

From: Tierney, Patrick S.
Sent: Monday, June 04, 2012 12:33 PM
To: Lazzara, Marie T.
Subject: FW: Dimucci Family Development
Attachments: Resolution - TLCA Opposing Development - With Appendices - FINAL RED1.pdf

Patrick S. Tierney, AICP | Principal Planner/Project Manager

Lake County Planning, Building and Development
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From: sburgoon@comcast.net [mailto:sburgoon@comcast.net]
Sent: Tuesday, May 29, 2012 7:00 AM
To: Tierney, Patrick S.; O'Kelly, Diana L.
Subject: Dimucci Family Development

Pat and Diana, I had the pleasure of discussing the Dimucci Development with both of you at the Open House on March 3rd. Thank you for taking the time to discuss the proposal with me.

I live in Tower Lakes and I am involved with many community organizations (Boy Scouts, Soccer, etc.) to include our TLIA Lake Committee. I know the challenges trying to serve ALL citizens and the community at large. As a Lake County Board you have to serve the ENTIRE county not just your direct constituents and consider county-wide considerations. I understand that and I know you spend COUNTLESS hours away from your family at midweek and weekend meetings. Thank you for your time, effort, and desire to make our county better. Also, thank you, in advance for your commitment to make this entire process work and be "transparent".

Please see my observations and concerns about this potential plan. I really am trying to be objective in these comments:

1) **IMPACTS** to the community -- The obvious -- NOISE, LIGHT, TRAFFIC, ENVIRONMENTAL, etc. I hope that these issues will be covered IN DEPTH and seriously considered before you vote to REZONE. These must be considered since right now we have some of these issues, but not nearly as intense without the development. A regional mall on Route 12 DRAMATICALLY changes this community. TLIA just approved a special assessment on homeowners so that we can remove silt from our lake to stop the eutrophication (filling in). We will want to ensure that our lake is not negatively affected by this proposal.

2) **LC Regional Framework Plan -- Chapter 10 -- Community Character.** The Lake County Community character (should think "Lake" and open space, for which we have a lot) is at stake here. The community character that the Board should consider is that of Hawthorn Woods and North Barrington. From what I understand, they have an Intergovernmental Agreement about this specific property, for which LC Planning, Building and Zoning has chosen to ignore. Please work with HW and NB to meet their needs, which should be your first priority.

3) LC Regional Framework Plan -- Chapter 11- Intergovernmental Coordination and Implementation

This chapter of the

Regional Framework Plan: 1) contains recommendations for strengthening intergovernmental cooperation; 2) encourages consistency among land use and zoning maps of the County and municipalities, based on the Future Land Use Map of the ; 3) recommends that land use regulations of the County and the municipalities be compatible and consistent with the goals and policies in the *Plan*; 4) prioritizes the *Plan's* goals and policies for implementation; and 5) addresses monitoring. The chapter includes recommendations for actions that can be undertaken cooperatively by the County, municipalities, townships, and other governmental

Seems like the Planning and Development team missed the paragraph above -- the opening paragraph of the chapter -- since they tried to conduct a first meeting without proper public notice and without first contacting the local governments that would be affected. Why would that team intentionally conduct their actions in complete disregard of this very important requirement? Regarding #2 above, I tried to find the "Future Land Use Map of the Plan". I could not find it. I ask the the RPC provide and discuss this FLUM, with the date it was developed, during their public hearings. As a resident, I would like to see the "Plan" to know where future development is planned in Lake County.

4) **Why does this property need to be rezoned?** While I understand that a property owner has a right to request to rezone, after careful consideration, I am hopeful that the property will not be rezoned. As EVERYONE knows, this is all about business investment = MONEY. This is not the Dimucci Family Farm. They have never lived on the property and it has not been farmed by them. They bought this property as an investment and perhaps had a plan to build homes based on the zoning at the time. Now the financial market for homes stink and they want to get their money out of it as a Commercial Development at all the other residents EXPENSE..... with negative environmental impacts. This has also cost the taxpayers money for all the time, effort and support that Lake County and your team have spent on this. Please do not rezone this property so that one family benefits. It really is that simple..... and everyone knows it. We, and everyone I know, moved to this area of Lake County to GET AWAY from commercial development..... and now ONE family gets to make an impact on our decisions? Really?

5) **Process** -- I have heard from many people at the Open House that LC officials (many of them) said, "this is going to happen", "it is already a done deal (maybe not the final details)", "this property will be rezoned". I thought the "process" was established and intended to meticulously evaluate all the considerations then make a decision at the end. Comments made above clearly undermine the process and stain the county government.

Thank you for the opportunity for me to ask questions and your time and effort in your response. I look forward to the upcoming RPC meetings to learn more about the project and next steps in the process.

Steve Burgoon, Tower Lakes, IL

Timberlake Civic Association, Inc.
Barrington, Illinois 60010

RESOLUTION

A COMMUNITY RESOLUTION OBJECTING TO THE APPLICATION ON THE PARCEL COMMONLY REFERRED TO AS THE "DIMUCCI PROPERTY" REQUESTING REZONING FROM RESIDENTIAL TO GENERAL COMMERCIAL, AND A CONDITIONAL USE PERMIT APPLICATION, AND AN APPLICATION FOR MODIFICATION TO EXTEND TIME PERIOD FOR PRELIMINARY PLAN APPROVAL.

WHEREAS, the applicants RK123, LLC, RDDT Limited Partnership, General Partner DFFT-1, LLC, Robert and Constance Dimucci, trustees (now referred to as "DIMUCCI"), have requested the rezoning 108.79 acres generally located at the southeast corner of U.S. Route 12 and Old McHenry Road in unincorporated Lake County from Estate to General Commercial district; and

WHEREAS, DIMUCCI has also requested a conditional use permit for a non-residential planned unit development and an application for modification to extend time period for preliminary plan for certain parcels; and

WHEREAS, the scope of the project DIMUCCI proposes to develop on the property consists of:¹

- 53 acres of impervious surface area
- 800,000 square feet of retail space
- 50' building height (up to 65' if exceptions are approved)

WHEREAS, by comparison, the Deer Park Shopping Center consists of:²

- 56 acres of impervious surface area
- 386,000 square feet of retail space
- 30' building height (excepting the theatre located at the rear of Deer Park)

WHEREAS, the Village of Hawthorn Woods and the Village of North Barrington have a long-standing Intergovernmental Agreement (dated: April 8, 1999 and subsequent First Amendment dated: April 29, 2002) (now referred to as "Intergovernmental Agreement") that was the result of the settlement of litigation between their communities resulting in the joint consensus stipulation for the

¹ See Appendix A, an excerpt from the Dimucci Application, and Appendix B, consisting of Patrick Tierney's email dated January 16, 2012. The entire Dimucci Application, consisting of in excess of 200 pages, is available in electronic form upon request

² See Appendix C, Deer Park Development Summary.

Timberlake Civic Association, Inc.

RESOLUTION

development, zoning and use of this parcel to protect the interests of their respective communities; and

WHEREAS, the Village of Hawthorn Woods and the Village of North Barrington have historically and consistently rejected large commercial developments on this parcel that are not in line with the Intergovernmental Agreement; and

WHEREAS Lake County has adopted a “**Regional Framework Plan**” (“RFP”)³, effective November 9, 2004, (revised May 10, 2005 , revised again February 13, 2007) which provides the framework, goals and policies of regional development of land based on data, studies, technical and expert advice and community input including the following topics, findings and recommendations:

Environmental Resources, Open Space, and Farmland that acknowledges:

- Protecting the environmental and cultural resources, open space, and farmland of the County from the impacts of residential and commercial development is a major challenge.
- As development pressure continues to increase, the opportunity to preserve open space and farmland is being lost.
- Impervious surfaces (roof tops, parking lots, etc.) caused by development are key contributors to increasing flooding and decreasing water quality.
- Preservation of environmental resources and open space is a top priority of Lake County residents.

Transportation that acknowledges:

- Increased traffic congestion on roadways throughout Lake County is having a negative impact on the local economy and quality of life.
- Traffic congestion was one of the issues most frequently mentioned by participants at the *Regional Framework Plan* Public Forums.
- An opportunity exists to focus residential and retail development in areas accessible to transit and employment centers.

