

**Planning and Zoning Commission Meeting
Minutes**

August 6, 2025

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on August 6, 2025 at 300 Plaza Circle, Mundelein. Commissioner K. Garesche called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Commissioner K. Garesche led the Pledge of Allegiance.

ATTENDANCE

Commissioner K. Garesche took the roll call. It indicated as follows:

Board Attendance

PRESENT: K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson

ABSENT: T. Roswick, K. Teehan

Village Attendance

PRESENT: Community Development Director A. Orenchuk, Senior Planner C. Malec, Senior Planner I. Guadarrama, and Recording Secretary E. Swanson

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from July 16, 2025

K. Anderson moved, seconded by S. Petti, a **Motion** to approve the Planning and Zoning Commission Meeting minutes from July 16, 2025.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner K. Anderson
SECONDER:	Commissioner S. Petti
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

There was no general public commentary.

OLD PZC BUSINESS

PUBLIC HEARING - PZ2025-0020 - SW Corner of Route 83 and Winchester Road Map
PZ2025-0020 and PZ2025-0021 to be discussed together.

Staff Presentation

I. Guadarrma gave a brief overview of the project. Both items were opened and discussed in unison at the prior meeting on July 16, 2025. Since that time Pulte has now come back with an example site plan for the requested R-3 zoning on the adjacent parcel to give an idea of how the R-3 could look if developed in the future.

Petitioner Presentation

Russell Whitaker, legal counsel representing Pulte developers was previously sworn in and approached to speak. Pulte was planning to send a member from V3 to the proposed annexation site to review the wetlands, however there was 6 feet of corn on site, so this did not make walking the site possible. However, V3 pulled contour maps off of the County website and use that as a base for a sketch plan. This is not a formal plan as Pulte has no current plan to purchase or develop the site, but this was used to give an idea of what is possible to develop on the parcel as requested by the Planning and Zoning Commission on July 16, 2025.

There were questions from the commission as to Pulte's interest in developing the adjacent parcel in the future, and the number of lots on the mock plan of development. Representatives from Pulte stated that if this development found success, it would be fathomable that they would have an interest to expand at that point, but currently the trustee that owns the parcel has no interest in selling. Pulte's only interest in the property at this point is to assist in the annexation in order to get contiguity to allow for the annexation and development that Pulte does have under contract. Pulte worked with the trust, but the trust that owns the parcel has stated that they have no current plans to develop the parcel at this point in time.

The proposed mock site plan for a potential future development on the parcel showed around 200 home sites on 67 acres of land.

Mr. Whitaker also provided the future Lake County Department of Transit plans with respect to the annexation parcels as well as some renderings of the development that Pulte created showing what the plantings would look like at development as well as 5 years after planting.

Nelly Rosenberg of Gould and Ratner, a representative of the trust of the western parcel, was sworn in. Commissioner Garesche requested clarification on statements

made by Mr. Whittaker that the trust owners were not developers and were not interested in developing the parcel. Ms. Rosenberg confirmed that the parcel has been owned for over 20 years by the trust, and they had no interest in developing it at this point in time, but would like the same zoning as the other parcel under contract by Pulte. She further added that the trust may consider developing further down the line, but at this point in time they are not pursuing development. Commissioner Garesche requested further clarification as to why the trust would have such a strong opinion of requesting a more condensed zoning residential district if there were no plans to develop. Ms. Rosenberg stated that the trust feels that it is the best use of the land and it makes sense for the area. The trustee would like some security for the future in the event they may want to eventually develop.

Public Commentary

Doug Hoselton approached the podium to speak. Mr. Hoselton thanked the commission for taking the time to properly review the petition. He stated he is fine with the plan for the proposed Walnut Ridge. He was concerned with development on the western parcel because of the wetland. He found the mock site plan made by Pulte to be acceptable, but said he is still against rezoning of the whole parcel to residential. Commissioner Holden asked Mr. Hoselton to elaborate on his opposition. Mr. Hoselton stated that he is not in favor of utilities going through the wetlands.

Shelly Hoselton approached the podium. She agreed that the mock site plan was acceptable to her. Mrs. Hoselton did state that she would still prefer a less condensed zoning district with the option to re-zone in the future when there is a plan. She shared the attached photos showing some of the conditions of the wetlands and the animals living in the area.

Commissioner Garesche asked for clarification as to why part of the parcel was being referred to as an "exception". Mr. Hoselton stated that on his plat of survey, that piece is referred to as an "exception" to his property.

Tom Slowinski of V3 Companies worked with Pulte to review some publicly available maps to give an analysis the status of the wetlands on the western parcel requesting annexation. The wetlands appear to be of high quality, which are exceedingly difficult to develop. In addition, high quality wetlands would require 100-foot buffer zones without development. There are some portions in the northwest corner of the parcel that are lower quality wetlands that would allow for some development with some mitigation efforts. Most of the current buffer zones are used for agriculture. If developed in the future, the buffer zones would be enhanced, likely with some prairie vegetation. This would increase the wildlife habitat potential for the wetlands.

K. Garesche inquired as to the term buffer and if that was a county zoning designation. Mr. Slowinski stated that the term buffer is a designation under the county stormwater

ordinance. Wetlands require buffers when there is development.

Mr. Whitaker asked Mr. Slowinski what the process would be to attempt to develop more than 2 acres of high-quality wetlands. Mr. Slowinski stated there would be an in-depth process involving documenting why it isn't possible to minimize impacts on the wetlands.

Commissioner Petti asked if the development would have impacts to the proposed Ivanhoe Village project that is located to the west of this parcel. He wanted to know what the implications might be if this property gets zoned at R-3.

A. Orenchuk, Director of Community Development for the Village of Mundelein, stated that I. Guadarrama and herself had many conversations with Pulte regarding this development. She stated that Pulte took every avenue not to involve another property owner for annexation. However, in order for the parcel that Pulte has under contract to be annexed into the Village, it is required to have land contiguity. The Pulte piece does not have land contiguity without also annexing the parcel to the West in the Village. She stated that the Village Attorney is also on hand at the meeting and would be happy to answer any questions the commission may have.

K. Garesche closed the floor to public commentary.

Commission Discussion

T. Wilson stated that he felt the the petitioner did a good job answering the questions brought forward and eased some concerns. It is not realistic to think that 40-foot trees would be planted at development. Thoughts on the looks of the end result of the development will happen 20+ years down the line.

J. Holden agreed that Pulte went above the requests the commission made. The remaining lack of clarity is the request for the zoning of the vacant parcel with no firm development plan.

S. Petti and K. Garesche expressed discomfort in the lack of flexibility with zoning the property at R-3, but would be open to adding stipulations to the agreement more metaphoric guardrails for any potential future development. K. Garesche further questioned as to why we might not just sever the exception piece that extends to Route 83.

K. Cahill, Village Attorney, stated that the Village would want to keep the exception piece intact and annexed in to maintain control of the zoning of it. If the Village carved out that piece, it would be up to the county as to the zoning and development of that piece. As far as the specific zoning, the Planning and Zoning Commission can craft a specific annexation agreement to protect the pieces that the commission would like.

You can also attach the presented mock site plan developed by Pulte and state that any development would have to be substantially similar, or it would otherwise need to go back to the commission for approval.

J. Holden moved, seconded by S. Petti, a **Motion** to recommend approval of a map amendment to rezone the properties located at 29808, 29730, 29508, and 29498 N IL Route 83 from R-1 Single Family Residential, to R-3 Single Family Residential zoning district, with the findings of fact as provided, including the following conditions:

- Any future development would need to be substantially similar to the drawing as presented by Pulte on behalf of the property owner.
- Restrict access to the tail or "exception" piece.
- Protect the wetlands to the greatest extent possible.
- Long term considerations of how the layout will affect adjacent parcels.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner S. Petti
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

Close Public Hearing

J. Holden moved, seconded by S. Petti, a **Motion** to Close Public Hearing PZ2025-0020.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner S. Petti
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

PUBLIC HEARING - PZ2025-0021 - Walnut Ridge

Map Amendment

J. Holden moved, seconded by T. Wilson, a **Motion** to recommend Approval of a Map Amendment to rezone the properties located at 20959 and 20575 W Winchester Road,

and 29944, 29909, and 29800 N IL Route 83 from R-1 Single-Family Residential to R-3 Single-Family Residential zoning district, pending annexation approval.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner T. Wilson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

Special Use

K. Anderson moved, seconded by T. Wilson, a **Motion** to recommend Approval of the Special Use for a Planned Unit Development for the Walnut Ridge subdivision.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner K. Anderson
SECONDER:	Commissioner T. Wilson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

Preliminary Plat of Subdivision

J. Holden moved, seconded by K. Anderson, a **Motion** to recommend Approval of a Preliminary Plat of Walnut Ridge Subdivision.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner K. Anderson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

Close Public Hearing

J. Holden moved, seconded by K. Anderson, a **Motion** to close Public Hearing PZ2025-0021.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
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MOVER:	Commissioner J. Holden
SECONDER:	Commissioner K. Anderson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

PUBLIC HEARING - PZ2025-0027 - Text Amendments – Various Topics

Car Washes

A. Orenchuk stated that this topic was discussed in-depth at the previous meeting, and staff has a good direction on how to proceed with the text amendment.

Murals

A. Orenchuk stated that this would likely need legal guidance, so Village Attorney, Kelly Cahill was invited to the meeting to help navigate.

C. Malec stated that it had been a while since the commission had addressed mural regulations. Ms. Malec refreshed the current regulations as being a pilot program that only allowed them in the downtown. The initial changes to be discussed would be opening all murals to all zoning districts, with the exception of residential, and to streamline the process for smaller murals (under 100-square-feet). The proposed changes would keep larger murals as a special use and allowing smaller murals to be allowed by right. Smaller murals would be held to the same standards, but would be reviewed administratively via building permits.

C. Malec further stated that when it comes to the content of murals, there is a lot of case law governing that topic. Art is characterized by the courts as a form of freespeech as long as it is not commercial in nature. Most towns that regulate murals do make that distinction. Any regulations on murals can not regulate content, and would be at risk to being challenged in court. It seems common for other towns that do regulate murals to have some standards that address types of speech that are not addressed by freedom of speech, such as a threats, inciting criminal activity, pornographic material, among others. K. Anderson inquired about hate speech, C. Malec stated that can be somewhat of a gray area and she the case law has some very specific examples regarding hate speech.

Village Attorney K. Cahill stated that she would recommend the following, or similar language:

- Art can not depict subject matter that predominantly appeals to prurient

interests and depicts or incites criminal activity or threats of violence against a targeted group or interest.

- No artwork can contain off-site advertising.

