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December 31, 2019

TO: George Bell, Chairman  
Lake County Zoning Board of Appeals

FROM: Brad Denz, Senior Planner/Project Manager  
Lake County Department of Planning, Building, and Development

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CASE NO: 1. #000536-2019 – A Conditional Use Permit (CUP) for a Planned Unit Development (PUD) for a self-service storage use (indoor/outdoor)  
2. #000537-2019 – Rezone property from Residential-1 (R-1) to the General Commercial (GC) zoning district.

HEARING DATE: January 7, 2020

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#### **GENERAL INFORMATION**

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APPLICANTS: Timothy James, record owner.

# OF PARCELS: One

SIZE: 22.50 acres, per Lake County's GIS Calculated Acreage

LOCATION: 25250 W. Old Rand Road, Wauconda, Illinois.  
PIN 09-36-400-009

EXISTING ZONING: Residential-1 (R-1)

PROPOSED ZONING: General Commercial (GC)

EXISTING LAND USE: Single-family dwelling, two agricultural structures for horses and storage

PROPOSED LAND USE: Self-service storage (indoor/outdoor)

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#### **SURROUNDING ZONING / LAND USE**

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NORTH: Residential-1 (R-1) / Single-family residences

EAST: Open Space (OS) / Vacant and equestrian trail, owned by the Lake County Forest Preserve District

WEST: Residential-1 (R-1) / Church  
SOUTH: General Commercial (GC) / Auto body shop, roofing contractor, and water well contractor

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### **DETAILS OF REQUEST**

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ACCESS: The primary access to the property will be from W. Old Rand Road. An emergency access to exit the site will be provided at the south east corner of the property to W. Brown Road.

PHYSICAL CHARACTERISTICS: The subject property is improved with a single-family dwelling and two structures for equestrian uses. The southeast corner of the property is elevated from the rest of the site and generally drains to west, north, and northwest. An established tree line along the northern edge of the elevated terrain bisects the south-central portion of the property from the northeastern portion of the property in which mature woodlands and independent significant trees are located.

FLOODPLAIN / WETLAND: The property contains mapped wetlands and floodplains.

SEWER AND WATER: The subject property will be served by a septic system and private water well.

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### **COMPREHENSIVE PLANS**

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LAKE COUNTY: Residential Single-family Medium Lot (1 to 3-acre lot density)

MUNICIPALITIES WITHIN 1 ½ MILES: Village of Wauconda / Estate Residential

Village of Hawthorn Woods / Single-Family

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### **PROJECT AND LEGISLATIVE OVERVIEW**

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The applicant has proposed a self-service storage business for indoor personal storage, storage of boats (indoor/outdoor), and recreational vehicles (indoor/outdoor). The proposed Preliminary Development Plan includes covered parking without walls, which is classified as "outdoor storage". The covered parking areas for stored items will be positioned between the larger interior storage buildings.

The subject property is currently located within the Residential-1 (R-1) zoning district. The proposed project/use requires, at minimum, a Conditional Use Permit (CUP) and a rezoning to the General Commercial (GC) zoning district, which is the least intensive zoning district that would allow the

proposed uses with a CUP. Indoor recreational vehicle storage would be allowed as part of a self-storage use; however, outdoor recreational vehicle storage is not allowed in the General Commercial zoning district, absent a CUP. Due to the property's natural conditions (i.e. with wetlands and woodlands occupying the majority of the property's northern half), the applicant has concentrated the proposed development on the southern half of the property

The PUD considers site-specific features and surrounding compatibility regarding adjacent nonresidential characteristics and pattern of development. Developments which qualify for a PUD are ones that encourage innovative land planning and site design that achieve a high-level of environmental protection, energy efficiency, aesthetics, high-quality development and other goals by:

- Reducing or eliminating the inflexibility that sometimes results from the strict application of zoning standards that were primarily designed for smaller, independent lots;
- Allowing greater freedom in selecting the means to provide access, light, open space and design amenities;
- Promoting quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and arrangements.

With the exception of natural resource protection standards, the PUD provides flexibility from the development standards applicable to the project (i.e. setbacks, lighting, landscaping, floor area, impervious surface ratio, parking) that may not otherwise be accommodated without variances. Within a nonresidential PUD, the maximum intensity ratios (amount of floor area and/or amount of impervious surface) may exceed that allowed in the underlying nonresidential zoning district by up to 15% if approved as part of the PUD Preliminary Plan by the County Board. The project/application permits would be reviewed in accordance with the standards established by the PUD.