Land Use that acknowledges:

³ Excerpts of the *Regional Framework Plan* are attached in Appendix D. The entire document is available in electronic form upon request.

Timberlake Civic Association, Inc.

RESOLUTION

- The *Future Land Use* Map and associated land use policies are intended to guide how and where future development occurs in Lake County.
- The primary purpose of [the RFP] is to provide a *Future Land Use* Map and policies that reinforce the goals and policies contained in the other components of the Plan and are compatible with municipal land use plans.
- The *Future Land Use* Map has been developed based on municipal comprehensive plans and zoning maps and the Environmental Limitations and High Priority Open Space maps provided in Chapter 4, Environmental Resources, Open Space, and Farmland. Within existing municipal boundaries, future land use is generally shown directly from the municipal comprehensive plan and input received from local officials at individual municipal land use meetings.

Community Character that acknowledges:

- Lake County has communities and neighborhoods that range from urban, to suburban, to rural in character. Community character, in this sense, is not just the visual appreciation of the communities' physical appearance or aesthetics. It conveys a conception of lifestyle and quality of life.
- Rural large lot residential development is appropriate to maintain the character that exists within some communities.
- For rural large lot residential communities, single use residential subdivisions are desirable. They provide for less through traffic, extensive green areas, more privacy, and extensive yard areas.
- Intergovernmental land use planning agreements among Lake County and municipalities can be used to protect desirable community character.

Intergovernmental Coordination and Implementation that acknowledges:

- The comprehensive planning process does not end with the adoption of the Plan. To be effective, a plan must be implemented. Successful implementation of the Plan depends upon coordination and cooperation among the County, municipalities, townships, and other federal, state, and local governmental agencies.
- The [RFP] supports development of intergovernmental relationships between municipalities and between municipalities and the County that further the public interest by coordinating annexation boundaries, land use, the protection and

RESOLUTION

enhancement of natural resources, the acquisition of public open space areas and corridors.

- Four municipal intergovernmental agreements are for future land uses. The land use agreements are between the following municipalities:
Deerfield and Northbrook
Hawthorn Woods and North Barrington
Kildeer and Lake Zurich
Lake Forest, Mettawa, and Lincolnshire
- The future land uses identified in these agreements are incorporated in the *Future Land Use Map* for this Plan, as appropriate.
- In order for the intergovernmental planning process to be effective, planning should begin before the appearance of a controversial development proposal.

WHEREAS, Lake County encouraged the Village of Hawthorn Woods and North Barrington, and other Lake County municipalities as a policy priority in Chapter 11 of the Lake County *Regional Framework Plan*, titled "Intergovernmental Coordination and Implementation," to reach regional consensus on large tract development issues through Intergovernmental Agreements; and

WHEREAS, on December 17, 1998, Lake County sent Hawthorn Woods a letter stating that:

"the county would not support a rezoning of this property from the Estate zoning classification which it had under the current County zoning ordinance." The letter further stated that "this type of development would exacerbate objectives of the County Board by pushing large scale development further into Lake County's countryside," that Lake County would not compete for the development, and offered the services of County staff to develop an intergovernmental agreement for future land use and development in the Hawthorn Woods and North Barrington area; and

WHEREAS, in conjunction with the Lake County *Regional Framework Plan*, Lake County developed and adopted a *Future Land Use Map* ("FLU Map")⁴ on November 9, 2004, revised February 13, 2007, revised again July 8, 2008 and revised again most recently on November 16, 2010. The *Future Land Use Map* consistently designates the proposed development property as Residential, 1 – 3 Acre lot size; and

WHEREAS, the DIMUCCI submission to Lake County demands construction of a commercial property contrary to the provisions and guidelines set forth in the *Regional Framework Plan* and *Future Land Use Map*, and is in direct conflict with the existing settlement agreement and the first

⁴ See Appendix E - *Future Land Use Map*. The Lake County *Future Land Use Map* is available in electronic form upon request..

Timberlake Civic Association, Inc.

RESOLUTION

amendment to the Hawthorn Woods – North Barrington Intergovernmental Agreement executed in 2002 and recorded with the Lake County Recorder of Deeds; and

WHEREAS, despite the multiple provisions and recommendations of the RFP requiring Lake County officials engage in discussions with local municipalities about large-scale developments that impact local communities, and Lake County's knowledge of the Intergovernmental Agreement that existed between the Villages of Hawthorn Woods and North Barrington, Lake County officials have wholly failed to communicate with the communities impacted by the proposed development, and in fact intentionally withheld information that Lake County began discussions with DIMUCCI as early as January 25, 2010⁵, and did not publicly disclose to either Hawthorn Woods, North Barrington or the local communities any information that such plans for development and discussions were taking place until January, 2012, a period in excess of two (2) years later; and

WHEREAS, Lake County through its *Planning, Building and Development* Department, regarding the DIMUCCI project, stated on its webpage on and after February 16, 2012 that:

“On February 6th, many residents attended the Lake County *Regional Planning Commission* (RPC) meeting to provide input on plans to develop the property located at the southeast corner of Rt. 12 and Old McHenry Road in unincorporated Lake County, owned by the Dimucci family. The Lake County Board and the Lake County *Planning Building and Development* (PBD) Department are committed to an open process that allows residents the opportunity to obtain all the facts and have a voice in this process. **Prior to any decisions being made**, residents will have multiple opportunities to obtain information and provide input. Lake County is planning a series of open houses to be held prior to the next RPC meeting. Residents will be able to attend at their convenience and learn more about the proposal, interact and ask questions of county officials, and provide feedback.”

However, despite the public statement that “prior to any decision being made,” the *Planning, Building and Development* Department has already made its decision and issued a written determination that approved the development. On February 6, 2012, *Planning, Building and Development* directed a report⁶ to Marvin Raymond, Chairman of the Lake County *Regional Planning Commission* stating:

“Based on the following review of the *Future Land Use* map, the goals and policies of the *Regional Framework Plan*, and the Rt. 12 Corridor Planning Council Guidelines, staff recommends approval of the proposed rezoning and Conditional Use Permit for a Planned Unit Development.”

⁵ See Appendix F – January 25, 2010 letter from Eric Waggoner to Robert Dimucci

⁶ The February 16, 2012 Webpage is attached in Appendix G and the entire February 6, 2012 report is attached in Appendix H

Timberlake Civic Association, Inc.

RESOLUTION

WHEREAS, The proposal before Lake County for rezoning, significantly and negatively impacts the community character and quality of life of each member of the Timberlake Estates community including but not limited to increased traffic congestion, light and environmental pollution, water runoff and the commonly known negative effects of unabated urban sprawl.

NOW, THEREFORE, BE IT RESOLVED that the Timberlake Civic Association, Inc. Board of Directors, on behalf of the residents of Timberlake Estates, does hereby object to the DIMUCCI demand for rezoning and all requests submitted to Lake County Government, including the Lake County Regional Plan Commission, the Lake County Zoning Board of Appeals, and the Lake County Board, as they violate the terms of the *Regional Framework Plan*, the *Future Land Use Map*, the Hawthorn Woods-North Barrington Intergovernmental Agreement, and the stated purpose and intent of the Lake County Unified Development Ordinance; and

BE IT FURTHER RESOLVED this 15th day of March, 2012, that the Secretary is hereby instructed to deliver a copy of this Resolution to Lake County Government, its officials and administration, to surrounding municipalities and other interested or affected parties.

The foregoing Resolution was adopted unanimously by the Board of Directors of the Timberlake Civic Association, Inc. on March 15, 2012.

Timberlake Civic Association, Inc.

Paul Dietzen, President

Attest:

Matt Lasusa, Secretary

Timberlake Civic Association, Inc.
Barrington, Illinois 60010

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APPENDIX A

DIMUCCI APPLICATION
SUMMARY OF IMPERVIOUS SURFACE AREA AND SQUARE FOOTAGE

PROPOSED LAND USE COMPARED TO POSSIBILITIES UNDER THE UDO

	Acres	Sq. Feet	% Site Area
Maximum Permitted Floor Area – GC District	32.64	1,421,688	30.00%
Maximum Permitted Floor Area – PUD Standards	37.53	1,634,918	34.50%
Proposed Floor Area	18.37	800,000	16.88%
Maximum Permitted Impervious surface – GC District	76.15	3,317,225	70.00%
Maximum Permitted Impervious surface – PUD Standards	87.58	3,814,808	80.50%
Proposed Maximum Impervious Surface Area	53.00	2,308,680	48.72%

Please note that the proposed land use provides that a minimum of 51% of the land be dedicated to Open Space, far exceeding any requirements in the UDO.

