

APPENDIX A

UDO Purposes and Intent

Section 1.5 of the Unified Development Ordinance

Staff Note: A number of listed purpose and intent provisions in Section 1.5 of the UDO are not relevant to this development proposal as they either (a) address the regulatory mechanics of the UDO (such as the classification of the unincorporated area into zoning districts), (b) or address land use or other topics not relevant to a commercial development proposal (such as the elimination of nonconformities). As such, staff's analysis will be confined to those specific purpose and intent provisions that are relevant to the Dimucci proposal.

1. Implementing the Framework Plan:

- A. **Future Land Use Map:** The subject property is designated on the Future Land Use Map as Single Family Residential Medium Lot. At the time the Framework Plan Future Land Use Map was adopted in 2004, this residential designation (consistent with residential properties in the site's vicinity) was predicated in part on the lack of available sanitary sewer infrastructure to the subject property in the unincorporated area (in contrast to contemporaneous Hawthorn Woods Village plans reflecting commercial development of the site given the capability to service the property in the Village). However, sanitary sewer service is now available to the site through an executed contractual agreement between the property owner and the Village of Lake Zurich, reflecting a change in the assumptions underlying the original Future Land Use Map designation. Development along the US Route 12 strategic regional arterial corridor from the County Line north to Wauconda has consistently and predictably trended commercially in recent years (examples include larger developments such as the Deer Park Town Center, the Shoppes of Kildeer, and various larger commercial complexes in Lake Zurich) to provide shopping, employment and service needs of the population in this part of the County and to provide a balanced tax base for taxing districts. Conversely, in contrast to the site's current Estate zoning classification, new single family detached residential development directly along US Route 12 has been virtually non-existent within Elia Township and to the north for several miles since the early 1990s. Residential development has occurred primarily at a distance from this regional highway along local and collector roads. Hence, while Future Land Use Map is currently inconsistent with the proposed development, changing conditions since 2004 warrant the development's approval.

B. Regional Framework Plan Objectives: For purposes of reviewing zoning map amendments, the goals and policies of the Regional Framework Plan have been summarized into six main objectives:

- 1. Encourage commercial development that meets the shopping, service and employment needs of local residents:** The comprehensive plans for BACOG and Hawthorn Woods plan for some or all of the site to be developed commercially. The proposed development is also consistent with the trends of development along US Route 12. Given the site's large size and roughly equidistant location midpoint between Wauconda's commercial center to the north and the Lake Zurich/Kildeer/Deer Park continuum of larger commercial development to the south, this particular site represents an opportunity to meet the shopping, service and employment needs more locally for residents in the vicinity of the property while adding value as a regional destination along the US Route 12 regional commercial corridor. This particular proposal also reflects local needs by offering high-end commercial opportunities in a manner that is consistent with the Route 12 Corridor Planning Council's high quality vision for the area.
- 2. Protect prime agricultural lands from premature development; and protect priority open space, natural and cultural resources:** The site's current monoculture farming use is no longer consistent with the needs and trends along this commercial highway. Policy 9.3.2 recommends rezoning of agricultural land "to accommodate desirable development and when appropriate infrastructure and services are available or will be provided by the developer." In considering the amount and intensity of commercial development along the US Route 12 corridor and the fact that sanitary sewer and water services are now contractually available through Lake Zurich, the subject property is appropriate for rezoning. Due to past farming practices, there are limited natural resources on the site. The proposed development sets aside approximately half of the site in permanent open space for the protection and enhancement of natural resources and environmental features. The proposed development plan includes significant setbacks and landscape buffering in order to preserve scenic views, particularly adjacent to residential areas located east and north of the subject property. The open space preservation and applicant's Pattern Book, proposed as a development condition, further provides a commitment to incorporating Best Management Practices (in terms of native species, stormwater features, and other best management practice elements) in the enhancement, care and maintenance of the site's permanent open space.

- 3. Direct growth to locations where infrastructure capacity is available or committed to be available in the near future:** Infrastructure available to the property includes public sanitary sewer and water by agreement, transportation, and standard utilities. Public sewer and water will be available to the development of this site based on an executed contractual agreement between the applicant and the Village of Lake Zurich; existing sewer lines extend as far north as Wynstone at this time and public water can be extended at the time of development. Should the property develop prior to 2018, per the Lake Zurich executed contractual agreement, a private water well system could be implemented on-site on an interim basis until the contractually obligated public water supply becomes available. The site is served by an existing strategic regional arterial (US Route 12) and a major collector road (Old McHenry); at the time of final development plan approval, all additional necessary road improvements and access-related improvements will be required by the relevant highway authorities. Finally, the site has full access to standard utilities such as gas, electric, and telephone services among others.
- 4. Support the revitalization of residential, commercial and industrial areas:** The area surrounding the site is not identified as a disinvested area. Nonetheless, the property's development as a commercial site will help diversify the local tax base and provide needed tax revenue to support services.
- 5. Support the integration of mixed land uses and transportation systems to provide more choices in housing, shopping, communities and transportation:** The proposed development includes a mix of commercial development with open space, offering shopping in well-buffered environment from surrounding properties. While a residential component is not part of the development plan, housing opportunities are currently available in the site's vicinity. The site's commercial development would have direct transportation access to a major regional arterial roadway and major collector roadway.
- 6. Encourage an appropriate range of housing types:** While being located in the vicinity of various housing developments, the proposed development itself does not include additional housing. Since the proposed development does not include residential uses, it would provide additional tax revenues to support local schools and other public services for residents without adding a corresponding burden on such public services.