K. Garesche asked for clarification that the Village does want to open up to more risk in the form of allowing visual free speech. C. Malec stated that the Village has been investing more in public art since 2018, and it has been a successful endeavor. The public art has been very supported both by the Board and by the public. The Village has been receiving more inquiries regarding murals.

K. Anderson asked if this new streamlined process is to remove some barriers to allow more people the opportunity to have murals. C. Malec confirmed that this is the intent. Many of the recent inquiries come from small businesses. If a small business owner is wanted to pursue getting a mural at this point, the process can take 6-12 weeks, a \$450 fee plus possibly hundreds of additional dollars in certified mailers. The intent is to remove some barriers.

S. Petti asked if unincorporated Lake County has any ordinances regulating murals. C. Malec stated that she does not know if they do or do not have any ordinances regarding the regulation of murals.

K. Garesche asked if any of the surrounding municipalities have regulations on murals. K. Cahill stated some of the closer municipalities she found with regulations are Hinsdale and Highland Park. C. Malec stated that the Highland Park Ordinance regarding murals is very robust.

A. Orenchuk asked if there would be a mural registration. C. Malec stated that Highland Park required all murals, even previous ones, to fill out a registration. Highland Park had also limited the number of total murals to 15.

K. Anderson stated that he would be in support of allowing murals. J. Holden stated that she agrees and is in support of the idea. With the appropriate constraints, it is a worthwhile endeavor.

T. Wilson clarified that the Ordinance would exclude residential properties. C. Malec confirmed that murals would not be allowed in residential areas. T. Wilson stated that he felt the risk would be limited if only allowed in commercial districts.

Truck Stops

A. Orenchuk shared that she had previously spoken to the Village Attorney regarding having a definition without allowing that defined use. K. Cahill stated the way to prevent a use is to not have it addressed at all. The Village would need to be careful

when defining uses if there is something you do not want to allow. The Village can clarify the definition for gas stations to state that truck stops are not allowed.

C. Malec asked if there were any thoughts on how to draw the line between gas stations and truck stops. There was further discussion in regards to the differences between the gas stations and truck stops.

Use Variations

C. Malec stated there is not much conversation to be had regarding use variations. There just needs to be clarification on allowing use variations within the code.

K. Cahill stated that it is allowed in the statute. The benefit of the use variation allows for a change without changing the underlying zoning. The Village has been granting them, but there is no place in the code stating that they are allowed. Making this change will allow the Village to keep doing what they are doing.

Incubator Programs - Arts & Business Center Regulations

A. Orenchuk stated that this topic stemmed from requests regarding the property located at 161-175 N Archer. It is referred to as the Archer Business Center. It is a Village-owned property and has had many uses over time, and has been under consideration for a possible arts center as well. The intent is to have a mechanism to allow micro-industrial uses and entrepreneurial start-ups that do not have a need for major semi-truck uses to facilitate the business. The intent to keep it a special use would be to test the interplay with the other tenants within the building.

T. Wilson asked if the zoning use would be over the entire building, inclusive of Tighthead Brewing, or if each entity would be zoned separately. A. Orenchuk stated that this would be applied to each separate entity.

K. Garesche inquired as to what is preventing the use of this now within the code. A. Orenchuk stated that manufacturing use is not permitted within the downtown zoning district at all. K. Garesche asked if they could be granted a special use. A. Orenchuk stated they could not.

K. Cahill suggested an overlay to only allow this use on specific areas to retain more control over where this use could be allowed. The location of the use can always be expanded in the future.

A. Orenchuk asked about the mechanics of an overlay district and if it would need to be a map amendment. K. Cahill stated that you can just define the overlay district for that area. It would remain a text amendment. It would not be a zoning change, to the areas where the overlay district is allowed.

K. Cahill stated there would also be a way to define within the text amendment for the Arts & Business Center where the use would be allowed.

A. Orenchuk gave the example of mHUB in Chicago to use as a reference of a similar use in another area. For the purpose of allowing the use, the commission agreed to allow it within the parameters and with limited application.

Public Commentary

K. Garesche opened the floor to public commentary.

There was no public commentary.

K. Garesche closed the floor to public commentary

J. Holden moved, seconded by K. Anderson, a **Motion** to recommend approval of the text amendments as discussed regarding car washes, murals, truck stops and car wash language, incubator programs (Arts & Business Center), and use variations.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner K. Anderson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

Close Public Hearing

J. Holden moved, seconded by S. Petti, a **Motion** to close Public Hearing PZ2025-0027

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner S. Petti
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

NEW PZC BUSINESS

There was no new PZC business to be discussed.

QUESTIONS AND COMMENTS

There was no further questions or comments.

ADJOURNMENT

Adjourn the Planning and Zoning Commission Meeting

J. Holden moved, seconded by K. Anderson, a **Motion** to adjourn the Planning & Zoning Commission meeting of August 6, 2025.

RESULT:	Passed [Yes 5, No 0, Abstained 0]
MOVER:	Commissioner J. Holden
SECONDER:	Commissioner K. Anderson
AYES:	K. Anderson, K. Garesche, J. Holden, S. Petti, T. Wilson
NAYS:	None
ABSTAIN:	None

The meeting was adjourned at 10:16 PM.