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RESOLUTION

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APPENDIX B

PATRICK TIERNEY EMAIL, JANUARY 16, 2012
50' (65' WITH EXCEPTIONS) BUILDING HEIGHT

Tierney, Patrick S.

From: Tierney, Patrick S.
Sent: Monday, January 16, 2012 1:22 PM
To: 'Mark Eiden'
Cc: Powell, Dusty H.; Waggoner, Eric D.
Subject: RE: revised site plan
Attachments: image001.jpg

Hi Mark,

I have reviewed the documents and find that the preliminary development plan is consistent with what we discussed on the 6th; however, I have a couple things you may want to consider as follows:

1. In the table that describes the uses permitted in the open space, you use the term "natural sustainable open space protection". Although I understand this term, the ZBA etc. may not, I am thinking that that term be changed to "restoration area" so is consistent with the types of open space listed in Article 4 of the UDO and it serves the same purpose. You may want to consider changing the term but if you don't, it's not the end of the world and it could easily be argued that because the improvement of the open space area will attempt to restore or replicate habitat it would be consistent with the Article 4 definition.
2. Another issue that I realized is that the height of 50 ft. proposed (65 ft. for exceptions) is higher than the GC district limitations. The reason I am raising this issue is that you indicated that the only modification from the provisions of the UDO you are requesting as part of the PUD is the time limit to establish the final development plan, this would be another modification/variance. You can do this as part of the PUD, but it is contrary to what you indicated to me. I have done some figuring and have determined that based on the height of 65 ft. and the proposed setbacks listed in the table on the PDP, you would be setback sufficiently to accommodate the additional height using the rationale under footnote 1 in Table 7.1-4 of the UDO.
3. The site capacity calculations are only representative of today's existing conditions and they serve as a talking point as to what could be developed on the site provided the natural resource inventory listed in your application was 100% accurate and there was no additional land required to be deducted from the ROW of Old McHenry or Rt. 12. These calculations will be refined when the development occurs as we will need to update the status of the natural resource base and the gross area will likely change to reflect ROW conveyances. Regardless, the proposed development is significantly below what would be allowed under the base district that fluctuations occurring when an actual development occurs should not be an issue. I have noticed that there are some discrepancies between the floodplain areas listed in Table 2 and Table 3; these should be the same (.57 acres). I also noticed a typo in tab 22 that makes reference to a flood plain area of .27 when it should be .57. You may or may not have caught this in your review.

Please review this information and call me to discuss.

Patrick S. Tierney, AICP | Lake County Planning, Building and Development
500 W. Winchester Road, Unit 101 | Libertyville, IL 60048-1331
direct: 847.377.2128 | Fax: 847-984-5854 | ptierney@lakecountyil.gov

From: Mark Eiden [<mailto:MEiden@eidenlaw.com>]

Sent: Friday, January 13, 2012 2:09 PM

To: Tierney, Patrick S.

Cc: jimkirby123@mac.com; jmcrcd@comcast.net; DiMucci Robert; John DiMucci; Mike@jm-realty.com; Cara@jm-realty.com

Subject: FW: revised site plan

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Barrington, Illinois 60010

RESOLUTION

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APPENDIX C

**DEER PARK SHOPPING CENTER
386,000 SQUARE FOOT LEASE SPACE
SITE MAP
DEVELOPMENT DATA**

Deer Park Town Center

Deer Park, Illinois

Demographics			
	Population	Households	Avg. HH. Income
5 Miles	187,553	67,363	\$123,549
7 Miles	348,169	126,573	\$119,123
10 Miles	647,940	237,645	\$113,638

Available Retail Units		
Retail Unit	Space Available	Contract Type
134A	2,871 SF	Lease
116	2,000 SF	Lease
352	1,792 SF	Lease
128	1,664 SF	Lease
416	1,300 SF	Lease
442	1,279 SF	Lease
610	1,226 SF	Lease
124	1,207 SF	Lease
122	1,000 SF	Lease

Major Tenants	
Century Theatres	48,280 SF
Barnes & Noble	25,000 SF
Crate & Barrel	23,398 SF
Gap/Gap Kids/Baby Gap	20,000 SF
Pottery Barn	10,000 SF
Restoration Hardware	10,000 SF
Banana Republic	10,000 SF

+

share





view aerial (PDF)



view site plan (PDF)



view property description



print property flyer (PDF)



Project Size

386,000 SF

Location

20530 N Rand Road (US 12)
Deer Park, Illinois 60010
LATITUDE: 42.1613
LONGITUDE: -88.0533
[Get Directions](#)



Retail Leasing

Bill Cikalo
216.755.5839
bcikalo@ddr.com

Property Manager

Chris Nguyen
847.726.7755
cnguyen@ddr.com

Retail Space near Deer Park Town Center in Deer Park, Illinois

Woodfield Village Green

Schaumburg, Illinois 60173
674,647 SF
3 available unit(s)



The Shops at Fox River

McHenry, Illinois 60051
426,078 SF
5 available unit(s)



Village Crossing

Skokie, Illinois 60077
414,706 SF
4 available unit(s)



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RESOLUTION

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APPENDIX D

LAKE COUNTY "REGIONAL FRAMEWORK PLAN"
EXCERPTS OF CHAPTERS 4, 7, 9, 10 AND 11

APPENDIX D

Selected Excerpts from the Lake County *Regional Framework Plan*

CH 4 – Environmental Resources, Open Space, and Farmland

Protecting the environmental and cultural resources, open space, and farmland of the County from the impacts of residential and commercial development is a major challenge.

This chapter strives to provide a framework for preserving and enhancing natural resources as an integrated system that conserves natural ecosystem functioning and contributes to the quality of life in Lake County. The analysis and policy recommendations contained in this chapter provide an important parameter for other Lake County Regional Framework Plan chapters. In particular, this chapter supports a Future Land Use Map and policies that respect environmental and cultural resources, while accommodating desirable development.

Preservation of environmental resources and open space is a top priority of Lake County residents.

As development pressure continues to increase, the opportunity to preserve open space and farmland is being lost.

Impervious surfaces (roof tops, parking lots, etc.) caused by development are key contributors to increasing flooding and decreasing water quality.

According to land use inventories completed by NIPC and revised by the Lake County Department of Planning, Building and Development, 125,463 acres, or 44% of the County's land area was developed by 1990. By 2000 the developed area increased by over 14,000 acres to 139,655 acres, or 49% of the County's land area. This is an 11.3% increase in the developed land area in 10 years.

4.1.4 Policy: Within unincorporated areas identified as High Priority For Open Space and Moderate Priority For Open Space, designate future land uses that limit the overall density and intensity of development and that are compatible with the protection and enhancement of environmental resources.

4.1.5 Policy: To the fullest extent possible development should occur within areas identified on the Priority Open Space Map as Built-Up or Limited Priority For Open Space.

4.1.6 Policy: Within incorporated municipalities and areas identified as Built-Up or Limited Priority For Open Space designate future land use areas with development intensities and densities sufficient to support new and improved transit options and to accommodate

projected population and employment growth through 2020, in a manner consistent with local planning objectives and this Regional Framework Plan.

CH 7 - Transportation

Traffic congestion on the highways and roads in Lake County poses a threat to the local economy and quality of life. Traffic congestion was amongst the issues most frequently mentioned by participants at the Regional Framework Plan Public Forums. “Less traffic congestion” was identified as the second most important quality of life factor in a Lake County Resident Transportation Survey conducted by the Department of Communications in 2000.

Increased traffic congestion on roadways throughout Lake County is having a negative impact on the local economy and quality of life.

Economic development, while necessary and desirable, causes increased travel and traffic congestion.

An opportunity exists to focus residential and retail development in areas accessible to transit and employment centers.

Locally, the vast majority of residents—80% of respondents to the Lake County Resident Transportation Survey—feel traffic has gotten worse in the last few years. Fifty-two percent of County residents report that traffic in Lake County limits their activities (Lake County Department of Communications, 2000:np).

