

Village of Lake Bluff, Illinois
Zoning Relief Application
Instructions for RIO Development Plan Review (Page 1 of 2)

General Information

The Village has established a special zoning classification for recreational, institutional, and open space (“RIO”) land uses in order to create a flexible set of regulations that meet the highly specific needs of these uses. You can read more about the district’s regulations in [Chapter 16 of the Zoning Regulations](#).

Many developments in existing RIO parcels can be undertaken without zoning review. However, some significant developments require the approval of a RIO Development Plan. The Plan is intended to authorize a multiple-year plan for the development of a parcel. The Plan can authorize deviations from any section of the Village’s zoning or subdivision regulations and effectively replaces any variations, special use permits, and other forms of zoning relief necessary for development.

The Village’s Plan Commission and Zoning Board of Appeals (“PCZBA”) is a body of seven residents that reviews text and map amendments (among other requests). Your application will be considered at a public hearing before the PCZBA, and the PCZBA will evaluate your application based on a set of standards specified in the Village Code. The burden of proof is on the Applicant to demonstrate that they meet the standards.

For this type of relief, the PCZBA recommends that the Village Board of Trustees approve, approve with conditions, or deny the relief requested. After the Plan’s approval, future development consistent with the Plan is generally only subject to review by the Architectural Board of Review. Any site plan review concurrent with the application for a Development Plan will be coordinated to improve efficiency.

Process and Public Notice

- **>25 days before meeting:** Applicant submits application.
- **30-15 days before meeting:** Village publishes notice in the *Lake County News-Sun*. Village mails notice to all owners within 300 feet of subject lot.
- **Friday before meeting:** Meeting packet available online and at Village Hall, including application materials and staff memorandum.
- **Day of meeting:** PCZBA meets at 7 p.m. in the Village Hall Board Room (40 E. Center Ave.) Applications are generally considered in the order they were first received. Staff will provide an overview of the request, and the Applicant will give a brief presentation. Members of the public will be invited to comment, and then the PCZBA will discuss the application’s merits. **IMPORTANT: You must participate in this meeting. Mark your calendar as soon as you apply.** If you or your representative do not appear, your application may be continued or denied.

The PCZBA may recommend that the Village Board approve, approve with conditions, or deny the relief sought. The PCZBA may also choose to continue the hearing at the PCZBA’s next meeting date if they require more information from the Applicant or a third party.

Village of Lake Bluff, Illinois
Zoning Relief Application
Instructions for RIO Development Plan Review (Page 2 of 2)

Process and Public Notice (Continued)

- **Monday after meeting:** Village Board performs first reading; there is discussion, but no final action. Applicant may request immediate approval for cause (e.g. economic loss; construction timeline; etc.)
- **2nd Monday of next month:** Village Board performs second reading, votes.

Fee and Escrow

No application fee is charged for this type of zoning approval. However, you will be initially required to provide an escrow to cover (in advance) the Village's costs of considering your application. Some common costs charged to escrow include:

- Legal and public notice
- Printing and reproduction
- Recording (e.g. of real estate instruments)
- Attorney fees paid by the Village

Any remaining balance in your escrow account will be refunded after all costs are actually paid by the Village, which is generally 60 to 90 days after your last hearing.

Checklist

You **must** include the following with your application:

- ___ Applicant Information (signed)
- ___ Response to Use Questionnaire
- ___ Response to RIO Development Plan Standards
- ___ Response to RIO Development Plan Deviations
- ___ Escrow agreement (signed)
- ___ **Provide:** Evidence of title or contractual interest (e.g. a lease)
- ___ **Provide:** Complete copies of any prior zoning relief or any public or private encumbrances of title (i.e. deed restrictions, covenants) applicable to the property that are known to the Applicant.
- ___ **Provide:** All necessary materials for [Site Plan review by the Architectural Board of Review](#).
 - ___ The current survey should identify the legal description of the property.
 - ___ The plans should show compliance with, or any deviations from, the bulk regulations ([Section 10-16-4](#)) and parking requirements ([Section 10-16-5](#)) of the RIO District.

You **may** also consider including:

- ___ Photographs, maps, and other exhibits of the subject property and nearby area
- ___ Written testimony from nearby neighbors

