

# **Lake County Illinois**

*Lake County Courthouse and Administrative Complex  
18 N. County Street  
Waukegan, IL 60085-4351*



## **Agenda Report - Final**

**Tuesday, September 25, 2012**

**8:30 AM**

**Assembly Room**

**Planning, Building and Zoning Committee**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

3.1 [12-0985](#)

Minutes from September 4, 2012.

**Attachments:** [PB&Z Minutes 09.04.12.pdf](#)

4. ADDED TO AGENDA

5. PUBLIC COMMENT

6. OLD BUSINESS

7. NEW BUSINESS

UNIFIED DEVELOPMENT ORDINANCE

7.1 [12-1032](#)

Resolution on Zoning Board of Appeals Case No. 3746, which consists of the petition of RK123, LLC, RDDT Limited Partnership, General Partner DFFT-1, LLC, Robert and Constance Dimucci Trustees, which seeks a rezoning of a 108.79 acre parcel from the Estate (E) District to the General Commercial District (GC) in Ela Township - District 19.

- The Dimucci Family has submitted an application to rezone 108.79 acres of land located on the southeast corner of Route 12 and Old McHenry Road from the Estate (E) District to the General Commercial (GC) District.
- Over the course of 8 months, county staff participated in three open houses and facilitated 11 meetings involving both the Regional Planning Commission and the Zoning Board of Appeals to consider testimony associated with an application.
- The Regional Planning Commission voted in a split vote of 3 ayes, 5 nays and 1 abstention against a motion to grant the rezoning and conditional use permit for a Planned Unit Development because the application lacked sufficient detail, concerns over the size and scale of the development and it did not include community character issues.
- The remaining meetings before the Zoning Board of Appeals consisted of approximately 29 hours of testimony prior to the Zoning Board of Appeals rendering a decision.
- Staff is recommending approval of the rezoning request given that it meets the standards for a rezoning as specified in the UDO as summarized by the trend of development, availability of public facilities, and compatibility with the surrounding area.

**Attachments:** [ZBA Final Staff Report 07-13-12 \(2\).pdf](#)

[3745 PDP-FDP PDP ZBA Conditions 07-16-12.pdf](#)

[Letter of Intent County HW NB 9-6-12.pdf](#)

[DIM Boundary HW & N Barr 1999 04 08.pdf](#)  
[DIM Boundary HW & LZ 2003 08 04 2nd Amendment Full.pdf](#)  
[North Barrington VHW 1st Amendment to IGA.pdf](#)  
[IGA Summaries HW NB.pdf](#)  
[NB Annexation Map Staff Draft.pdf](#)  
[NB Annexation Proposal 4-23-12.pdf](#)  
[NB Annexation Map 5-23-12.pdf](#)  
[RPC Information Packet 6-4-12.pdf](#)  
[RPC Questions.pdf](#)  
[Sewer Agreement HW and LC 10-22-09.pdf](#)  
[Sewer Agreement LC and NB.pdf](#)  
[Sewer Agreement LZ and HW 8-20-03.pdf](#)  
[Summary of Sewer Agreements.pdf](#)  
[3745 PDP - FDP PDP Comments 12-15-11.pdf](#)  
[Cover - Index to Documents.pdf](#)  
[Tab 1 - Narrative Description of Project.pdf](#)  
[Tab 2 - Last Deed of Record and Disclosure of Party\(ies\) in.pdf](#)  
[Tab 3 - Location Map and Aerial Photograph.pdf](#)  
[Tab 4 - Survey.pdf](#)  
[Tab 5 - Preliminary Development Plan.pdf](#)  
[Tab 6 - Pattern Book.pdf](#)  
[Tab 7 - Application for Zoning Amendment.pdf](#)  
[Tab 8 - Zoning Standards.pdf](#)  
[Tab 9 - Purposes and Intents of Zoning Ordinance.pdf](#)  
[Tab 10 - Application for Conditional Use Permit for Planned Develop.pdf](#)  
[Tab 11 - Conditional Use and Planned Development Standards.pdf](#)  
[Tab 12 - Application for Major Modification.pdf](#)  
[Tab 13 - Trend of Development.pdf](#)  
[Tab 14 - Adjacent Uses Maps.pdf](#)  
[Tab 15 - Sewer and Water Agreement with Lake Zurich.pdf](#)  
[Tab 16 - Utility Analysis.pdf](#)  
[Tab 17 - Natural Resources Summary Map.pdf](#)

[Tab 18 - Soil and Water Conservation District Report.pdf](#)

[Tab 19 - Illinois Dept of Natural Resources Review.pdf](#)

[Tab 20 - Historical Preservation Review.pdf](#)

[Tab 21 - Wetlands.pdf](#)

[Tab 22 - Floodplain.pdf](#)

[Tab 23 - Woodlands.pdf](#)

[Tab 24 - Soils Information.pdf](#)

[Tab 25 - Topographic Survey.pdf](#)

[Tab 26 - Depressional Storage.pdf](#)

[Tab 27 - Site Capacity Calculations.pdf](#)

[Tab 28 - Sight Distance Study and Preliminary Traffic Analys.pdf](#)

[Tab 29 - Title Restrictions.pdf](#)

[Tab 30 - Taxing District Benefits.pdf](#)

[Tab 31 - Court Reporter Agreement.pdf](#)

[BACOG Letter.pdf](#)

[Hawthorn Woods Objection Letter.pdf](#)

## 7.2 **12-1033**

Resolution on Zoning Board of Appeals Case No. 4756, which consists of the petition of RK123, LLC, RDDT Limited Partnership, General Partner DFFT-1, LLC, Robert and Constance Dimucci Trustees, for a Conditional Use Permit (CUP) for a Planned Unit Development and PUD Preliminary Plan.

- In association with the Dimucci Property application to rezone 108.79 acres of land located on the southeast corner of Route 12 and Old McHenry Road the family's application includes a request for a Conditional Use Permit for a Planned Unit Development and PUD Preliminary Plan approval for a nonresidential development.
- The application consists of a 53 acre development surrounded by over 50 acres of open space.
- The ZBA hearing was continued to allow for further discussions between County Board and Village representatives to reach a consensus on development conditions.
- In early September an agreement was reached and a Letter of Intent was drafted by all parties that will serve as a basis for an Intergovernmental Agreement between County Board and the Villages of North Barrington and the Village of Hawthorn Woods.
- Staff is recommending approval of the PUD Preliminary Plan subject to several conditions that relate to development conditions, stormwater management, transportation and sewer and water improvements. These conditions have been further refined to incorporate the development conditions contained in the Letter of Intent.

## 7.3 **12-1034**

Committee action on a modification request from Article 10 of the Unified Development Ordinance (UDO) regarding Subdivisions by RK123, LLC, RDDT Limited Partnership,

General Partner DFFT-1, LLC, Robert and Constance Dimucci Trustees to extend the length of time to obtain approval of a PUD Final Plan.

- As part of the Dimucci Property application the owners are requesting a modification from Article 10, Section 10.7.5.6 of the Unified Development Ordinance that requires a PUD Final Plan be approved within 24 months of the date the PUD Preliminary Plan is approved.
- The applicant's request is to extend the date within which the PUD Preliminary Plan remains in effect for up to 5 years or until 2017.
- Their application states that a combination of negotiation of appropriate tenant mixes, detailed planning, engineering and building design aspects for a quality development necessitate extending the time period.
- Staff has evaluated this request and has determined that the request is reasonable and should be granted.

**DIRECTOR'S REPORT**

**8. EXECUTIVE SESSION**

**9. COUNTY ADMINISTRATOR'S REPORT**

**10. ADJOURNMENT**