7.1 Goal: Future neighborhood and community land use patterns will be transportation efficient offering transportation choices.

7.1.1 Policy: Develop a Future Land Use Map that presents a transportation efficient regional land use pattern, in a manner consistent with local planning objectives and this Regional Framework Plan.

CH 9 – Land Use

The Future Land Use Map and associated land use policies are intended to guide how and where future development occurs in Lake County. The map and policies will integrate and provide a spatial context for many of the policies contained in other chapters of the Regional Framework Plan.

The primary purpose of this chapter is to provide a Future Land Use Map and policies that reinforce the goals and policies contained in the other components of the Plan and are compatible with municipal land use plans. Towards this end, development of this chapter

Appendix D

involved individual, one-on-one meetings with representatives of 48 of Lake County's 52 municipalities.

The successful implementation of a countywide Future Land Use plan can only be accomplished with strong municipal support because: 1) municipalities can annex land without County approval; and 2) the majority of development occurs within municipal boundaries where the County has no zoning or subdivision authority.

State statutes allow counties and municipalities to enter into intergovernmental land use planning and boundary agreements to implement the plans.

The planning process has included an analysis of the land area required to accommodate residential development, non-residential development, public road rights-of-ways, and Public/Private Open Space through 2020. The residential and non-residential land use demand is based on the ratios of housing units and jobs to residential and non-residential land use acres for 2000. Residential land use areas include the Residential Single-Family and Residential Multifamily land use categories, as determined by the 2000 Land Use Inventory. Nonresidential land use areas include the Office/Research, Retail/Commercial, Industrial, and Governmental/Institutional land use categories.

The Future Land Use Map is a culminating element of the Plan. Throughout the other chapters of the Plan there are many policy statements that provide direction for decisions regarding future land use. The Future Land Use Map and supporting policies should give a physical, spatial representation of the goals and policies contained throughout the Plan. The Future Land Use Map illustrates generalized patterns for types and locations of future development and redevelopment.

The Future Land Use Map has been developed based on municipal comprehensive plans and zoning maps and the Environmental Limitations and High Priority Open Space maps provided in Chapter 4, Environmental Resources, Open Space, and Farmland. Within existing municipal boundaries, future land use is generally shown directly from the municipal comprehensive plan and input received from local officials at individual municipal land use meetings.

The Future Land Use Map represents the recommended land use pattern, based on the sources described above. In total, the mapped future land use for residential and employment areas exceeds the expected countywide demand.

The Future Land Use Map designates 43,504 acres, which is over 14% of the area of the County, for employment land uses, compared to the 5% of the County occupied by such uses during the 2000 Land Use Inventory. The acreages designated for specific employment land uses are as follows: Government/Institutional (9,282 acres); Industrial (11,070 acres); Office/Research (7,505 acres); Mixed-use (2,438 acres); and Retail/Commercial (13,209 acres). The designated employment area exceeds the calculated demand for employment areas of approximately 34,100 acres. Assuming 13.4 jobs per acre, the 43,504 acres designated for employment uses,

could accommodate employment of over 450,000 jobs, after subtracting future road rights-of-way areas.

CH 10 – Community Character

Lake County has communities and neighborhoods that range from urban, to suburban, to rural in character. Community character, in this sense, is not just the visual appreciation of the communities' physical appearance or aesthetics. It conveys a conception of lifestyle and quality of life.

In the 1994 Framework Plan, community character was defined “as a mental image of a community made up of the physical, historical, socio-cultural, biophysical, political, and technological characteristics of the community” (Lake County, 1994: 12-1). It consists of both the built-up environment and the natural environment. Beyond the physical, community character is concerned with how people use and perceive their environment as they live in it and move through it (Nelessen, 1994:7).

As used in this chapter, the term “community” does not only mean an incorporated city or village. A community can be a village or a group of villages. A community can also be a neighborhood or a group of neighborhoods. Communities include areas that are both incorporated and unincorporated. Some communities may have village centers or downtowns while others may not. Rural communities include farmland, natural areas, large lot residential areas, conservation developments, and scattered commercial activities. They are identified by natural landscapes and agricultural uses, not by town centers.

This chapter will identify issues and opportunities and describe strategies to preserve and enhance the distinct character of Lake County's communities and neighborhoods, as locally appropriate. It is intended to promote and support the goals and policies of Lake County's communities and enhance the locally expressed community character of the municipalities. Retaining and enhancing a sense of place is crucial to preserving Lake County's distinct communities and their characters.

Rural large lot residential development is appropriate to maintain the character that exists within some communities.

Intergovernmental land use planning agreements among Lake County and municipalities can be used to protect desirable community character.

Suburbs are typified by single use developments or subdivisions that are clearly separated from each other and from other uses. For rural large lot residential communities, single use residential subdivisions are desirable. They provide for less through traffic, extensive green areas, more privacy, and extensive yard areas. The desirable rural character includes houses with expansive yards; it includes ecological features such as prairies, wetlands, and forests that promote the desired rural character.

Infill development can detract from community character if it is inconsistent with the style of the community. In some cases, some zoning ordinances actually prohibit compatible development by requiring new development to set back from the established “build-to” line.

Continuous requests for zoning variations or development proposals that are inconsistent with the current character and values of the community, but comply with the ordinance, may demonstrate the need to adjust the zoning code to promote desirable community character (Hibner, 2002).

Multi-jurisdictional Planning Councils

Multi-jurisdictional planning councils can be created in order to join the efforts of a group of communities whose efforts are to enhance, create, or preserve community character. Corridor planning is one method for a planning council to enhance or create community character.

The Route 12 Corridor Planning Council is an example of corridor planning that is working to create a sense of character along Rand Road. The Route 12 Corridor Planning Council was created to improve the physical appearance of the Route 12 corridor (also known as Rand Road), including landscaping, setbacks, signage, and building height. The vision is to make Rand Road a gateway to and from Southwestern Lake County and to foster a “sense of place” for both residents and visitors (Route 12 Corridor Planning Council, 2003A). The council is made up of representatives from the villages of Deer Park, Kildeer, Lake Zurich, Hawthorn Woods, and North Barrington; Elia Township; and the Lake County department of Planning, Building and Development. With the assistance of the Northeastern Illinois Planning Commission, meetings held by the council have resulted in a set of guidelines for landscaping and signage for future development along Rand Road (Route 12 Corridor Planning Council, 2003B).

The Barrington Area Council of Governments (BACOG) is another multi-jurisdictional planning council. The council serves to develop recommendations to BACOG government members. It works to address community challenges that affect the entire BACOG community and coordinates action among its member governments. The goal of the Barrington Area Council of Governments Comprehensive Plan is: “A balance between conservation, preservation, and development which responds to the needs and desires of BACOG area residents, and is supportive of the unique qualities of the BACOG environment” (Barrington Area Council of Governments, 2003). BACOG is made of elected officials from the Villages of Barrington, Barrington Hills, Deer Park, Lake Barrington, North Barrington, South Barrington, and Tower Lakes.

Zoning

Zoning codes should be written in a manner that preserves the elements of community character (Hibner, 2002). If local plans do not contain community character objectives, zoning policies should be developed to form the basis for zoning changes and to gain consensus on defining and maintaining community character.

A community should keep its comprehensive plan up to date so that a zoning ordinance can implement the land use and development policies written in the comprehensive plan (Hibner, 2002). Zoning districts and administrative procedures in the zoning ordinance could be prefaced with a purpose statement that includes a detailed description of the desired physical character and function of each district, while allowing some flexibility of design, furthering community character objectives.

Intergovernmental Agreements

Intergovernmental agreements can help communities establish a sense of place and enhance community character. Through land use and boundary agreements municipalities can designate rural areas such as farmland, open space, parkland, conservation developments or rural large lot residential developments as transitions between denser communities. Different municipalities that have adjacent dense areas can use land use and boundary agreements to create a shared community character. With land use agreements along municipal boundaries, an area that lies on the border of two municipalities can be considered one single community with a character of its own.

10.3 Goal: Encourage land uses and designs that create rural transition areas that distinguish one community from the next.

10.3.2 Policy: Encourage the adoption of intergovernmental boundary and land use agreements that maintain low-density uses and open space in unincorporated and incorporated areas as rural transitions between denser communities.

