees, deciduous and evergreen shrubs, ornamental grasses, and perennials.

In response to comments from ARC, the Applicant has modified the landscape plan to concentrate landscape screening along the west and south property borders. These revised buffers include a 4-foot high, vinyl screening fence with a mixture of vegetation intended to block headlights from filtering offsite and to better privatize and buffer the transition between the new, Liberty Junction development and the existing single-family neighbors. Additionally, the new foundation landscape design includes a new 4-foot vinyl fence with deciduous hedgerows on the

street-side ends of the buildings which will further screen the air conditioning units within the motor courts. Furthermore, individual residential refuse containers will be stored within the individual garages, shielded from view.

The stormwater basins, located in the northwest and southwest corners of the site, will be naturalized with native plantings and able to withstand periods of wet and dry times. Native plantings will aid in slowing runoff and water purification. The monitoring and care of the basins will be handled by the development HOA.

The central portion of the site will include a central gathering space consisting of winding paths, open lawn, canopy trees, and a small, central plaza. The plaza will be paved and will include park seating benches and landscaping. Two areas for residential mailboxes are also included. The gathering space will be connected to the remaining development, including a new landscape feature/focal point north of buildings 14 & 15, with sidewalks and lush landscaping.

The Residential Development will have one entry monument, located at the northwest corner of the intersection of the proposed Wildberry Lane and the new, east-west private street. The entry monument complements the architectural style and materials of the proposed homes.

Commercial Development

The Commercial Development consists of a 1.3 acre parking expansion lot that will serve the existing Wildberry Restaurant and a 2.4 acre commercial lot that will be reserved for future commercial development. Both lots will remain in the C-3 General Commercial Zoning District. The parking expansion lot will contain 100 parking spaces (net increase of 87 parking spaces), providing the Wildberry Restaurant with much needed additional parking. Access will be provided by two new entrances on the future public road and the existing curb-cuts on Milwaukee Avenue. The future commercial lot does not currently specify any additional access drives on to the future public road. However, the Co-Applicant requests approval of up to two additional access drives along the future public road for the purpose of serving the future commercial lot. The proposed public road has been shifted and the configuration of the parking lot has been modified to address concerns over access to the parking spaces and internal circulation. In addition, the design for the Wildberry parking lot expansion has been revised to maximize the parking available without exceeding lot coverage and providing the required 10% of area in internal parking lot landscaped islands - eliminating a code deviation from the prior plan.

The Commercial Development's landscape plan was designed to provide continuity and cohesion with the existing Wildberry Restaurant and the future Residential Development. The proposed plant material is conducive to the site climate zone, offers multiple seasons of interest, and shall include a diversity of plant species, sizes, textures, bloom times, and colors. All plants will be selected for quality, long-term sustainability, disease / road salt resistance, and desired growth habits. Street trees will be provided within the new public road's east side parkways at approximately 60 ft. spacing. The existing foundation plantings at Wildberry Café and undisturbed parking lot islands will remain. All new parking lot islands will be planted using a mix of shade trees, low shrubs, perennials and/or turf grass. Parking lot perimeter landscaped open space varies in depth and will be planted using a combination of shade, ornamental and evergreen trees, and

evergreen shrubs. A deviation from the six (6) foot screening height treatment for both the parking expansion lot and the future commercial is requested. A screening height of three (3) feet will be provided. The combination of the roadways buffering the Commercial Development and the coordinated landscaping provided as part of the Residential Development eliminates the need for the additional height. We note that the six (6) foot screening height requirement only applies to properties abutting residential zoning. The Village Code defines abutting to mean physically touching, sharing a common wall or lot line, or separated only by an alley. Should the Village not wish to grant the deviation for the Commercial Development, extending the commercial zoning to include Wildberry Lane would make this requirement inapplicable. Except for the existing southern access drive onto Milwaukee Avenue, the future commercial lot will be cleared, graded, and seeded until a more definitive development is approved and constructed. This will significantly enhance the visual appeal of this gateway to the Village of Libertyville.