**Village of Lake Bluff, Illinois
Zoning Relief Application
2022 PCZBA Meeting Calendar**

| Month | Deadline to Apply (Close of Business) | Date of Hearing (7 p.m.) |
|--------------|--|--|
| Jan 2022 | Wed, Dec 22, 2021 (Rescheduled) | Wed, Jan 19, 2022 |
| Feb 2022 | Fri, Jan 21, 2022 | Wed, Feb 16, 2022 |
| Mar 2022 | Fri, Feb 11, 2022 (Rescheduled) | Thu, Mar 10, 2022 (Rescheduled) |
| Apr 2022 | Fri, Mar 25, 2022 | Wed, Apr 20, 2022 |
| May 2022 | Fri, Apr 22, 2022 | Wed, May 18, 2022 |
| Jun 2022 | Fri, May 20, 2022 | Wed, Jun 15, 2022 |
| Jul 2022 | Fri, Jun 24, 2022 | Wed, Jul 20, 2022 |
| Aug 2022 | Fri, Jul 22, 2022 | Wed, Aug 17, 2022 |
| Sep 2022 | Fri, Aug 26, 2022 | Wed, Sep 21, 2022 |
| Oct 2022 | Fri, Sep 23, 2022 | Wed, Oct 19, 2022 |
| Nov 2022 | Fri, Oct 21, 2022 | Wed, Nov 16, 2022 |
| Dec 2022 | Fri, Nov 18, 2022 (Rescheduled) | Thu, Dec 15, 2022 (Rescheduled) |

For months not listed above:

Meetings are typically on the third Wednesday of each month.

The deadline is 25 days prior to the meeting date.

Please contact us if you need to confirm a specific date.

**Village of Lake Bluff, Illinois
Zoning Relief Application
Applicant Information (Page 1 of 2)**

Subject Property

Address: _____

PIN: _____

Current Use: _____

Owner / Title Holder

Joint Ownership (if applicable)

Name: _____

Address: _____

Phone: _____

E-mail: _____

If ownership is other than individual or joint, check below and attach additional information:

Corporation

Partnership

Land Trust

Trust

Applicant (If Different)

Name: _____

Address: _____

Relationship
to Property: _____

Phone: _____

E-mail: _____

**Are all real estate taxes, special assessments, and other obligations
paid on the subject property in full? If no, explain.**

Yes

No

**Village of Lake Bluff, Illinois
Zoning Relief Application
Use Questionnaire**

The PCZBA commonly considers the following information in evaluating similar applications for non-residential uses. You may respond to the questions below on this sheet, or attach a separate typed sheet.

Hours of Operation: _____

Expected # of **Employees** _____

Expected # of **Visitors** (at one time) _____

Parking: Is adequate parking available for employees and customers? How many spaces are provided? Are all spaces controlled by the Applicant, or are any shared?

Deliveries: Where will deliveries to or from the property be received? How will trucks enter and exit the property?

Special Events or Assemblies: Does the Applicant expect to habitually host special events or public assemblies that will attract an unusual number of people? How many additional people does the Applicant anticipate will visit? How will the Applicant provide for parking or transportation?

Adjacent Residences: Are there adjacent residential areas? If so, what steps is the property owner taking to reduce or mitigate any disruption to these areas due to the use?

Industrial Performance Standards: Describe how, if at all, the use would generate noise, sound, smoke, particular matter, odors, gases, glare, heat, or vibrations that would be discernable from an another property, another tenant, or a public or private right-of-way. (See [Section 10-7A-7](#) for further details.)

Village of Lake Bluff, Illinois
Zoning Relief Application
Standards for RIO Development Plans (Page 1 of 2)

The PCZBA is required to base their recommendations on the following standards. It is the burden of the Applicant to establish that they meet each standard.

Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

General Standard: Development in accordance with the RIO Development Plan will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Land Use Policy: Development in accordance with the RIO Development Plan is consistent with the general and specific purposes and requirements of this title, the RIO District, and the Village's Comprehensive Plan.

Public Facilities: The property, developed in accordance with the RIO Development Plan, will be adequately served by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, and refuse disposal; or the applicant shall provide adequately for such services as a condition of approval.

Village of Lake Bluff, Illinois
Zoning Relief Application
Standards for RIO Development Plans (Page 2 of 2)

Traffic and Parking: Development in accordance with the RIO Development Plan would generate traffic demand compatible with surrounding uses and road classifications. The RIO Development Plan provides adequate ingress and egress in a manner that minimizes traffic congestion and provides adequate and appropriate parking, access to adjacent properties, and access for emergency vehicles.

Landscape and Open Space Buffering: The RIO Development Plan provides for landscaping, public open space, and other buffering features to minimize the visual impact of the development and to protect uses within the development and surrounding properties.

Pedestrian and Bicycle Access and Circulation: The RIO Development Plan provides for efficient and comprehensive pedestrian-friendly movement, as well as efficient and comprehensive bicycle access and circulation.

Sensitive Areas and Features: The RIO Development Plan protects culturally sensitive areas and features; historic areas and features; and sensitive natural, scenic, and ecological areas features such as ravines, wetlands, and bluffs.

Village of Lake Bluff, Illinois
Zoning Relief Application
Standards for RIO Development Deviations

A RIO Development Plan can authorize “deviations” that modify or waive any section of the Village’s zoning or subdivision regulations. Deviations must meet the standards provided below. It is the burden of the Applicant to establish that they meet each standard.

Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

List any requested deviations from the zoning and subdivision regulations necessary to approve the Plan.