The PUD process includes two phases: Preliminary Plan and Final Plan reviews. The Preliminary Plan includes a review of the rezoning and site plan at public hearing before the Zoning Board of Appeals (ZBA). Following the ZBA review, the Preliminary Plan and rezoning request is presented to the Lake County Public Works, Planning and Transportation (PWPT) Committee and recommendations of both entities are then forwarded to the County Board for review and action for both the rezoning and Preliminary Plan. The Final Plan is reviewed by staff and subsequently reviewed by the PWPT Committee for final action.

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## **PUD PRELIMINARY PLAN DETAILS**

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The Lake County Code requires the PUD Preliminary Development Plan address the following standards for on-site development:

- Tree Protection and Reforestation;
- Wetland protection and enhancement;
- Landscaping;
- On-site lot coverage and setbacks;
- Parking;
- Access;

- Outdoor Lighting;
- Signage

## I. Tree Protection and Reforestation

The project has undergone a thorough and extensive review process by County staff, who, in cooperation with the applicant and the applicant's design consultants, have placed emphasis on the quality of the mature woodlands and wetlands and prioritized their protection while allowing for accommodation of the applicant's development needs for the site. With the proposed GC zoning district, the Lake County Code allows for the applicant to potentially reduce the required woodland protection area from 70% to 15%, upon an approval by the Director. As a result of the collaboration between the County reviewing agencies and the applicant to strike a balance between development and preservation, the applicant proposes the following protection and natural resource enhancements:

- Elimination of invasive species and reforestation with native trees;
- 50% mature woodland protection;
- Continuation of contiguous open space;
- Biodiversification of wetlands through enhancement and mitigation

The subject property contains 3.61 acres of mature woodlands and 13 trees with a diameter breast height at 24-inches or greater which are considered significant and are of fair-to-good quality. Per Lake County Code Section 151.071 (I), a minimum of 70% of mature woodland areas and "significant trees" shall be protected and maintained as permanent open space. The Lake County Code allows the Planning, Building and Development Director to make a determination of hardship as a result from strict application of the woodland and tree protection standards of the Lake County Code, and if so, the Director may authorize the clearance of more protected tree or woodland area than is otherwise permitted. Such a determination would only be authorized upon approval of the rezoning by the County Board and the Final Development Plan by the PWPT Committee.

The applicant has proposed to concentrate the development area on the south half of the property in an effort to preserve the mature woodlands as much as possible, which primarily are located at the center and east side of the property. The proposed development impacts 50% of the mature woodland area and 10 of the 13 significant trees. The allowable reduction of the required protected mature woodland area from 70% (2.5 acres) to 50% (1.8 acres) requires the planting of a new woodland area that consists of one and one-half times the surface acreage of the woodland area disturbed. The reforestation plan proposes 1.6 acres of reforestation area, located on the north side of the existing mature woodland and adjacent to the west and south side of the 0.8-acre residential parcel to the northeast (25005 W. Ivanhoe Road). This exceeds the minimum required reforestation area of 1.05 acres. The proposed reforestation area will be an enhancement to the existing woodland as the applicant intends to remove the dead and diseased species and plant species that are native to the area. The applicant also intends to engage in a thorough eradication of invasive buckthorn specimens distributed heavily throughout the property, which will further improve the health and vitality of the native woodlands on the property.

## II. Wetland Protection and Enhancement

The existing on-site floodplain and wetland areas of 6.41 acres will be protected at 100%, however due to the low-quality character of these areas, the County has requested enhancements. It is anticipated that a Category IV wetland permit shall be required. The replacement of the wetland

environment is appropriate if the development narrative and design supports the restoration, creation, and enhancement of wetlands and there are demonstrated net gains in aquatic resource function. All wetland enhancement areas, preserved wetlands, areas improved by best management practices and installed water quality devices shall be located within a covenant or deed restricted open space for natural areas protection/stormwater management functions on the final development plan. These include:

- Performance standards – Established for measuring wetland enhancement and mitigation success, which includes a performance period, wetland and buffer vegetative standards, elimination of invasive species dominance.
- Monitoring Plan and Management Plan - A 3-Year plan shall include, at a minimum, a description of the sampling methodologies to be followed for evaluating hydrology in the wetlands and assessing vegetation in the wetlands and buffers, which includes vegetative monitoring. *The management plan* shall include a description of the anticipated management practices to be employed each year to meet the performance standards
- Best Management Practices / Water Quality – Established for measuring stormwater runoff. Prior to discharging to any wetlands or adjoining property, the development must divert and detain the “first flush” of a storm event.
- Soil Erosion and Sediment Control requirements - The Lake County Planning, Building and Development Department regulates soil erosion and sediment control (SE/SC) practices; SESC related measures are required to be constructed and maintained for any regulated land disturbance activity, in accordance with the standards of this section. All temporary measures and permanent erosion and sediment control shall be maintained continuously in an effective, working condition.