5. Protecting landowners from any adverse impacts associated with development that occurs in unincorporated Lake County: The proposed commercial PUD, constrained by a variety of development conditions, will not have an adverse impact on the surrounding area. First, commercial development along the US Route 12 strategic regional arterial corridor has consistently trended commercially in recent decades. Along this regional corridor, large commercial projects have been uniformly sited adjacent to or in the direct vicinity of existing residential development at a short distance from the highway or at highway/collector road intersections. This project's approximately 50% permanent preservation of open space surrounding the development area, reinforced through significant setbacks, landscaping opacity and berming conditions, and strict photometric requirements, will ensure minimal visual, noise and light impacts on adjacent property. As the property is currently farmed and hence off-site stormwater release and water quality is largely uncontrolled, stormwater management and water quality impacts on adjacent property will be mitigated in the proposed development through UDO standards and additional best management practices established by the applicant's Pattern Book. Finally, the applicant's Pattern Book – as development condition – will ensure that the design of the site and buildings thereon will be visually appealing, and visually compatible with adjacent properties.

6. Implementing land use and open space policies that will preserve agricultural uses of land and the rural, open character of the unincorporated area of the county: This commercial project will introduce permanent open space in a large, concentrated area characterized by native habitat and species and significant landscaping features.

7. Controlling development in areas of sensitive natural resources, in order to reduce or eliminate adverse environmental impacts: The site's minimal existing natural resources will be protected or mitigated, while the project's large area of preserved open space coupled with sustainable natural features and stormwater management best practices will reduce or eliminate adverse environmental impacts.

8. Protecting the integrity of watersheds: The site falls within two watersheds, each of which will be protected through the site's large concentration of open space and stormwater management best practices.

9. Promoting sustainable development: The project represents a regional model for sustainable development best practices by incorporating both clustered development within significant open space and sustainable best practices through the applicant's Pattern Book.

10. Promoting conservation development: The proposal calls for a commercial conservation development consisting of development confined to 53 acres and surrounded by permanent open space.

11. Managing growth within the unincorporated area of the county by concentrating development in areas where adequate sewage and water facilities, roads, and schools now exist or can be provided, and limiting development where these facilities are not

adequate: Adequate sewage and water facilities are now available by executed contractual agreement with the Village of Lake Zurich; the site is bounded on two of three sides by a strategic regional arterial and a major collector road. Schools exist in the area: the development does not generate a need for school facilities but provides additional property tax revenue to support local school services.

12. Protecting the tax base by managing growth within unincorporated Lake County: This large commercial site will help diversify and strengthen the tax base in unincorporated Lake County.

13. Promoting land use patterns that increase efficiency in service provision and prudent use of fiscal resources and local government expenditures: Regarding service provision, a sanitary sewer force main is currently adjacent to the site. Law enforcement and fire protection services will benefit from the commercial site's property tax revenues, and the site's concentrated, managed commercial character and required conformance with commercial fire and other life safety codes will accommodate more efficient use of such services.

16. Ensuring the continued usefulness of all elements of the highway system for their planned function by increasing the safety and free flow of traffic by limiting numbers of intersections and driveways on major roads, while requiring greater connectivity of local streets: The site's large concentrated commercial layout will necessitate fewer highway access connections than would otherwise be needed for more piecemeal development of a large commercial or residential area. The project will involve major transportation improvements at the Final Development Plan stage, thereby increasing the safety and free flow of traffic in the vicinity of the US Route 12 and Old McHenry intersection.

17. Ensuring protection from fire, flood, and other dangers: The site's commercial development must conform to modern fire and life safety codes. The site's significant amount of permanent open space coupled with stormwater management best practices will mitigate against flooding dangers and will cumulatively decrease off-site stormwater impacts over the site's current use as agricultural field with minimal stormwater controls.

18. Providing adequate privacy, light, and air: The project involves significant setbacks and the concentration of commercial development to only 53 acres of the site's total 108.79 acres. The site will be further buffered via landscaping, earthen berms and other features. Hence, the project's development conditions will provide adequate privacy, light and air within and surrounding the site.