Erin Swanson

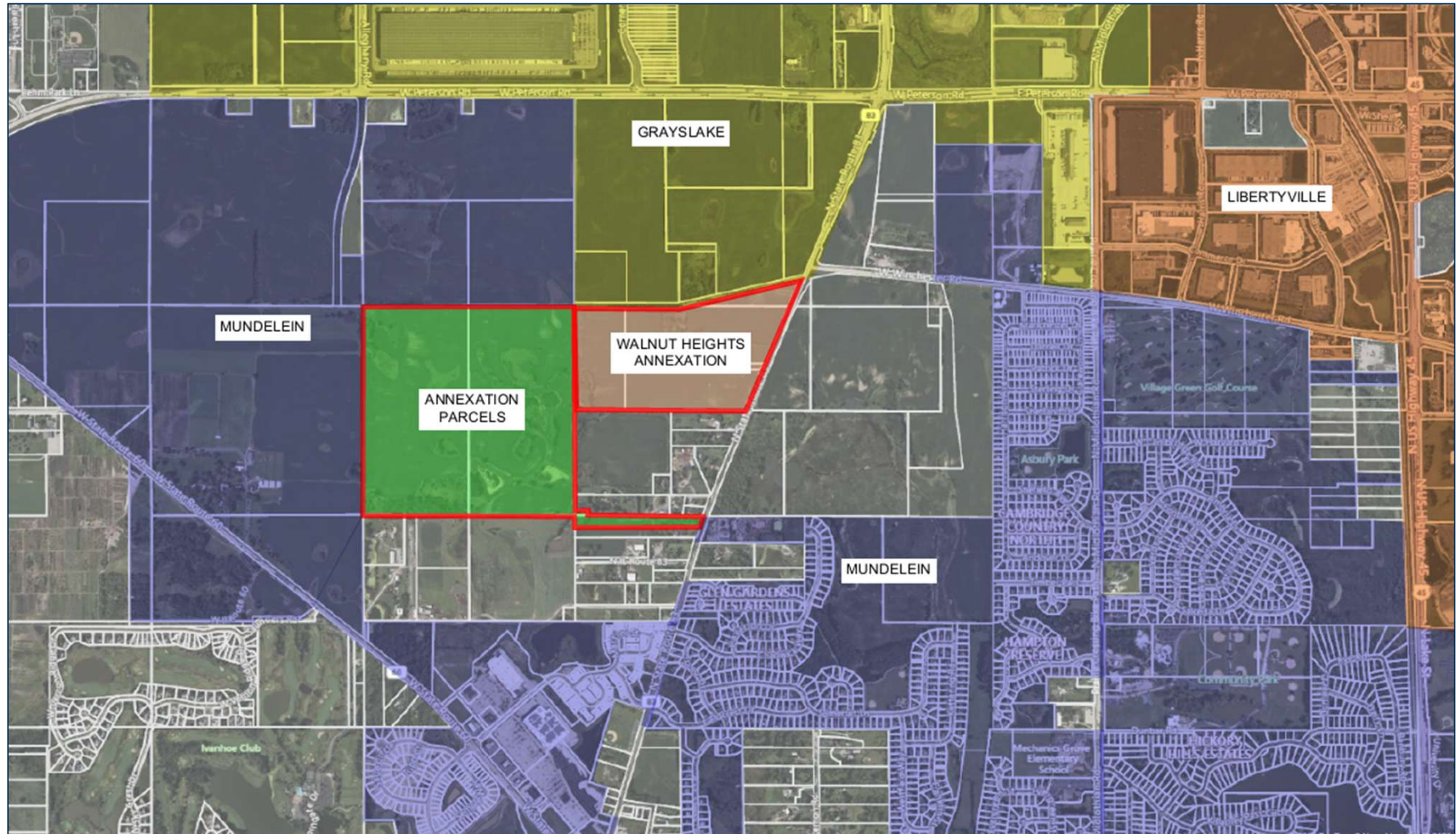
Erin Swanson, Recording Secretary

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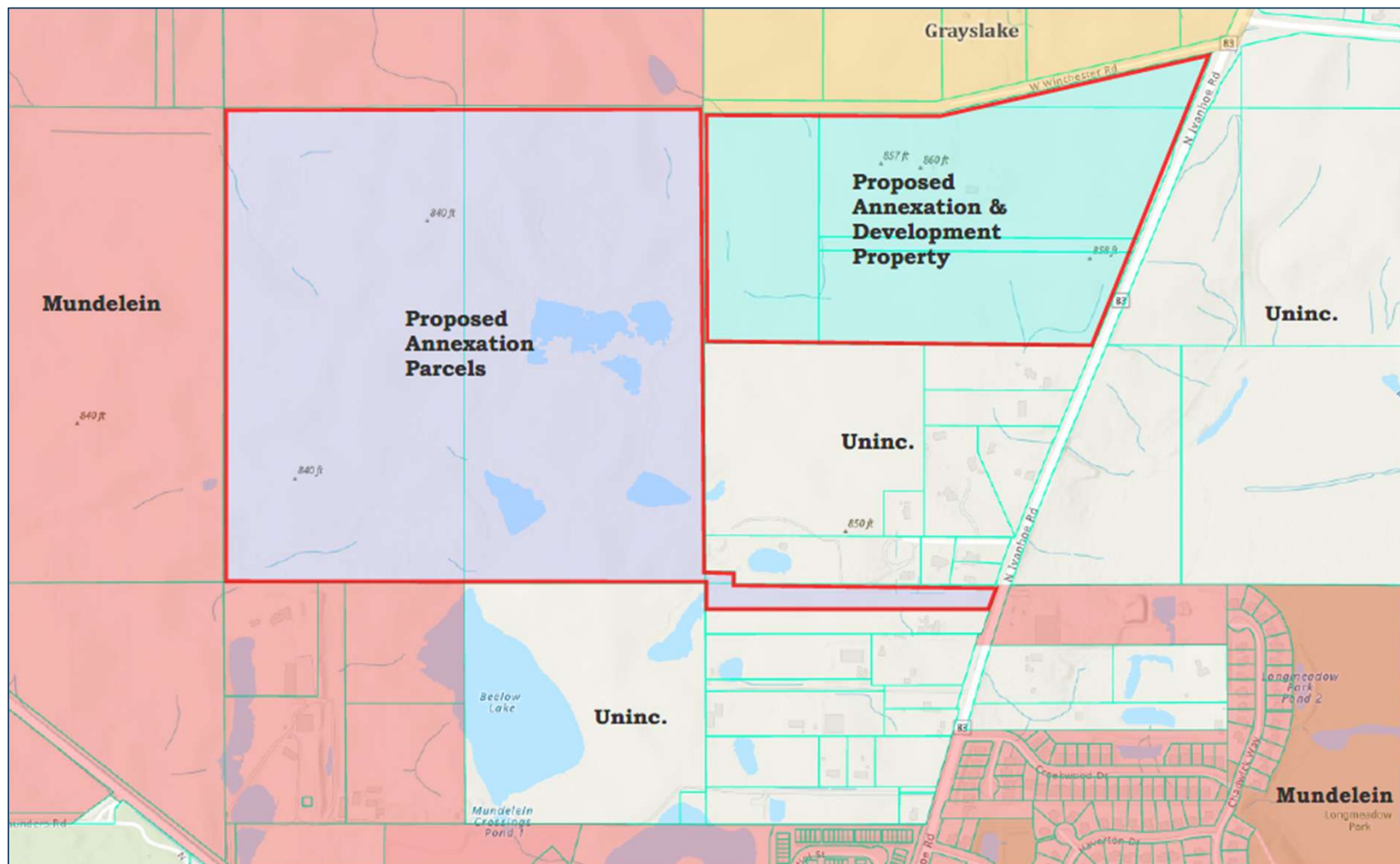


Winchester Annexation

Matt Brolley – Pulte Group
Russ Whitaker – Rosanova & Whitaker, Ltd.



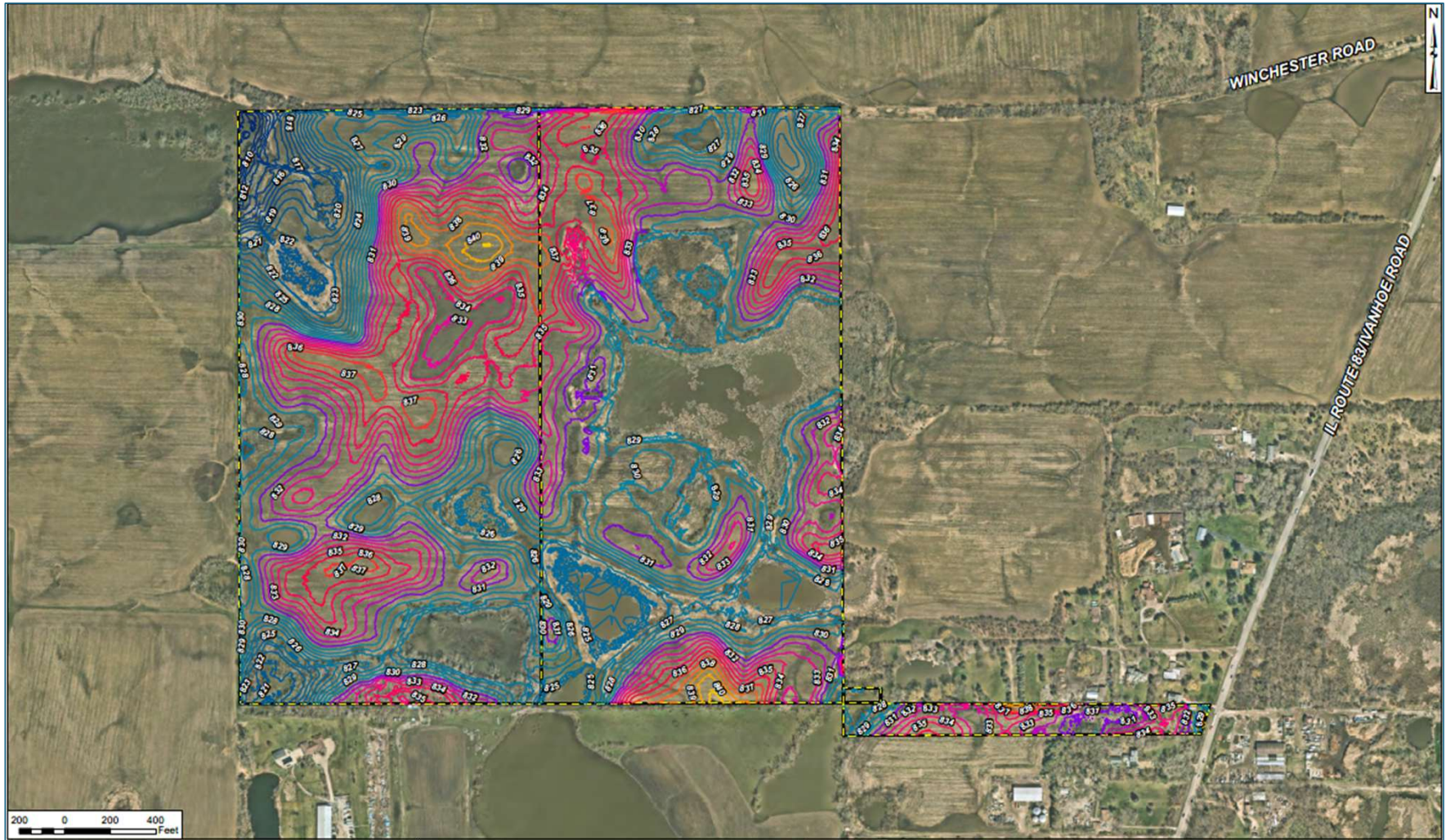
ANNEXATION



GOOGLE EARTH



CONTOUR



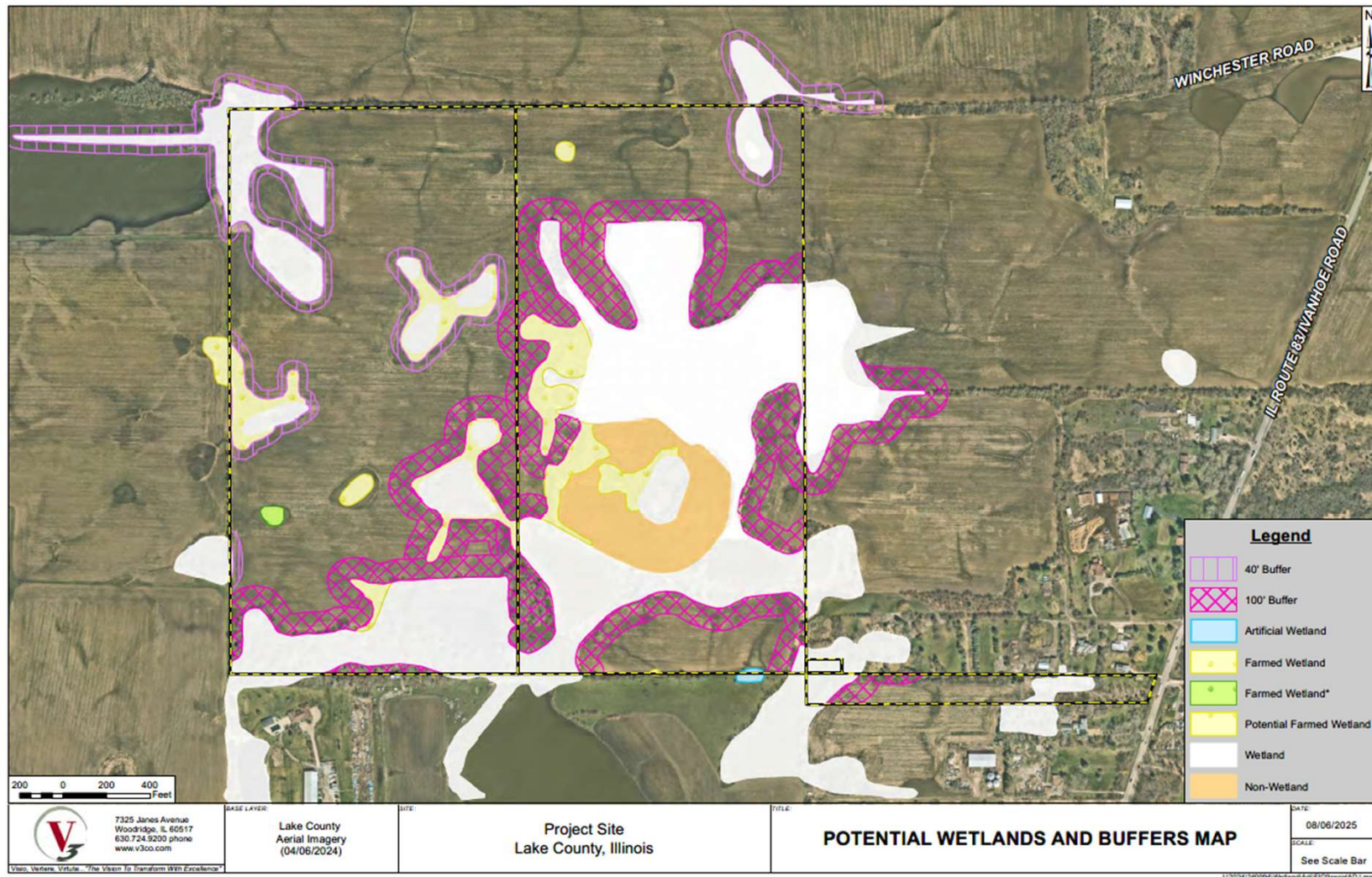
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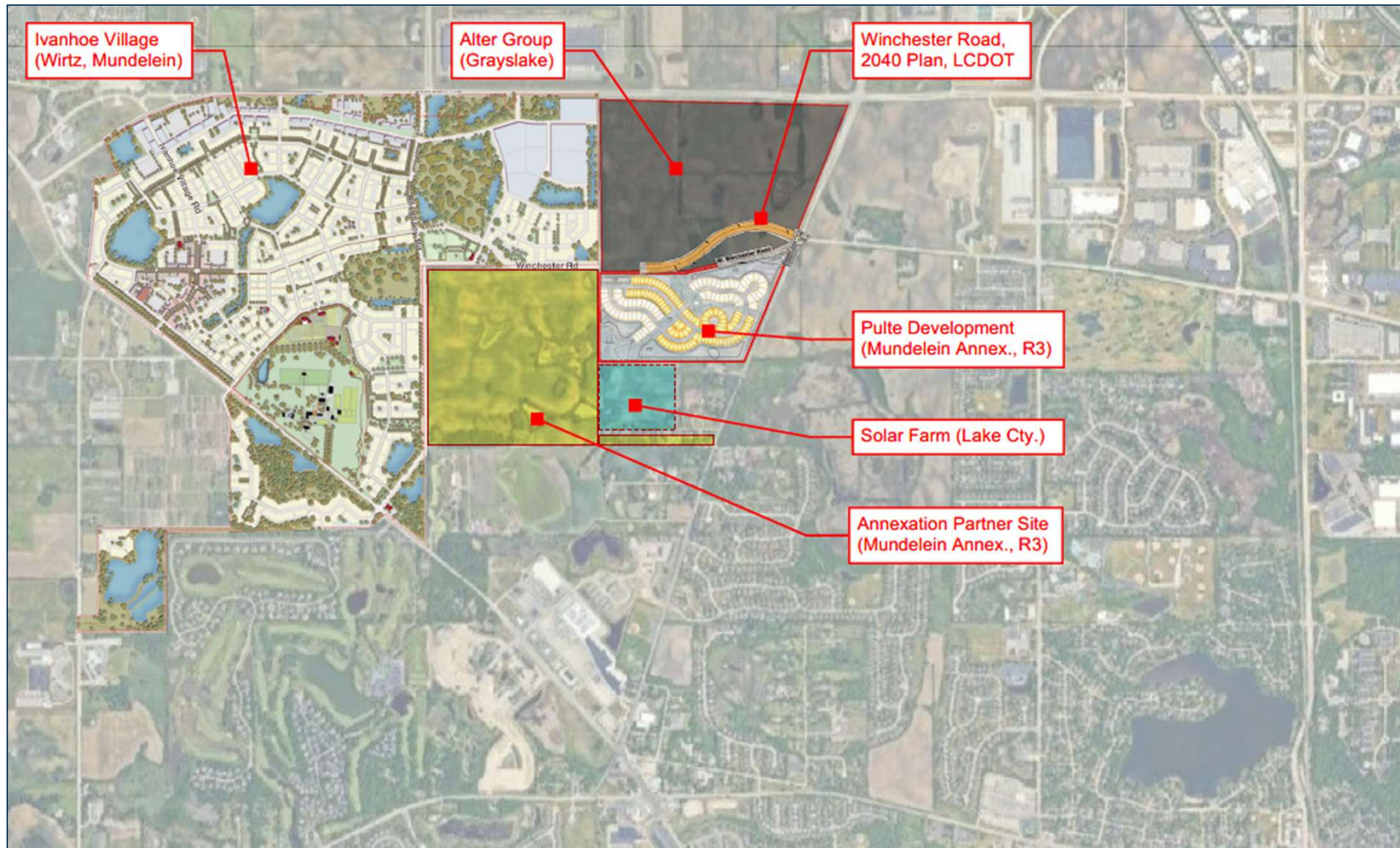