### III. Landscaping

The landscape requirements consist of three segments: 1) Transition yard landscaping abutting a residential zoning district or use; 2) Street yard landscaping; 3) Parking lot landscaping. The applicant proposes the following plant material:

#### Transition Yard Landscaping

- a. For a use in the GC zoning district, the Lake County Code requires 1-plant unit per 100 linear feet along the western property line. A plant unit is comprised of 1 canopy tree, 2 understory trees, 2 evergreen trees, and 7 shrubs per 100 lineal feet. The current landscaping plan meets this requirement.
- b. The adjacent residential property to the northeast (25005 W. Ivanhoe Road) requires 3 plant units per 100 linear feet plus a 6-foot board-on-board fence or a 3-foot earthen berm. The plant material required would be 15 canopy trees, 30 understory trees and 102 shrubs.

This plant material is currently not included on the landscape plan. In consideration of the number of existing trees and those proposed in the reforestation, the applicant will seek to execute a waiver or partial waiver of these landscape requirements with the adjacent property owner.

### Street Landscaping

The Lake County Code classifies Old Rand Road (southwest) and Brown Road (east) as “Local Roads” which require 2 canopy trees per 100 linear feet of road frontage. The proposed landscape plan exceeds this requirement.

The Lake County Code classifies Ivanhoe Road (north) as a “Collector Road” which requires 1 plant unit per 100 linear feet. As a result, the following plant material would be required along Ivanhoe Road:

- Canopy Trees – 8
- Understory Trees – 16
- Evergreen Trees – 16
- Shrubs – 56

Given the amount of existing plant material within the street landscape area, mature woodland, reforestation, and the approximate distance of 700 linear feet from Ivanhoe Road to the development area on the southside of the subject property, the applicant has proposed not to install landscape material adjacent to Ivanhoe Road.

### Parking Lot Landscaping

Parking lots between 4,000 and 10,000 square feet shall contain landscaped areas to reduce the expanse of pavement in the amount of 5% of the paved surface area. The landscaped areas shall be located entirely within the lot in either internal or corner islands. Although the proposed parking area of 1,800 square feet (6 spaces) is below this threshold, the applicant has proposed corner landscaped islands.

### Additional Landscaping

Although not required by the Lake County Code, the Preliminary Development Landscape Plan includes landscape material east of the main entrance, south of the wetland (north of the main office) and along the west side of the proposed storage units.

## IV. On-site lot coverage and setbacks

Listed below are the standard lot area requirements for the General Commercial (GC) Zoning District:

### Setbacks

Front/Street Property Line = 30 feet

Sides = 12 feet each\*

Rear = 12 feet

Maximum Impervious Surface Ratio = 0.70

Maximum Floor Area Ratio = 0.30

Maximum Building Height = 35 feet

A minimum of 4 feet is required between structures.

\* Any one interior side setback may be waived if: (a) the development complies with all applicable fire codes; (b) adjacent to Limited Commercial (LC) or less restrictive zoning district; (c) adequate access provided to the rear of the property.

The Preliminary Development plan meets these standard setback requirements for the GC zoning district.

The maximum impervious surface (0.70) and floor area (0.30) is established by subtraction of the floodplain and wetland areas to establish a “net site area” of the parcel to establish maximum buildability thresholds. As the net site area is established at 16.71 acres, listed below are the standard development thresholds:

Impervious Surface

Maximum allowed	Proposed
11.7 acres (509,652 sq. ft)	9.26 acres (403,365 sq. ft)

Floor area

Maximum allowed	Proposed
5.01 acres (218,235 sq. ft.)	3.08 acres (134,164 sq. ft)

V. Parking

Due to the low volume of traffic anticipated by the proposed use; the Lake County Code does not have a minimum requirement of parking spaces for self-service storage. Six parking spots are proposed adjacent to the front office at the southwest corner of the property.