10.5.3 Policy: Promote land uses in unincorporated Lake County that reflect the character of surrounding communities.

CH 11 - Intergovernmental Coordination and Implementation

This chapter of the Regional Framework Plan: 1) contains recommendations for strengthening intergovernmental cooperation; 2) encourages consistency among land use and zoning maps of the County and municipalities, based on the Future Land Use Map of the Plan; 3) recommends that land use regulations of the County and the municipalities be compatible and consistent with the goals and policies in the Plan; 4) prioritizes the Plan's goals and policies for implementation; and 5) addresses monitoring. The chapter includes recommendations for actions that can be undertaken cooperatively by the County, municipalities, townships, and other governmental agencies to implement the policies and strategies identified in the Plan.

A major goal of the Plan is to create a "common vision" for Lake County that will be supported by all jurisdictions and implemented through their own comprehensive plans and regulations. Consistency among the local government comprehensive plans will allow a holistic approach throughout the County, linking land use, the protection of environmental and cultural resources, economic development, transportation, housing, and infrastructure and services.

The comprehensive planning process does not end with the adoption of the Plan. To be effective, a plan must be implemented. Successful implementation of the Plan depends upon coordination and cooperation among the County, municipalities, townships, and other federal, state, and local governmental agencies. Efforts should be made to coordinate future county planning efforts, such as transportation plans, capital improvement programs, watershed plans, and Community Development's Consolidated Plans, with the Future Land Use map and policies. Cooperatively implementing the Plan is one important way the County, cities, and villages can proactively protect their "quality of life" as they move into the future.

The process of implementation is what makes a plan a "living document"—one that is constantly used, monitored, and evaluated. As the Plan is used it will be evaluated, then amended as necessary.

Intergovernmental Planning: This Plan supports development of intergovernmental relationships between municipalities and between municipalities and the County that further the public interest by coordinating annexation boundaries, land use, the protection and enhancement of natural resources, the acquisition of public open space areas and corridors, economic development, and the provision of transportation and other infrastructure and services.

Land Use Regulations: Following adoption of the Plan, the County and municipalities are encouraged to conduct a comprehensive comparison of their land use regulations to ensure consistency with the provisions of the Plan. This will include comparing the Plan's Future Land Use Map and goals and policies to zoning maps and comparing regulatory requirements with the Plan's goals and policies. Municipalities should also compare their future land use maps with the Future Land Use Map in the Plan for consistency.

Four municipal intergovernmental agreements are for future land uses. The land use agreements are between the following municipalities:

- Deerfield and Northbrook
- Hawthorn Woods and North Barrington
- Kildeer and Lake Zurich
- Lake Forest, Mettawa, and Lincolnshire

The future land uses identified in these agreements are incorporated in the Future Land Use Map for this Plan, as appropriate.

This Plan supports development of intergovernmental relationships between municipalities and between municipalities and the County that further the public interest by coordinating annexation boundaries; land use; the protection and enhancement of natural resources; the acquisition of public open space areas and corridors; economic development; and the provision of transportation, sewers, and other infrastructure and services. In order to further the

objectives set forth in this Plan, staff will explore opportunities for intergovernmental cooperation with interested cities and villages.

For geographic areas where mutual interests are identified between the County and one or more municipalities, staff will seek further direction from County Board leadership regarding further development of appropriate intergovernmental relationships. **In order for the intergovernmental planning process to be effective, planning should begin before the appearance of a controversial development proposal.**

In certain situations, County Board leadership may determine it is appropriate for County staff and officials to participate in intergovernmental planning, with or without the County entering into the final Intergovernmental Agreement. It is appropriate for the County to enter into Intergovernmental Agreements that identify areas that are to remain unincorporated for an extended planning horizon, as well as Intergovernmental Agreements that address the provision of County infrastructure, such as sewer and water. The County should be involved from the beginning in the development of intergovernmental agreements to which the County will be a signatory.

Whenever the County is involved in intergovernmental planning initiatives, appropriate provisions will be made for the participation of property owners, stakeholders, and the public. The adoption of any proposed intergovernmental plans by Lake County will include full review by the Lake County Regional Planning Commission; and/or other appropriate boards and commissions; the County Board Planning, Building and Zoning Committee; and additional appropriate County Board committees.

Route 12 Corridor Planning Council

The Route 12 Corridor Planning Council consists of the villages of Deer Park, Hawthorn Woods, Kildeer, Lake Zurich, and North Barrington; Elia Township; the Lake County Department of Planning, Building and Development; and the Northeastern Illinois Planning Commission. The Council was formed in 1997 with the intention of developing cooperative strategies to achieve orderly growth along Route 12 within the boundaries of Elia Township. Throughout its existence, the Council has focused its resources on emphasizing good design in new development and redevelopment along the Corridor. Specifically, the Council has cooperatively produced development guidelines for landscaping, sign control, and architectural features. The landscaping guidelines were completed in 2000, followed by sign guidelines in 2002 and architectural guidelines in 2003. The Lake County Board has adopted resolutions endorsing the three sets of guidelines. The resolutions instruct County review and decision-making bodies to consider the guidelines when handling applications for conditional use permits and planned unit developments for parcels along the Corridor. The County's resolutions also direct that the guidelines be provided to the five member villages and to developers to encourage their use in development projects along the Corridor. Member villages have also adopted similar resolutions endorsing these guidelines. In 2004, the Council plans to develop guidelines related to site layout. By incorporating guidelines into the review process for new projects along Route 12, the Council envisions a more unified and visually appealing development pattern along the Corridor.

Barrington Area Council of Governments (BACOG)

The Barrington Area Council of Governments (BACOG) is a voluntary association of elected officials representing the seven villages of Barrington, Barrington Hills, Deer Park, Lake Barrington, North Barrington, South Barrington, and Tower Lakes.⁵ Formed in 1970, BACOG is a regional planning organization that serves to foster discussion, study area needs, and promote the coordination of activities to solve problems of a regional nature. In addition to providing support to its municipalities on land use issues per the regional comprehensive plan, BACOG administers and updates a region-wide GIS, provides programs on emerging topics and workshops for newly-elected officials, and serves as liaison to other levels of government and planning. The organization has developed a regional model impact fee program, is researching groundwater quantity and quality in the area, and actively works on legislative issues.

The examples of SMC, SWALCO, Route 12 Corridor Planning Council, and BACOG have been provided to illustrate the range of cooperative intergovernmental activities that are already taking place in Lake County. Additional intergovernmental cooperative associations will need to be developed to implement the policies in the Plan.

Land Use Regulations

Zoning and subdivisions regulations are two of the most valuable tools the County and municipalities have for implementing their comprehensive plans. These tools are only available to the Lake County government for the unincorporated area where the County has authority for zoning and subdivision approval. Because the municipalities have been involved in the development of the Plan, it is envisioned that they will also refer to this Plan when making decisions regarding future land use, zoning, and subdivision approvals.

Following adoption of the Plan, the County is encouraged to conduct a comprehensive comparison of the Future Land Use Map and the goals and policies contained in this Plan to its zoning map and land use regulations. Similarly, the municipalities are encouraged to compare the regulatory requirements of their ordinances to the goals and policies contained within this Plan; and also compare their future land use and zoning maps with the Future Land Use Map of the Plan. The County should consider revising its zoning map and land use regulations to be consistent with the Plan. The municipalities should consider revising their future land use maps, zoning maps, and land use regulations as appropriate.

Future Land Use Map Amendments

The Future Land Use Map of the Plan will need to be amended periodically. This may occur as the result of an intergovernmental planning process or a request from a property owner. When a property owner in unincorporated Lake County seeks a rezoning, and the requested zoning category is not consistent with the Future Land Use (as shown in Figure 11.2), an amendment to the Future Land Use Map may be appropriate prior to or concurrent with the rezoning. There will be other reasons to amend the Future Land Use Map, but a land use change in conjunction with a rezoning will probably be among the most common.

Lake County, Illinois Intergovernmental Coordination 11-8 and Implementation. Requests for amendments to the Future Land Use Map will be submitted to the Regional Planning Commission's staff, which is the Planning and Support Services Division of the Lake County

Appendix D

Department of Planning, Building and Development. Application and review procedures and the amendment fee will be adopted by the County Board. An application for a Zoning Map Amendment (Rezoning) may be submitted, and will be processed, simultaneously with the request for a Future Land Use Map Amendment.