Stormwater management for the Commercial Development is incorporated into the Residential Development engineering plans. This is a material benefit for the entire development as it allows comprehensive management of the stormwater resulting in a more efficient plan.

Standards for Map Amendment:

- a. The consistency of the proposed amendment with the purposes of this Code.

The amendment is consistent with the purposes of the Code in that it implements goals of the Village's Comprehensive Plan, encourages compatibility between different land uses, protects scale and character of the existing uses from encroachment of incompatible uses, facilitates the most efficient use of planned public facilities and utilities, protects and enhances a pattern of interconnected streets, and protects and enhances the taxable value of land.

- b. The existing uses and zoning classifications of properties in the vicinity of the subject property.

The existing uses and zoning classifications in the vicinity are single-family residential homes or commercial uses. The proposed attached single-family home development is an appropriate transitional land use between the two existing land uses in the vicinity. The proposed R-7 zoning classification is consistent with the one recommended in the Comprehensive Plan and allows for single-family attached homes and increased density as an alternative housing type and transitional land use from the single-family residential developments to the south and west to the commercial uses to the north and east.

- c. The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.

The subject site has been vacant for approximately 15 years, including the portion along Milwaukee Avenue which is part of the Commercial Development. The surrounding commercial and residential uses in the vicinity have been unchanged for some time.

- d. The extent to which the value of the subject property is diminished by its present zoning classification.

The subject property has been vacant under its C-3 zoning classification for 15 years without any redevelopment, thus diminishing its value.

- e. The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.

Redevelopment as an attached single-family development and future commercial development will enhance the public health, safety and welfare.

- f. The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.

The Residential Development's density is appropriate for the area as a transitional land use from retail and commercial, to the single family detached homes, following long-accepted land use planning principles and consistent with the Comprehensive Plan. The proposed Residential Development will then also serve as a buffer to the existing commercial developments to the north along Route 137, and the future commercial development to the east along Milwaukee Avenue. The development provides generous setbacks and landscaped buffering to prevent any adverse impact on the adjacent properties. Furthermore, the proposed R-7 zoning provides for less intense and dense uses than what would be permitted under the existing C-3 zoning. The existing C-3 zoning classification would permit, subject to special use approval, up to 22.9 units per acre (242 units). The Applicant is seeking the R-7 zoning classification as recommended in the Comprehensive Plan, but proposes density substantially less than what the R-7 would permit (12.1 units per acre, or 128 units). The proposed 80 homes results in a density of 7.5 units per acre.

- g. The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.

The significant investment in the construction of high-quality homes at the subject site which will serve as an appropriate land use buffer to the commercial uses will not have an adverse impact on the value of adjacent properties. The development will also eliminate the uncertainty that has existed as to the future development of this site due to it standing vacant for 15 years.

- h. The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.

The proposed development consistent with the goals of the Village's 2030 Plan will not adversely impact future development.

- i. The suitability of the subject property for uses permitted or specially permitted under its zoning classification.

The property has been vacant for 15 years under its C-3 zoning classification. Market conditions have not supported an expansion of the existing commercial uses to this 10 acre parcel, nor would such expansion be compatible with the adjacent residential uses.

- j. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

The development will include a new public road (Wildberry Lane) from IL 137 to Adler which will enhance access to the development, the commercial uses and alleviate congestion at the Adler/Milwaukee intersection. Additionally, the traffic impact study prepared by KLOA concludes that, the traffic generated by the proposed Residential Development can be accommodated by the area roadway system.

- k. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or specially permitted under its present and proposed zoning classification.

The site is adequately served by utilities and essential public services.

- l. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

The site has been vacant for 15 years.

- m. The community need for the proposed amendment and for the uses and development it would allow.

The development is consistent with the Village's 2030 Plan and increases the diversity of housing choices in the Village by providing new, high-quality attached single-family homes.