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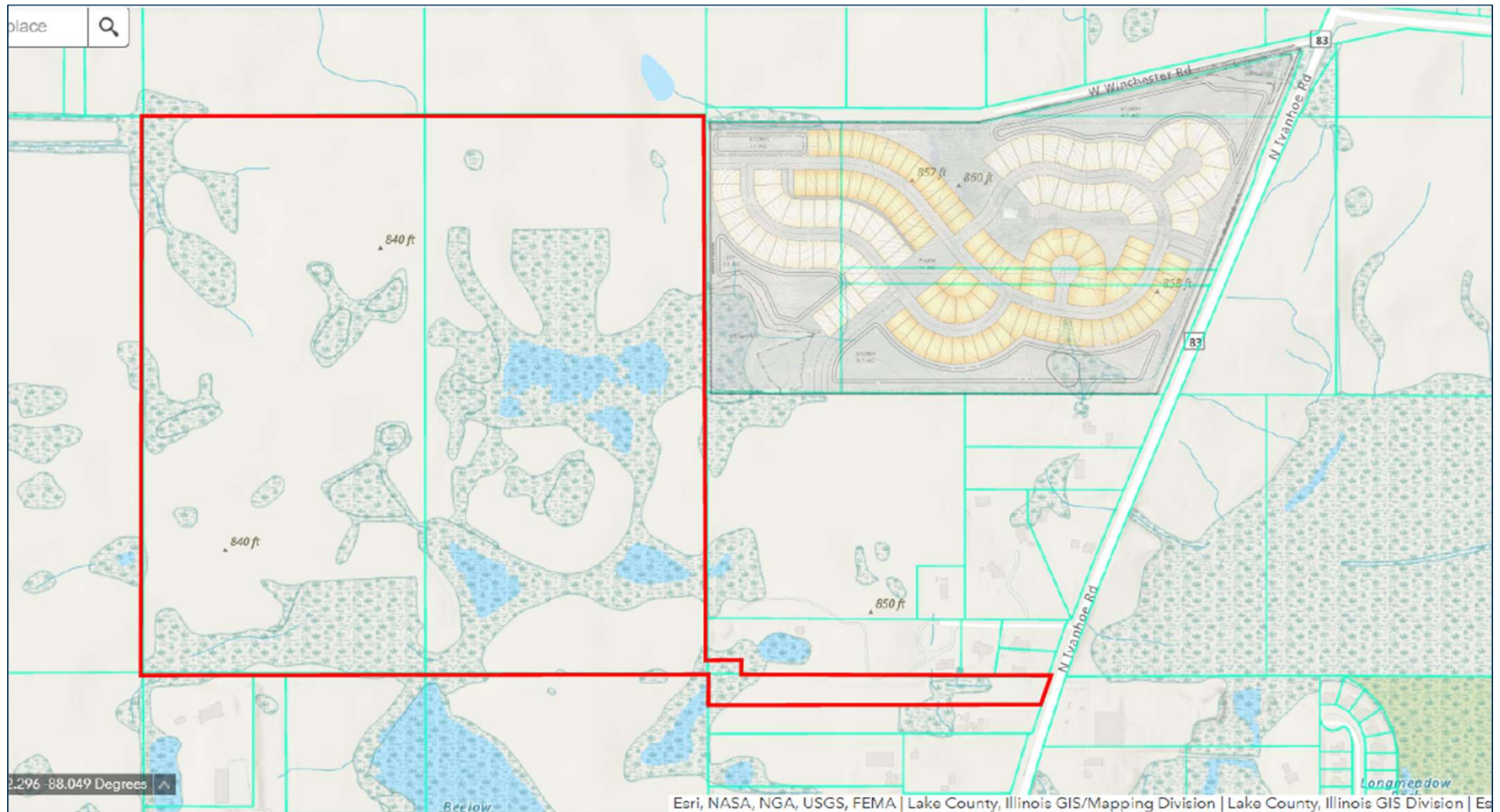
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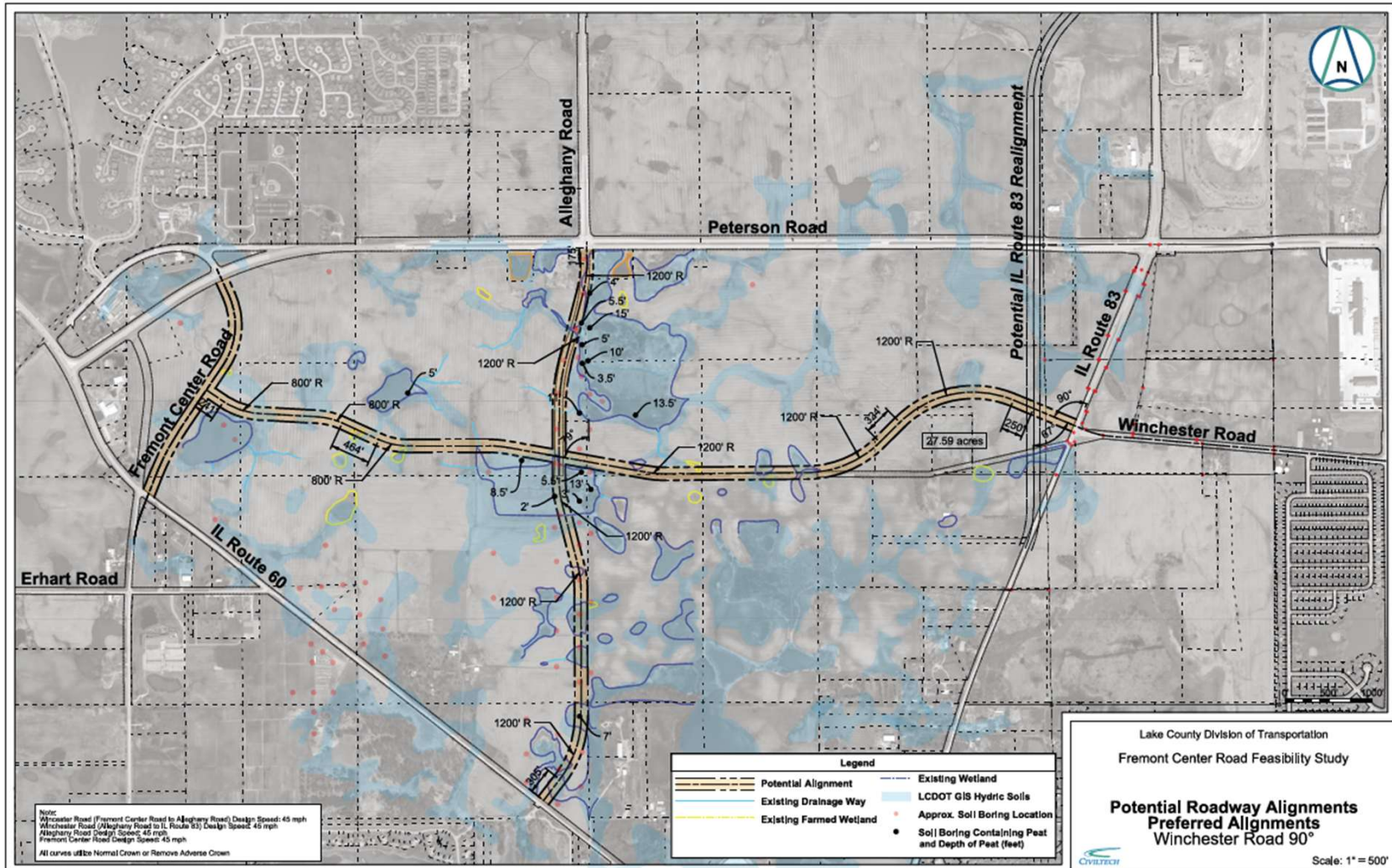
MUNDELEIN PLANNING