11.1 Goal: The Plan will be implemented through the cooperative efforts of the County, municipalities, other governmental agencies, residents, and businesses.

11.1.1 Policy: The Cooperative Planning Area groups will meet periodically, at least annually, to monitor implementation of the Plan and discuss additional intergovernmental initiatives.

11.1.2 Policy: The County will initiate meetings with cities, villages, and other units of local government to jointly implement policies of common interest.

11.1.3 Policy: The County and municipalities should develop intergovernmental agreements that further the public interest.

11.1.4 Policy: The County and municipalities are encouraged to conduct a comprehensive review of their land use regulations and zoning maps to ensure consistency with this Plan.

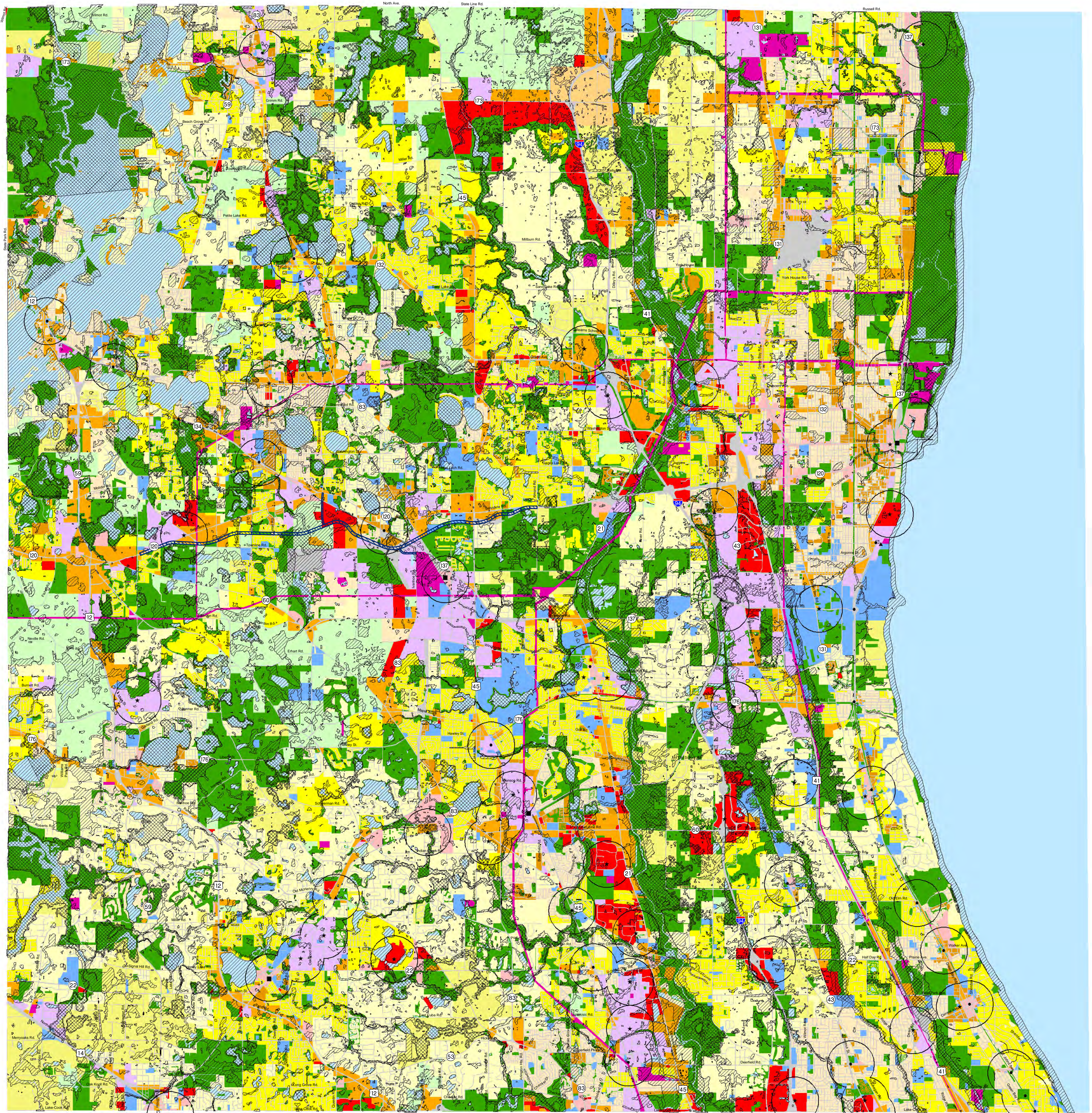
Timberlake Civic Association, Inc.
Barrington, Illinois 60010

RESOLUTION

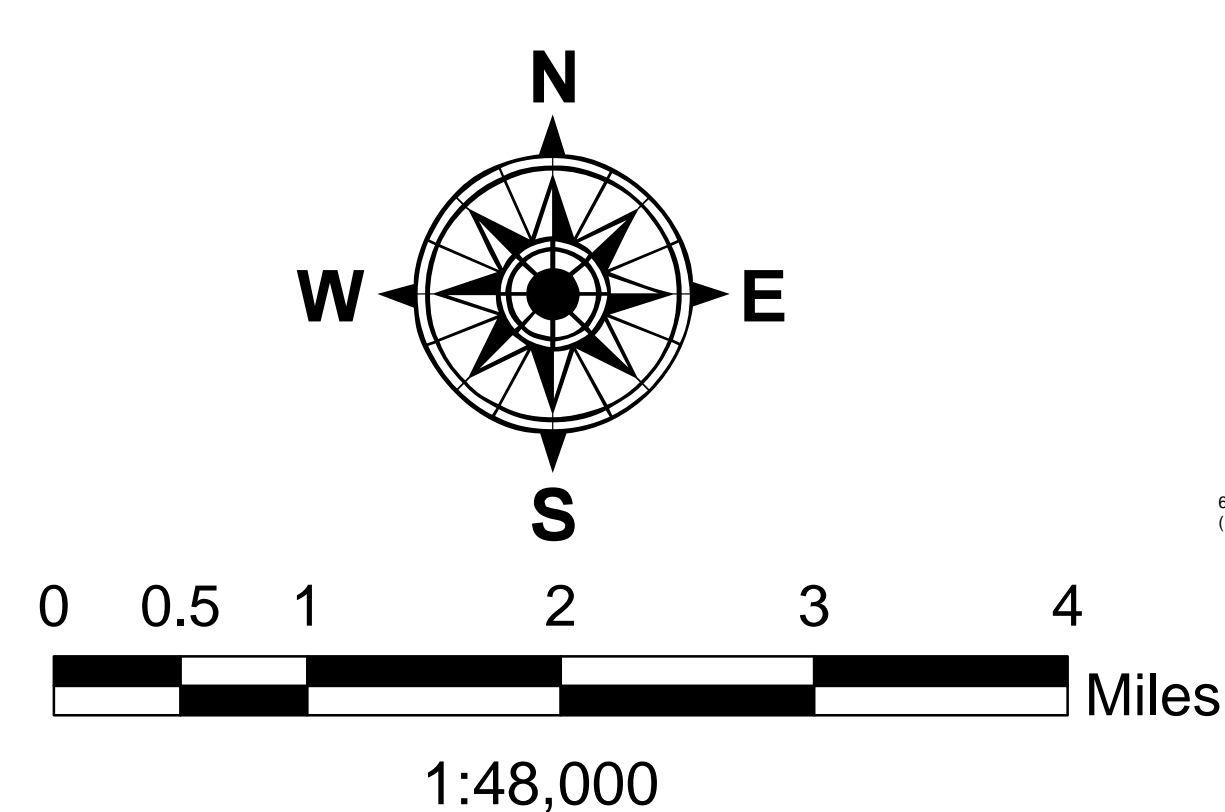
A COMMUNITY RESOLUTION OBJECTING TO THE APPLICATION ON THE PARCEL COMMONLY REFERRED TO AS THE "DIMUCCI PROPERTY" REQUESTING REZONING FROM RESIDENTIAL TO GENERAL COMMERCIAL, AND A CONDITIONAL USE PERMIT APPLICATION, AND AN APPLICATION FOR MODIFICATION TO EXTEND TIME PERIOD FOR PRELIMINARY PLAN APPROVAL