How will the Plan achieve the purposes of the RIO District? ([See Section 10-16-1](#))

How is the Plan consistent with the general purposes, goals, and objectives of the Village Zoning Regulations and the Village's [Comprehensive Plan](#)?

How will the Plan result in a development providing amenities to the Village that may not be otherwise required? Examples include public art; plazas; pedestrian walkways; natural habitats; increased landscaping; buffering or screening; enhanced streetscape; enhanced pedestrian and transit supportive design; underground parking; and similar features. If applicable, the proposed use for the property may itself be considered a compensating amenity when the proposed use is one that is open to the public and provides a benefit to the community as a whole.

**Village of Lake Bluff, Illinois
Zoning Relief Application
Escrow Agreement (Page 1 of 3)**

THIS AGREEMENT ("**Agreement**") is made and entered into as of _____, 20____,
by and between THE VILLAGE OF LAKE BLUFF ("**Village**") and

 ("**Applicant**").

IN CONSIDERATION OF the recitals and mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Applicant has submitted to the Village for its review and consideration an application seeking zoning relief necessary to commence a proposed use at or to construct proposed improvements of the real property located at:
_____, Lake Bluff, Illinois ("**Proposal**") that requires one or more of the following actions by the Village:

- i. Approval or amendment of zoning relief pursuant to Title 10 of the Municipal Code, including without limitation: a variation, special use permit, site plan approval, planned residential development, planned commercial development, planned mixed use development, RIO development plan, and/or amendment to the text of Title 10;
- ii. Approval or amendment of a plat of subdivision pursuant to Title 11 of the Municipal Code;
- iii. Approval pursuant to the Village's Watershed Development Ordinance, as adopted by reference in Title 12 of the Municipal Code; or
- iv. The preparation and consideration of amendments to the Village's liquor regulations, contained in Title 3, Chapter 2 of the Municipal Code.

B. Pursuant to Section 1-12-3 of the Village Comprehensive Fee Schedule and Section 10-2-6 of the Village Zoning Regulations ("**Escrow Regulations**"), applications for approval of a variation and a site plan and/or an amendment to a site plan and/or a text amendment to the Village's Zoning Regulations and other zoning relief must be accompanied by the applicable application fee and the applicant is responsible for payment of any additional costs incurred by the Village, including consultant costs and attorneys' fees, but not including normal operating activities such as internal staff time ("**Reimbursement Costs**").

SECTION 2. CASH DEPOSIT.

Pursuant to the Escrow Regulations, and in connection with the application for the Development, the Developer agrees to provide a cash escrow deposit to the Village in the amount of \$ _____ ("**Escrow**") to be used towards Reimbursement Costs incurred by the Village in processing the application for approval of the Proposal.

SECTION 3. REPLENISHMENT.

Pursuant to the Escrow Regulations, the Village Administrator shall periodically review the Escrow to ensure that adequate funds are available to satisfy the Reimbursement Costs relating to the Development. The Village Administrator shall notify the Applicant at such times when draws are made against the Escrow towards Reimbursement Costs. Subject to the terms of this Agreement, in the event that the Village Administrator determines that sufficient funds are not available, the Village Administrator shall so notify the Applicant and request a further amount to defray the anticipated additional costs. The Village Administrator shall determine the further amount due based on the nature of the Proposal, its complexity, the anticipated need for additional legal and other consultant services, and the amount of time remaining before the completion of the Proposal. The Applicant shall be given fourteen (14) days to deposit the additional funds. In the event that the funds are not deposited, the Village shall take no further action on the Proposal and shall so advise the Applicant.

SECTION 4. FINAL DISBURSEMENT.

Pursuant to the Escrow Regulations, at the completion of the Proposal and after all outstanding Reimbursement Costs incurred by the Village related to the Proposal have been satisfied in full, the Village Administrator shall remit the balance of the Escrow, if any, to the Applicant.

SECTION 5. DESIGNATED CONTACTS.

The designated contact persons for the Applicant and the Village concerning this Agreement are as follows:

| | <u>For Village</u> | <u>For Applicant</u> |
|-------------------------|------------------------------------|-----------------------------|
| Name | Glen Cole | _____ |
| Title | Asst. to the Village Administrator | _____ |
| Organization | Village of Lake Bluff | _____ |
| Address | 40 East Center Avenue | _____ |
| City, State, Zip | Lake Bluff, IL 60044 | _____ |
| Phone Number | (847) 283-6889 | _____ |
| Email | gcole@lakebluff.org | _____ |

**Village of Lake Bluff, Illinois
Zoning Relief Application
Escrow Agreement (Page 3 of 3)**

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

ATTEST

By _____

Its _____

ATTEST:

By _____

Its _____

APPLICANT

By _____

Its _____

VILLAGE OF LAKE BLUFF

By _____

Its **Village Administrator**