WETLANDS



WINCHESTER ROAD EXTENSION































FINDINGS OF FACT – MAP AMENDMENT

CASE NUMBER	PZ2025-0020
PUBLIC HEARING DATE	July 16, 2025 and August 6, 2025
Map Amendment	Rezone from R-1 Single Family Residential to R-3 Single Family Residential
Motion by J. Holden, seconded by S. Petti to recommend approval of a Map Amendment to rezone 29808, 29730, 29508 and 29498 N. IL Route 83 from R-1 Single Family Residential to R-3 Single Family Residential zoning district.	
On August 6, 2025, the Planning and Zoning Commission voted 5-0 for approval of a Map Amendment to rezone 29808, 29730, 29508 and 29498 N. IL Route 83 from R-1 Single Family Residential to R-3 Single Family Residential zoning district.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The existing use and zoning of nearby property;	
The Commission finds that the surrounding properties within the Village of Mundelein are located in mixed zoning districts, including R-1 Single-Family Residential, R-3 Single-Family Residential, R-5 Multi-Family Residential, and C-4 Shopping Center. The Petitioner’s active residential development is also located within the R-3 Zoning District half a mile away.	
2. The extent to which property values of the subject property are diminished by the existing zoning;	
The Commission finds that the current zoning extremely limits the permitted uses on the property. R-3 zoning district will improve the property values in the area by facilitating growth of the other undeveloped and underutilized properties.	
3. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village;	
The Commission finds that the proposed map amendment promotes the public health, safety, and welfare of the Village by enabling future residential development. The rezoning will help meet the Village’s need for a diverse housing stock, accommodating homebuyers of all ages and life stages, which in turn supports the general welfare.	
4. The relative gain to the public, as compared to the hardship imposed upon the applicant;	
The Commission finds that the public gains opportunities for future growth within the Village. The rezoning will help meet the Village’s need for a diverse housing stock, accommodating homebuyers of all ages and life stages, which in turn supports the general welfare. If the rezoning were not approved, the property may continue to sit vacant.	
5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for 1 or more uses permitted under the existing zoning classification;	
The Commission finds that the topography of the site, the proximity to residential properties, and the close proximity to commercial shopping centers, makes this site well suited for future residential development.	
6. The length of time that a property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located;	
The Commission finds that the Subject Property has remained vacant for many years. It is zoned as Agriculture in Unincorporated Lake County. Development opportunities are not viable under present zoning and unincorporated status.	
7. The evidence, or lack of evidence, of community need for the use proposed by the applicant;	
The Commission finds that there is ample evidence to support the community's need for the proposed use by the Petitioner. Given that there is significant lack of development in the general vicinity, there appears to be a need to revitalize this area.	
8. The consistency of the proposed amendment with the Comprehensive Plan;	
The Comprehensive Plan identifies the Subject Property as “flexible use.” R-3 zoning district will facilitate future development of a variety of new residential housing.	
9. That the proposed amendment will benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely on the interest of the applicant;	
The Commission finds that the proposed amendment will facilitate future annexations and ultimately future development in this area. As such, the amendment will enhance the Village’s housing stock in line with the goals and objectives of the comprehensive plan.	
10. The extent to which the proposed amendment creates nonconformities;	
The Commission finds the proposed amendment will not create new nonconformities.	
11. The trend of development, if any, in the general area of the property in question; and	
The Commission finds the proposed amendment is in line with the overall trend of residential development in the surrounding area.	

12. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.

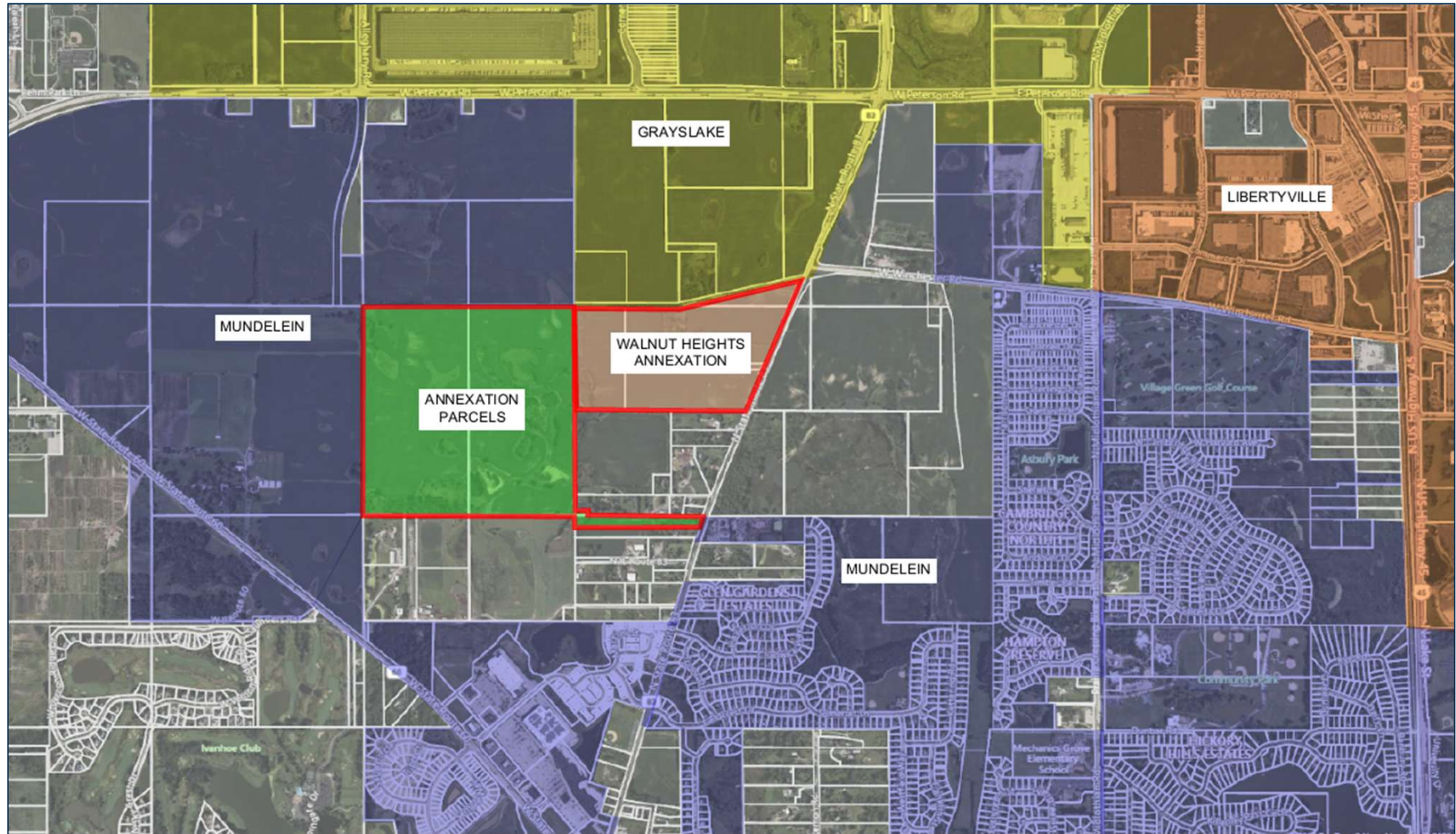
The Commission finds that adequate public facilities, including water and sewer lines, police and fire protection, and roads are all available to the Subject Property. Any new on-site facilities necessary will be provided as part of the future development of the subject property.

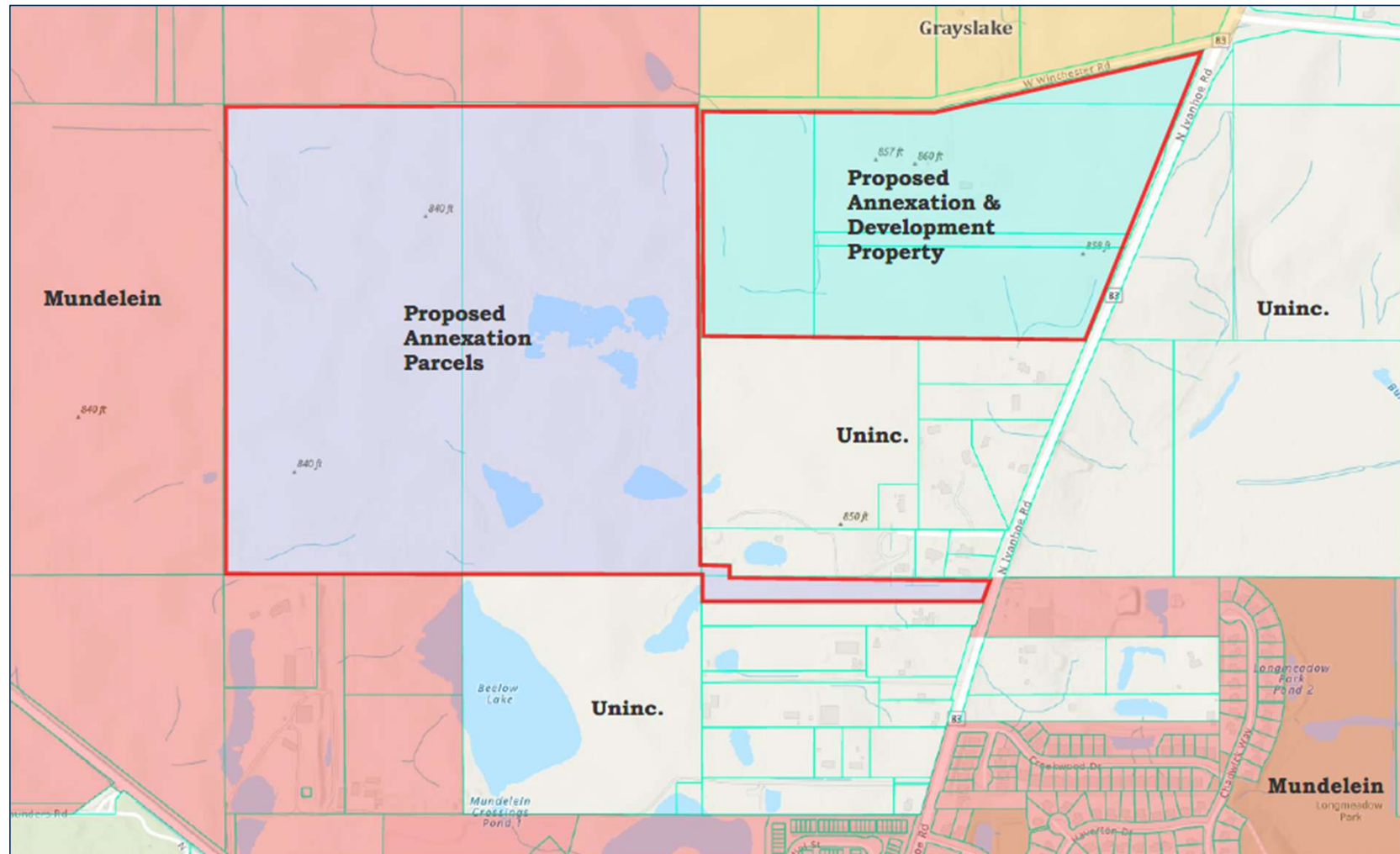


Winchester Annexation

Matt Brolley – Pulte Group
Russ Whitaker – Rosanova & Whitaker, Ltd.