APPENDIX E

LAKE COUNTY "FUTURE LAND USE" MAP



Future Land Use



Source: Lake County Planning, Building and Development Department

Adopted: November 9, 2004
 Revised: February 13, 2007
 Revised: July 8, 2008
 Revised: November 16, 2010

Path: U:\Planning and Support Services\Framework Plan Maps\esize_FLU-Nov_2010.mxd

Timberlake Civic Association, Inc.
Barrington, Illinois 60010

RESOLUTION

A COMMUNITY RESOLUTION OBJECTING TO THE APPLICATION ON THE PARCEL COMMONLY REFERRED TO AS THE "DIMUCCI PROPERTY" REQUESTING REZONING FROM RESIDENTIAL TO GENERAL COMMERCIAL, AND A CONDITIONAL USE PERMIT APPLICATION, AND AN APPLICATION FOR MODIFICATION TO EXTEND TIME PERIOD FOR PRELIMINARY PLAN APPROVAL

APPENDIX F

**LAKE COUNTY DEPARTMENT OF
*PLANNING BUILDING AND DEVELOPMENT***

**JANUARY 25, 2010 LETTER
FROM ERIC WAGONER TO ROBERT DIMUCCI**

January 25, 2010

MEMORANDUM

To: Robert DiMucci

From: Eric Waggoner, Zoning Administrator

Subject: Enclosed Design-Related Materials

As you know, staff's intent in preparing this CD-ROM is to characterize staff's overall viewpoint on various key characteristics that a non-residential development of the DiMucci property should have and to assist you in these very **early stages of the development process** in refining your development plan for eventual formal review. How we arrived at this initial viewpoint bears some explanation, as follows:

- The underlying regulatory approach toward development of the subject property shall be considered in light of the various development processes and standards in the County's Unified Development Ordinance (UDO). A copy of the UDO is enclosed in this CD for your information. Given your previous assertion that the rezoning of the property to a non-residential district and subsequent Planned Unit Development would be the most likely development scenario for the property, particular attention should be focused on the Map Amendment (Rezoning) process in Article 3 and the Planned Unit Development provisions in Articles 3 and 7.
- As you also know, the Route 12 Corridor Planning Council (consisting of Elia Township-area mayors, the Township Supervisor, the local County Board member and County staff) had met on a regular basis between 1997 and 2005. Resulting from those discussions was the development of several Corridor Design Guideline booklets, consisting of (1) architecture, (2) site design/layout, (3) signage, and (4) landscaping. These Route 12 Corridor Planning Council Guideline packets are enclosed for the purpose of conveying the overall design aesthetics of that corridor planning group.
- Staff has done extensive evaluation of other development topics and issues not directly addressed by the UDO nor the Route 12 Corridor Planning Council including more recent elements such as sustainable design. These new considerations, in addition to a refinement of various design-related topics addressed in the Route 12 guidelines, are incorporated into the enclosed DiMucci Development Pattern Book. Hence, this Pattern Book should be considered in the context of the UDO and the Route 12 guidelines as well.

Ultimately, this enclosed material is a starting point for our more substantive discussion of the design elements of the site, and we welcome the opportunity to work with you and your development team closely as this process continues. Any follow-up questions may be directed to me by email at ewaggoner@lakecountyil.gov or by direct phone at (847) 377-2131.

Timberlake Civic Association, Inc.
Barrington, Illinois 60010

RESOLUTION

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APPENDIX G

**LAKE COUNTY DEPARTMENT OF
*PLANNING, BUILDING AND DEVELOPMENT***

FEBRUARY 16, 2012 WEBPAGE DISCUSSING DIMUCCI APPLICATION

"PRIOR TO ANY DECISIONS BEING MADE"



Lake County Planning, Building & Development Department
Patrick Tierney, Project Manager
847-377-2128
ptierney@lakecountyil.gov

Application Contents Submitted by Applicant

Update on Dimucci Family Property (Southeast corner of Route 12 and Old McHenry Road)

On February 6th, many residents attended the Lake County Regional Planning Commission (RPC) meeting to provide input on plans to develop the property located at the southeast corner of Rt. 12 and Old McHenry Road in unincorporated Lake County, owned by the Dimucci family. The RPC did not anticipate the number of attendees and the meeting room simply could not adequately accommodate the large crowd, so the RPC agreed to end the meeting early. We sincerely apologize for any inconvenience this decision may have caused. The RPC will reschedule its meeting for a different location and will notify residents in advance.

Sign-Up for the Planning Building & Development Newsletter for Updates on this Project

Read Previous Newsletters

Meeting Information

Open Houses
Saturday, March 3 9 a.m. – 12 p.m.
Wednesday, March 21 and Tuesday, March 27 5 – 8 p.m.
Concorde Banquets, 20922 N Rand Road, Kildeer

The Lake County Board and the Lake County Planning Building and Development (PBD) Department are committed to an open process that allows residents the opportunity to obtain all the facts and have a voice in this process. Prior to any decisions being made, residents will have multiple opportunities to obtain information and provide input. Lake County is planning a series of open houses to be held prior to the next RPC meeting. Residents will be able to attend at their convenience and learn more about the proposal, interact and ask questions of county officials, and provide feedback. This format will allow you to come at any time during the open house hours.

Project Summary

The Dimucci family has submitted an application to Lake County PBD to rezone their property to commercial with a Conditional Use Permit for a Planned Unit Development (PUD). What this means is that the applicant is planning for the future development of this site. Lake County PBD and the applicant have worked diligently for many months on an extensive design plan consisting of almost 250 specific design conditions, including lighting, building setbacks, parking, building height, natural resource protection and open space features, floor area, and impervious surface.



The County will maintain complete control over the development and require exhaustive standards, including:

- High-quality architectural, site design, signage and landscaping elements
- Commercial development will be limited to a maximum of 53 acres (of 108.79 total acres) and no more than 800,000 square feet; Residential development will not be allowed
- Roughly half of the site will be preserved as permanent open space

The Village of Hawthorn Wood's most recent plan (2004 Comprehensive Plan) calls for up to 50 acres of commercial development, along with residential development. The current proposal is less dense, and unlike previous proposals, it replaces residential (townhomes, single family residences) with open space, and includes only 53 acres of commercial development on the 108.79 acre site.

The applicant submitted an application to Lake County because the County maintains jurisdiction. The County has a responsibility to review this proposal and the County has the authority to act on it. The proposal defines a clear vision for the development, and allows for the County to maintain complete control. It is not "blind zoning" as some suggest. Through this Planned Unit Development process, Lake County will require exhaustive development standards that will need to be adhered to in a final development plan that will ultimately come back to the County for review and final approval.

Through this Planned Unit Development process, Lake County will require exhaustive development standards that will need to be adhered to in a final development plan. At the final development plan stage (which may take several years), the public will again have an opportunity to provide input into a final plan prior to final action by the County Board's Planning, Building and Zoning Committee (PBZ), a seven member committee of the County Board.

Process

The application is the first step in the process. This project will go through a very extensive and detailed review process, with multiple opportunities for public input. Following the upcoming open houses in March that will allow for public information and input, the Regional Planning Commission (RPC) will take public comment, review the proposal, and make a recommendation to the County Board. All meeting information will be communicated to residents well in advance.

Following the RPC recommendation, the Zoning Board of Appeals (ZBA) will also take public input and make a recommendation to the County Board, which will make a final decision on this application. All county board meetings are open to the public and posted on the county's website www.lakecountyil.gov.

Timberlake Civic Association, Inc.
Barrington, Illinois 60010

RESOLUTION

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APPENDIX H

**LAKE COUNTY DEPARTMENT OF
*PLANNING, BUILDING AND DEVELOPMENT***

**FEBRUARY 6, 2012 REPORT RECOMMENDING APPROVAL
OF THE DIMUCCI PROPOSED DEVELOPMENT**



Lake County Central Permit Facility
500 West Winchester Road
Libertyville, Illinois 60048-1331
Phone: 847.377.2600
E-mail lcpermits@lakecountyil.gov

February 6, 2012

TO: Marvin Raymond, Chairman
Lake County Regional Planning Commission

FROM: Patrick Tierney, Principal Planner, Project Manager
David Husemoller, Senior Planner
Lake County Department of Planning, Building, and Development

CASE NO: 3746

REQUESTED ACTIONS:

1. Rezone property from the Estate (E) District to the General Commercial (GC) District
2. Conditional Use Permit (CUP) for a Planned Unit Development (PUD)

MEETING DATE: February 6, 2012

GENERAL INFORMATION

OWNER: RK123, LLC, RDDT Limited Partnership, General Partner DFFT-1, LLC, Robert and Constance Dimucci Trustees.