Standards for Special Use Permits.

- 1) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

The 2030 Plan calls for the development of this neighborhood as Single Family Attached. The Project's layout and design are in conformance with the Plan recommendations and is in conformance with the R7 zoning subject to allowable deviations. The continuation of commercial use along Milwaukee Avenue is also consistent with the 2030 Plan.

- 2) Adverse Impact. The proposed use and development will not have a substantial adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

The Project is a low density single family attached project which is designed with generous setbacks (minimum of 50' and up to 88') from the adjacent single-family homes, and will be buffered by landscaping. As set for the above. the proposed R-7 zoning provides for less intense and dense uses than what would be permitted under the existing C-3 zoning. The Commercial Development provides enhanced parking for an existing business and provides significant improvements that will make the development of the future commercial lot more likely. The project's stormwater management plan will meet or exceed any State, County or Village requirements. The Residential Development will generate few school children. Accordingly, the Project will have no adverse impact on surrounding properties.

- 3) Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

The project is designed to be a compatible transitional land use between the commercial and residential uses and will not interfere with the use and enjoyment of neighboring properties. Substantial setbacks and landscape buffering/screening are proposed such that the use and development of neighboring properties is not interfered with. In addition, the Commercial Development will benefit the adjacent Wildberry Restaurant by providing additional parking.

- 4) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

The existing utilities are sufficient to serve the property and the Project. As noted above and in the fiscal impact analysis prepared by Laube Companies, the Residential Development will produce a net benefit to the Village of Libertyville as well as the school districts. Only 21 school children are estimated to be generated by the Residential Development. Furthermore, the Applicant will contribute the required school and park impact fees to offset any impact from the development.

- 5) Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through local streets and will, when required by the Board of Trustees, incorporate appropriate vehicular trip reduction features such as, but not limited to, pedestrian/bicycle linkages within and between land uses, the use of traffic mitigation plans, and the incorporation of elements to encourage and facilitate the use of public transportation.

The land use and density are appropriate for this location. The site has ample parking to accommodate residents and guests such that they will not have to utilize area on-street parking. As required by the 2030 Comprehensive Land Use Plan a new public road will be constructed that will ease access to the site and provide a traffic enhancement for the area with a proposed new access point to IL 137 while alleviating congestions at Adler and Milwaukee. This new public road will be constructed at no cost to the Village. Additionally, the traffic impact study prepared by KLOA concludes that, the traffic generated by the proposed Residential Development can be accommodated by the area roadway system.

- 6) Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

No significant features exist on the property.

- 7) Compliance with Standards. The proposed use and development comply with all additional standards imposed on it by the particular provision of this Code authorizing such use.

The Project will comply with the submitted plans and the deviations from the underlying zoning allowed by the approval of the PUD.

Additional Standards for Planned Developments:

- 1) Unified Ownership Required. The property is owned by a single owner. The Applicant is the contract purchaser of the Residential Development and the area

proposed for the public road. The Co-Applicant is a contract purchaser of the Commercial Development from the same owner.

- 2) Minimum Area. The site exceeds the 36,000 square foot minimum.
- 3) Covenants and Restrictions to be Enforceable by Village. The Owners, Applicant, and Co-Applicant will abide by covenants and restrictions enforceable by the Village.
- 4) Public Open Space and Contributions. The Applicant will comply with the Village's required open space impact fees.
- 5) Common Open Space. The Residential Development provides ample common open space that will be preserved and protected by the appropriate development covenants and restrictions. The property owners' association and its pertinent documents shall conform to all Village requirements. The perimeter of the development is landscaped and buffered. Sidewalks are provided throughout the Residential Development and portions of the Commercial Development.
- 6) Vehicular Trip Reduction Features. The development has sidewalks that connect to the area neighborhood for pedestrian connectivity. The site is less than a mile from downtown Libertyville and the METRA station, thereby promoting the use of public transportation.