ANNEXATION

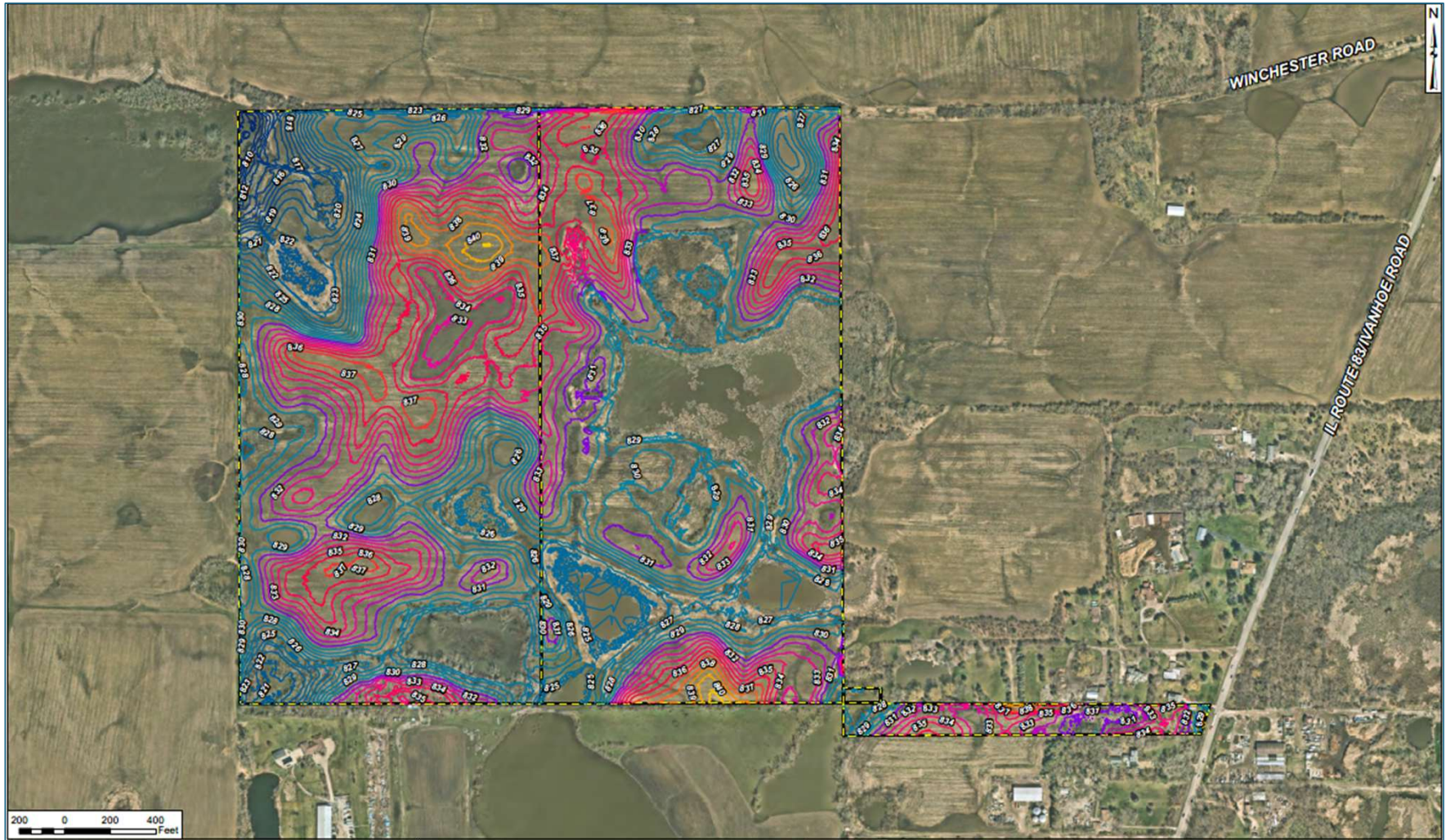




GOOGLE EARTH



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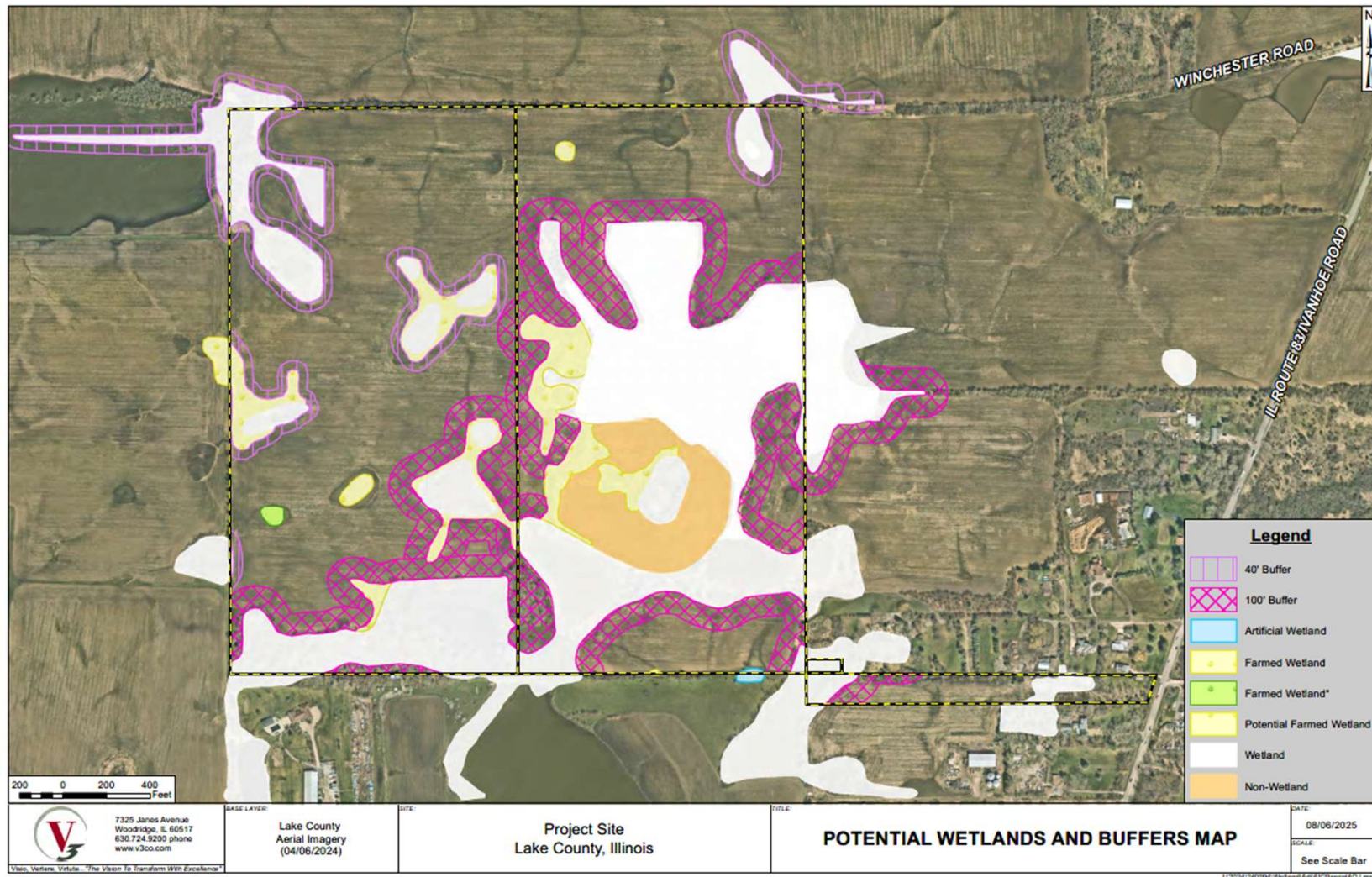
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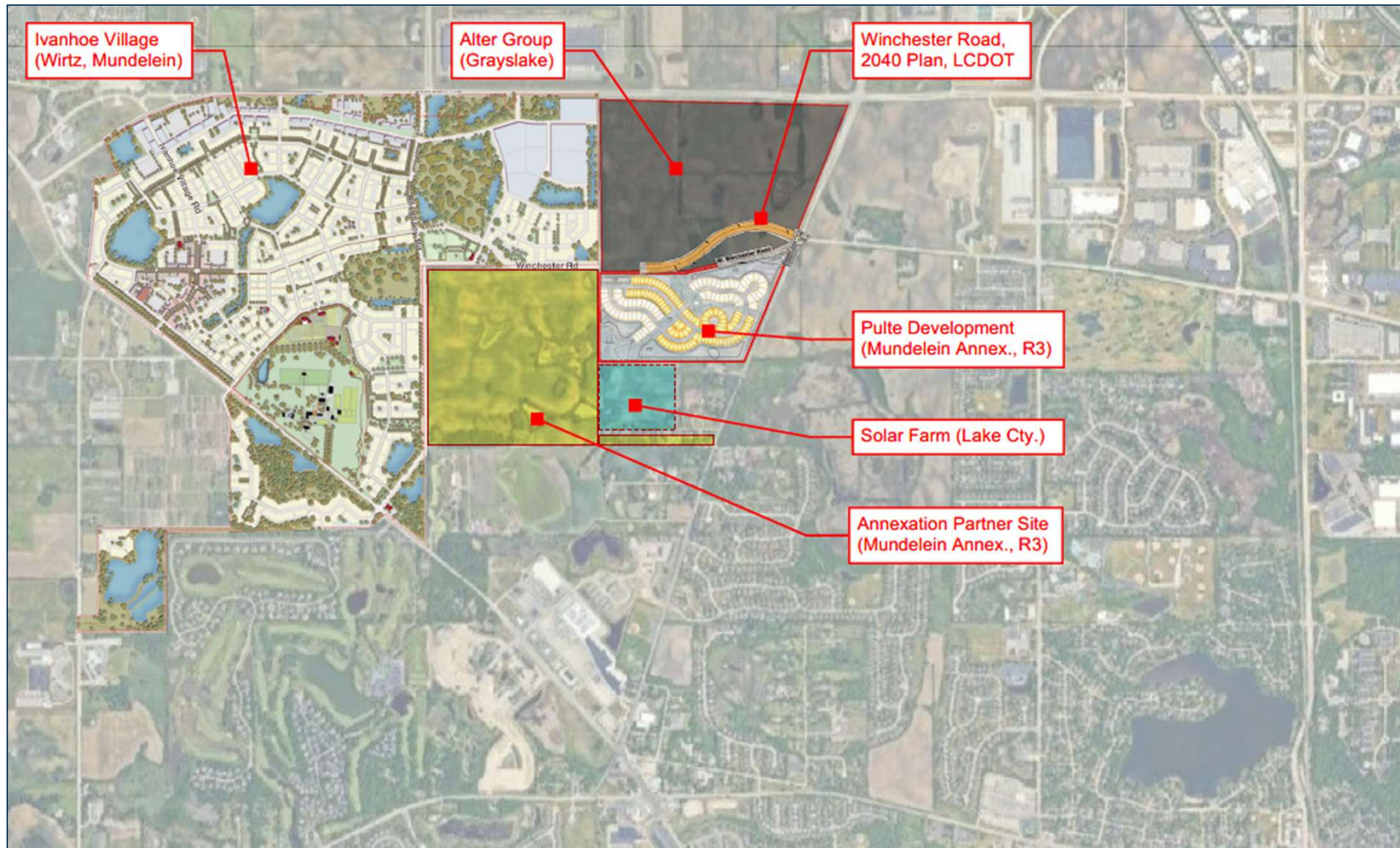