OF PARCELS: Six

SIZE: 108.79 acres

LOCATION: Parcel 1: PIN 14-05-300-008; located at 25442 N. Old McHenry Road, Lake Zurich, Illinois.
Parcel 2: PIN 14-06-200-017; located at 25575 N. Old McHenry Road, Lake Zurich, Illinois.
Parcel 3: PIN 14-06-400-004; located at 25275 N. Old McHenry Road, Lake Zurich, Illinois.

Parcel 4: PIN 14-06-400-009; located at 25435 N. U.S. Highway 12, Lake Zurich, Illinois.
Parcel 5: PIN 14-06-400-010; located at 25479 N. Old McHenry Road, Lake Zurich, Illinois.
Parcel 6: PIN 14-06-400-011; located at 26475 N. Old McHenry Road, Lake Zurich, Illinois.

EXISTING ZONING: Estate (E)
EXISTING LAND USE: Vacant/Agricultural
PROPOSED LAND USE: Commercial Development

SURROUNDING ZONING / LAND USE

NORTH, SOUTH, NORTHWEST: Predominately single-family residential with some isolated commercial uses.
SOUTHWEST: Non-residential

COMPREHENSIVE PLANS

LAKE COUNTY: Residential Single Family Medium Lot (1-3 acre density)
HAWTHORN WOODS: Mixed Use Development (residential and commercial)

DETAILS OF REQUEST

ACCESS: Direct access to the property is from U.S. Route 12 and Old McHenry Road
NATURAL RESOURCES: The natural resource inventory provided by the applicant indicates some woodland areas and pockets of isolated wetlands that are concentrated in depressional areas. There is also a mapped floodplain area located in the northwest corner of the property.
SEWER AND WATER: The application provided by the owner indicates that a sewer agreement has been reached with the Village of Lake Zurich for providing sanitary sewer service to the property. Public water could be

provided either through an agreement with adjacent municipalities or via a private deep well. The Lake County Public Works Department has provided conditions within which a private water system should be designed and maintained. It is envisioned, that prior to presenting a Final Development Plan to the Planning, Building and Zoning Committee, that a public water system will be available to serve the property.

ADDITIONAL COMMENTS

The role of the Regional Planning Commission is to review developments of regional significance and amendments to the zoning map and to make recommendations to the decision making bodies of Lake County. According to Chapter 11 of the Regional Framework Plan “In evaluating zoning map amendments, particular consideration should be given to the [Regional Framework] Plan Future Land Use Map as well as the goals and policies contained in Chapter 9, Land Use.” Chapter 11 also recommends using the design guidelines established by the Route 12 Corridor Planning Council in development review.

RECOMMENDATION BASED ON REGIONAL FRAMEWORK PLAN

The applicants are petitioning to rezone 108.79 acres of agricultural land, located at US Highway 12 and Old McHenry Road, from Estate (E) District to General Commercial (GC) District. The application includes a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) for commercial development, with a maximum of 53 acres of impervious surface and the balance of the site in open space. Although approved at the Preliminary Development Plan stage, the rezoning will go into effect at the time of approval of the Final Development Plan by the Planning, Building and Zoning Committee.

Based on the following review of the Future Land Use map, the goals and policies of the Regional Framework Plan, and the Route 12 Corridor Planning Council Guidelines, staff recommends approval of the proposed rezoning and the Conditional Use Permit for a Planned Unit Development.

Future Land Use Map:

The subject property is designated on the Future Land Use Map as Single Family Residential Medium Lot, which specifies residential uses on 1-3-acre lots.

The property is located on a section of US Highway 12 with a mix of Residential and Retail/Commercial future land use designations. There are Retail/Commercial land uses more densely clustered to the south in Lake Zurich and to the northwest in Wauconda. This location is

adjacent to the intersection of US Highway 12 and Old McHenry Road, which has a high volume of traffic that would be more consistent with Retail/Commercial than Estate Residential development. Most of the Medium Lot Residential development in the vicinity is not adjacent to the main arterial roadways. A higher density townhouse development was recently built less than a mile south, in the Village of Lake Zurich, on land that was designated as an Agricultural Future Land Use. The Wedgewood/Mill Run Farm just north of Old McHenry Road is the only remaining Agricultural land use on US Highway 12 south of Wauconda.

Route 12 Corridor Planning Council Guidelines:

The Lake County Board has adopted resolutions endorsing the Site Layout, Architectural, Landscaping, and Sign Guidelines developed by the Route 12 Corridor Planning Council. As referenced in Chapter 11 of the Regional Framework Plan, incorporating the Guidelines of the Route 12 Corridor Planning Council into the development review process for new projects creates a more unified and visually appealing development pattern along the Corridor, consistent with community character.

Because of concerns about development patterns in the Route 12 Corridor, representatives from Elmhurst Township, the Northeastern Illinois Planning Commission, and Lake County Planning, Building and Development, together with the Villages of Deer Park, Kildeer, Lake Zurich, Hawthorn Woods, and North Barrington, jointly formed the Route 12 Corridor Planning Council in 1997.

Historically, residential development has been the primary land use pattern in this portion of Lake County. In recent years, however, increased population in Western Lake County, a concomitant increase in vehicular traffic along Rand Road [US Highway 12] and economic prosperity have all contributed to an accelerating trend of large-scale non-residential development in the area. In light of this increasing development pressure, leaders from five villages have recognized that a joint-municipal approach to corridor land use planning would facilitate orderly growth along the corridor.

Route 12 Corridor Planning Council

The standards presented in the “Pattern Book,” proposed by the applicant, reflect the Site Layout, Architectural, Landscaping, and Sign Guidelines developed by the Route 12 Corridor Planning Council. The Pattern Book provides a commitment from the applicant to meet and exceed the standards developed by the Route 12 Corridor Planning Council.

Land Use Goals:

9.1 Goal: Create well-balanced communities that provide the locally planned mix of residential and commercial land use and Public/Private Open Space.

As indicated in the Route 12 Corridor Planning Council Guidelines, retail/commercial land uses are the dominant land use along US Highway 12. The subject proposal would provide additional commercial

and employment opportunities for area residents, in a manner consistent with the rest of the Corridor. At the same time, the proposal also maintains lower density development standards more consistent with the areas to the north and east by confining development to 53 acres and setting aside the remainder of the site as open space.

9.2 Goal: Preserve and enhance natural resource areas and ensure future development does not negatively impact Environmental Limitations areas.

Even though there are very limited environmental resources on the subject property, the proposed development sets aside a large amount of open space and protection of environmental limitations. The proposed development plan includes significant setbacks with generous landscape buffering in order to preserve scenic views, particularly adjacent to areas to the east and north.

9.3 Goal: Protect agricultural areas from premature development and preserve farmland permanently where feasible and appropriate.

The subject property has been used by the applicants' family for many years for agricultural purposes and contains soils that can be considered to be prime agricultural land. However, considering the amount and intensity of commercial and office development along the US Highway 12 corridor and the fact that sewer and water services are available, the subject property could be considered ripe for development.

9.4 Goal: Capitalize on the region's existing infrastructure and services and transportation system.

The proposed development takes place on a busy intersection of a regional arterial highway and a county arterial road. The property owners have an agreement with the Village of Lake Zurich to provide sewer and water service. Sewer service is available immediately. Municipal water service will be available to the site no later than June 2018. Also, wells can be drilled for water at any time as needed. The applicant has demonstrated that other utilities are available to the site.

Since the proposed development does not include residential uses, it would provide additional tax revenues to support local school districts without adding to school enrollments.

Conclusion:

Given the continued growth along US Highway 12 and the infrastructure availability, the proposed development is consistent with the goals and policies of the Regional Framework Plan. Staff recommends approval of the proposed zoning map amendment and CUP for a PUD.