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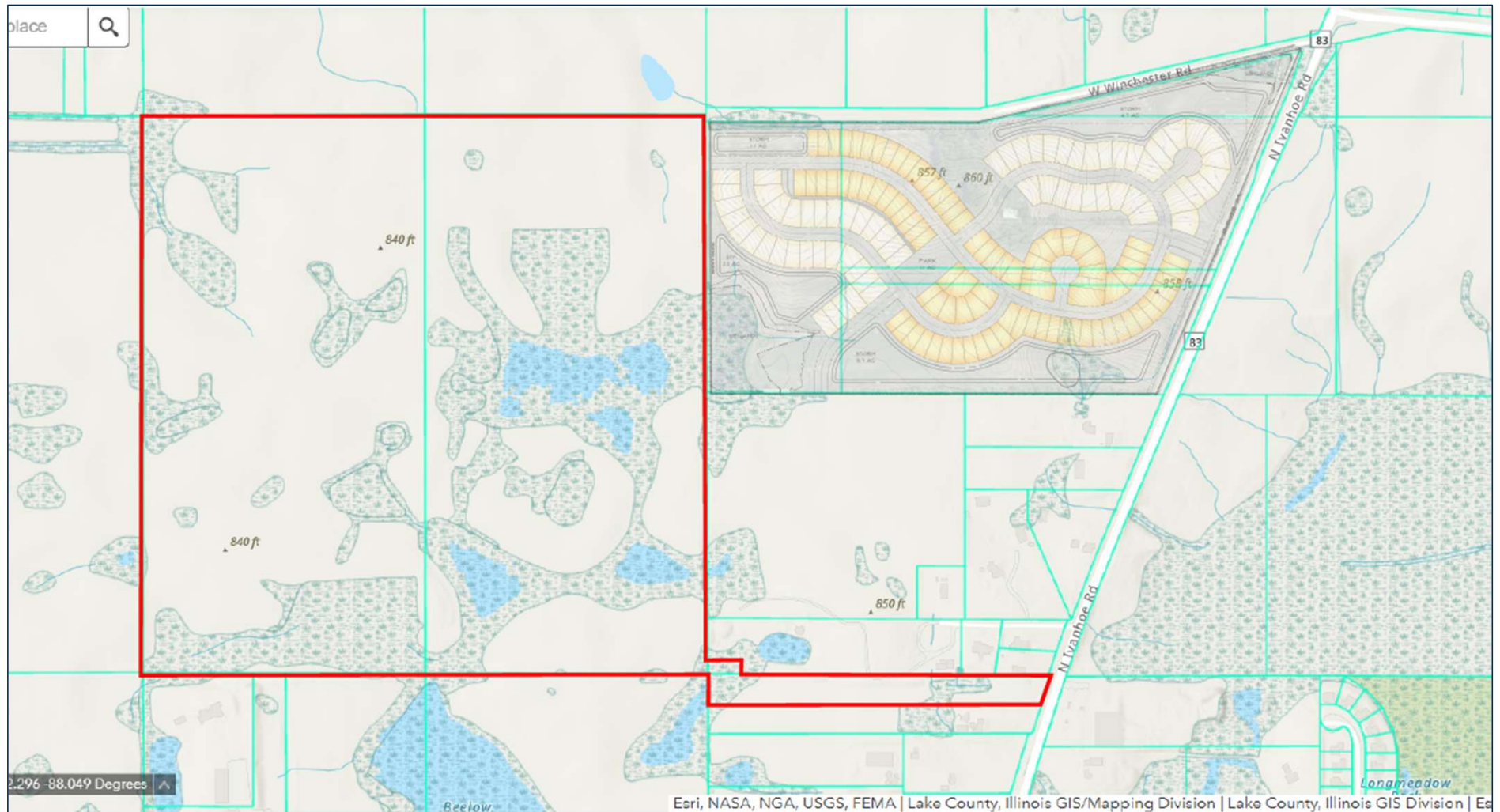
WETLAND BUFFER



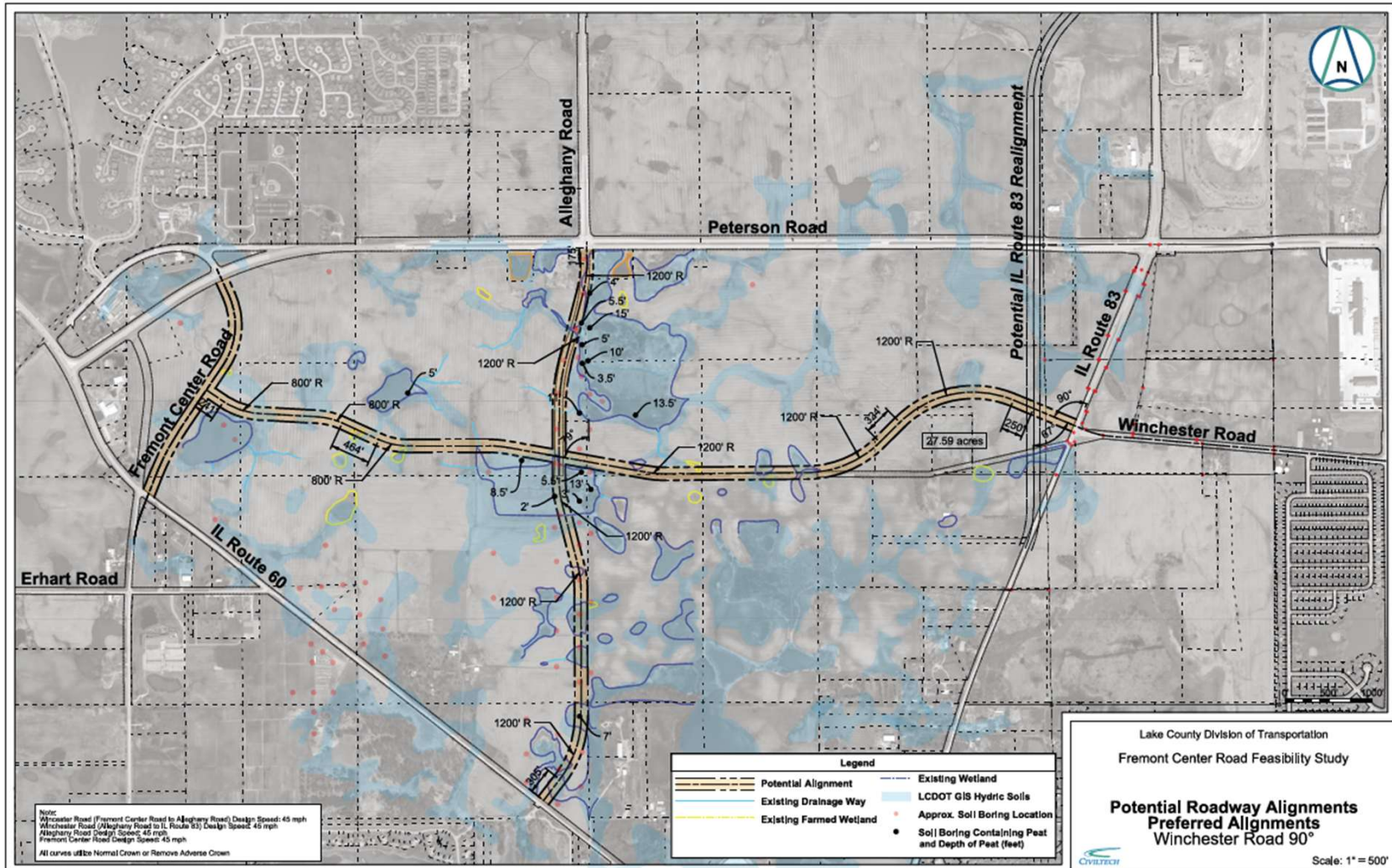
MUNDELEIN PLANNING



WETLANDS



WINCHESTER ROAD EXTENSION



FINDINGS OF FACT – MAP AMENDMENT

CASE NUMBER	PZ2025-0021
PUBLIC HEARING DATE	July 16, 2025 and August 6, 2025
Map Amendment	Rezone from R-1 Single Family Residential to R-3 Single Family Residential
MOTION	Motion by J. Holden, seconded by T. Wilson, to recommend approval of a Map Amendment to rezone 20959 and 20575 W. Winchester Road, and 29944, 29909, and 29800 N. IL Route 83 from R-1 Single Family Residential to R-3 Single Family Residential zoning district.
On August 6, 2025, the Planning and Zoning Commission voted 5-0 for approval of a Map Amendment to rezone 20959 and 20575 W. Winchester Road, and 29944, 29909, and 29800 N. IL Route 83 from R-1 Single Family Residential to R-3 Single Family Residential zoning district.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The existing use and zoning of nearby property;	
The Commission finds that the surrounding properties within the Village of Mundelein are located in mixed zoning districts, including R-1 Single-Family Residential, R-3 Single-Family Residential, R-5 Multi-Family Residential, and C-4 Shopping Center. The Petitioner’s active residential development is also located within the R-3 Zoning District half a mile away. The proposed development meets the R-3 Single Family Residential Bulk and Yard requirements.	
2. The extent to which property values of the subject property are diminished by the existing zoning;	
The Commission finds that the current zoning limits the permitted uses on the property. R-3 zoning district will improve the property values in the area by allowing denser and diverse development.	
3. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village;	
The Commission finds that the proposed map amendment promotes the public health, safety, and welfare of the Village by enabling future residential development. The rezoning will help meet the Village’s need for a diverse housing stock, accommodating homebuyers of all ages and life stages, which in turn supports the general welfare.	
4. The relative gain to the public, as compared to the hardship imposed upon the applicant;	
The Commission finds that the proposed rezoning offers opportunities for future growth within the Village. It will help address the Village’s need for a more diverse housing stock, accommodating residents of varying ages and life stages. This, in turn, supports the general welfare of the community. Without rezoning, the property may remain vacant and underutilized.	
5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for 1 or more uses permitted under the existing zoning classification;	
The Commission finds that the topography of the site, the proximity to residential properties, and the close proximity to commercial shopping centers, this site is well suited for future residential development.	
6. The length of time that a property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located;	
The Commission finds that the Subject Property has remained vacant for many years. It is zoned as Agriculture in Unincorporated Lake County. Development opportunities are not viable under present zoning and unincorporated status.	
7. The evidence, or lack of evidence, of community need for the use proposed by the applicant;	
The Commission finds that there is ample evidence to support the community's need for the proposed use by the Petitioner. Given that there is significant lack of development in the general vicinity, there appears to be a need to revitalize this area.	
8. The consistency of the proposed amendment with the Comprehensive Plan;	
The Comprehensive Plan identifies the Subject Property as “flexible use.” R-3 zoning district will facilitate future development of a variety of new residential housing.	
9. That the proposed amendment will benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely on the interest of the applicant;	
The Commission finds that the proposed amendment will facilitate future annexations and ultimately future development in this area. As such, the amendment will enhance the Village’s housing stock in line with the goals and objectives of the comprehensive plan.	
10. The extent to which the proposed amendment creates nonconformities;	
The Commission finds the proposed amendment will not create new nonconformities.	
11. The trend of development, if any, in the general area of the property in question; and	

The Commission finds the proposed amendment is in line with the overall trend of residential development in the surrounding area.

12. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.

The Commission finds that upon annexation, adequate public facilities, including water and sewer lines, police and fire protection, and roads will be adequate and available to the Subject Property.

FINDINGS OF FACT – PLANNED UNIT DEVELOPMENT (PUD)

CASE NUMBER	PZ2025-0021
PUBLIC HEARING DATE	July 16, 2025 and August 6, 2025
PLANNED UNIT DEVELOPMENT	Walnut Ridge
Motion by K. Anderson, second by T. Wilson, to approve the Findings of Fact as published for PZ2025-0021 relating to a Planned Unit Development PUD for Walnut Ridge.	
On August 6, 2025 the Planning and Zoning Commission voted 5 - 0 for approval of a Final Planned Unit Development (PUD) for Walnut Ridge.	
A. The entire property proposed for the planned unit development shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners of all tracts.	
The Planning and Zoning Commission finds that the Subject Property is proposed to be developed as a unified whole, and all owners have consented to the application.	
B. The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which planned unit developments may be established pursuant to this section.	
The Planning and Zoning Commission finds that the design of the community is thoughtfully planned to allow for two distinct housing lines and recreational features that are intertwined with the preserved natural features of the site. The overall design results in aesthetic amenities that enhance the character of the development in line with the intent of the Village's Planned Unit Development regulations. The Petitioner has submitted findings of fact consistent with the objectives required for planned unit developments.	
C. All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned unit development shall stipulate that they may not be modified, removed, or released without the express consent of the Village Board and that they may be enforced by future landowners within the proposed development.	
The Petitioner and Owners have stated in their application that they will comply with this requirement.	
D. The applicant may be required to submit a proposed development agreement as part of the planned unit development application. As part of the planned unit development approval, the Village must approve the development agreement.	
Petitioner will cooperate with the Village of Mundelein to develop a mutually acceptable Annexation Agreement to govern the development of the Subject Property and which agreement shall be approved by the Village Board.	
E. Any area of a planned unit development not used for structures, streets, or parking lots, shall be landscaped. The perimeter of the planned unit development shall be designed to ensure compatibility with uses surrounding the planned unit development by including uses within the planned unit development that are compatible with such surrounding uses, including setbacks, screening, or natural or man-made buffers within such perimeter.	
The Planning and Zoning Commission finds that the Petitioner has submitted a landscape plan that demonstrates the above. Additionally, the proposed planned unit development is either compatible with current land uses or will be compatible with the future land uses of adjacent properties. The owner of the Adjacent Property to the west has an application on file with the Village for annexation approval and approval to zone the property R-3 upon annexation to facilitate future residential development. Lastly, the Petitioner will meet and exceed all setback requirements of the Village.	
F. Private streets are prohibited unless expressly approved by the Village Board. If so approved, they shall meet all construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in this section.	
The Planning and Zoning Commission finds that no private streets are proposed for this development.	
G. Whenever the Village Board determines that development of a planned unit development will create a need for land for public purposes of the Village within the proposed planned unit development, the Village Board may require that such land be designated and dedicated to the Village for such use. In addition, the Village Board may require evidence that all requirements of Village ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met with respect to the proposed planned unit development.	
The Planning and Zoning Commission finds that in addition to 35 acres of open space that will be preserved as part of the community, the Petitioner is also donating a park site comprised of approximately 1-acre. Petitioner is compliant with all requirements pertaining to the dedication of land or contribution of cash.	

H. Thirty percent (30%) of the area of a residential-only planned unit development is required to be set aside and maintained as common open space. This thirty percent (30%) shall be calculated based on the net area of the site, which is the total area of a site available for development, excluding street rights-of-way and other publicly dedicated improvements. excluding public rights-of-way. The location of common open space shall be consistent with its intended function as set forth in the application and planned unit development plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure or recreational uses for which such open space is intended.

1. The following uses shall be considered common open space:

- a. Parks and playgrounds, including skate parks and dog parks.**
- b. Indoor or outdoor active recreation facilities, including basketball courts, ball fields, swimming pools, and tennis courts.**
- c. Jogging trails, bike trails, and fitness courses.**
- d. Nature preserves, bird sanctuaries, natural water features, and similar conservation areas.**
- e. Detention/retention ponds may be counted toward common open space but must be accessible to the public via nature trails, boardwalks, and/or perimeter walkways and they must be designed as natural water features and landscaped with native vegetation. Detention/retention ponds may only count toward twelve percent (12%) of the common open space area requirement**

The Planning and Zoning Commission finds that the development is compliant with the open space requirements. Petitioner's proposal far-exceeds the open space requirement at 45% by virtue of providing a 1-acre park site, an extensive path system around certain open space areas, as well as open space buffers for storm water management and the preservation of existing wetlands along the west, south and north property lines.

2. Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The safeguards must be perpetual and must run with the land. Such safeguards may be released, but only with the express written consent of the Village Board.

Petitioner has stated that they will agree upon terms set forth in an Annexation Agreement by and between the Petitioner and the Village. In addition, the Petitioner will have a declaration of covenants, conditions, and restrictions for the Homeowner's Association (HOA) which will be recorded against the Property and bind all future owners and residents.

3. The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards and to ensure that remedial measures will be available to the Village if such open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the planned unit development or the Village.

The Declaration for the HOA will include the provisions for ownership and maintenance of the open space. Petitioner would be agreeable to enacting a dormant SSA as well.

4. When the requirements of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:

- a. The by-laws and rules of the association and all declarations, covenants, and restrictions to be recorded must be included as part of the final plan prior to the final plan becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this chapter.**
- b. The association must be established, and all covenants and restrictions must be recorded prior to the sale or lease of any property within the area of the planned unit development designated to have the use of the proposed open space or improvements.**
- c. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it.**

d. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements. e. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with state statutes. f. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds (2/3) of the members voting on the issue. g. The Village must be given the right to enforce the declarations, covenants, and restrictions. h. The Village must be given the right, after ten (10) days written notice to the association, to perform any maintenance or repair work that the association has neglected to perform, to assess the membership for such work and to have a lien against the property of any member for the cost of such maintenance and work. For this purpose alone, the Village shall have all the rights and powers of the association and its governing body under the agreements and declarations creating the association.
The Petitioner has stated in their application that the declaration for the HOA will incorporate these provisions.
I. Planned unit developments shall not adversely affect the natural environment of the community as a whole. Natural assets and features, such as existing trees and native vegetation, shall be protected and preserved to the greatest extent practical.
The Petitioner has stated in their application that the wetlands on the Subject Property are identified as “Emergent Wetlands” and “Farmed Wetlands” and are not under the jurisdiction of the Army Corps of Engineers (ACOE). As such, these areas will be permitted through the Lake County process. Additionally, there will be more than 36 acres of open space preservation along with walking paths to ensure enjoyment of open space areas. The Petitioner will also incorporate attractive landscaping around the perimeter of the Subject Property. Lastly, the proposed park site will be dedicated to the Mundelein Park District to allow for additional recreational activities.
J. The site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The streets and driveways within the proposed development shall be adequate to serve the uses within the development. The applicant shall be responsible for the cost and installation of additional traffic controls and regulating devices that are required.
The community will be accessed from IL Route 83. Route 83 is a state highway that has sufficient capacity to accommodate traffic generated by the community. The Petitioner has submitted a comprehensive traffic study to both the Village and Illinois Department of Transportation (IDOT). The Petitioner shall be responsible to construct all internal roadways as well as to construct any improvements to the perimeter roadways as mandated by IDOT.
K. The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.
In addition to installing sidewalks internal to the community, the Petitioner will also install a path system and connection points to enhance pedestrian and bicycle activity. The path improvements include a contiguous path system around certain open space areas.
L. All planned unit developments shall provide for underground installation of utilities, including electricity, cable and telephone. Provisions shall be made for acceptable design and construction of storm sewer facilities and appropriate storm retention and detention devices. The construction and maintenance of all utilities, roadways, park facilities and other site improvements shall be in accordance with the requirements of this Ordinance and other regulations of the Village.
The Petitioner has stated in their application that the Development will be compliant with code requirements. The Petitioner is seeking approval to locate utilities within the right-of-way instead of under the pavement and to locate ComEd electric utilities in the front yards consistent with ComEd requirements.