VI. Access

The primary access into the subject property will be from Old Rand Road located at the southwest corner of the property. The Wauconda Fire District has requested an access from Brown Road to the east, which can be locked with an emergency lock by the applicant, for accessibility only available to the Fire Department.

VII. Outdoor Lighting

The Lake County Code requires outdoor lighting shall not exceed 0.50 footcandle at any point on the adjoining property if the subject property abuts a residential zoning or use. Outdoor lighting shall not exceed 1.00 footcandle at any point on the adjoining property if the subject property abuts a nonresidential zoning district or a lot containing a nonresidential use or at the right-of-way line. The current plan meets these requirements.

VIII. Signage

The total sign area allowed is based the linear footage of building frontage doubled. The dimensional standards for construction of new freestanding signs are as follows:

Maximum Height: 30 feet  
Maximum Area: 80 square feet (text area of sign – one side)  
Minimum Setback: 10 feet

For signs with Electronic Message Boards, the electronic message board component of a freestanding sign may comprise no more than 60% of the sign’s total allowed sign face area. The electronic message board component of a building sign shall not exceed 48 square feet in a nonresidential zoning district class and 36 square feet in an institutional zoning district class. Freestanding electronic message boards must be mounted on a base with a width that is at least 75% of the width of the sign’s face, based on the greatest horizontal dimension of the sign face. The maximum height of the electronic message board component of a freestanding sign shall be 12 feet as measured from the ground elevation to the highest point on the electronic message board component

The message area of an electronic message board sign may be illuminated by incandescent lamps, LED (light emitting diodes), or magnetic discs. Whatever the light source, undue brightness is prohibited. For the purpose of enforcing this provision, undue brightness will be construed to mean illumination of a white portion of the sign in excess of the intensity levels specified below:

Day:	5,000 nits
Night:	1,000 nits

The applicant is proposing one freestanding sign that is 35 feet in height, has a sign area of 66 square feet and will be located at a 23-foot setback. The electronic message board portion of the sign will be located at a maximum height of 29.5 feet with a sign area of 33 square feet.

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### LAKE COUNTY AND EXTERNAL AGENCY COMMENTS

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#### Illinois Department of Natural Resources – Brian Willard

“This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCat identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Area are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any off the above conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project’s implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR’s authorization or endorsement of the proposed action.



McHenry – Lake County Soil & Water Conservation District – Spring Duffy

The McHenry – Lake County Soil & Water Conservation District has submitted the required Natural Resource Information Report.

Lake County Environmental Engineering Division - Comments by Brian Frank

PUD Plan Review: Conditionally approved. A Site Development Permit is required and will need to be obtained prior to the start of construction.

Please note the following typographical issues, which will need to be corrected during the site development permit review process:

- a. Sheet 4 (Natural Resource Plan) the "Existing Trees to be Removed" leader is not pointing to a tree to be removed.
- b. Sheet 6 (Geometrics Plan) the second column of storage units from the east is labeled as 50' instead of 70'.

Lake County Building Division - Comments by Brian Bob Springer

The Building Division has no objection to the granting of this request, subject to all structures being designed and built in accordance with all building codes currently adopted by the Lake County Planning Building & Development Department.

Lake County Health Department - Comments by Mark Mussachio

The Health Department has no objections to the request for the CUP.

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**RECOMMENDATION ON REZONING**

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Staff recommends approval of the rezoning since, in staff's opinion, the request meets the Standards for a Map Amendment Approval contained in Section 151.047(G)(2) of the Lake County Code as follows:

**Zoning Map Amendment Approval Criteria**

Standard 1. The proposed amendment is consistent with the stated purpose and intent of Section 151.005.

Comment: See Appendix A, page 15

Standard 2. The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition in the area.

Comment: The subject property has been unsuccessfully marketed for several years as a residential use/zoning. Given the inactivity of the property for such use, the applicant foresaw the highest and best use of the property as nonresidential (along with implementing natural resource and aesthetic standards) along the south side of the property adjacent to other nonresidential uses and zoning. The proposed amendment meets the challenge of a generally changing development trend along US Route 12. Specifically, although for

decades, property along US Route 12 was primarily rural and agricultural, development along this strategic regional arterial corridor has more recently trended to commercial uses. Conversely, in contrast to the site's current Residential-1 (R-1) zoning classification, new single family detached residential development directly along US Route 12 has been virtually non-existent within Wauconda Township to the north and Ela Township to the south for several miles since the 1990s. Residential development has occurred primarily at a distance from this regional highway along local and collector roads.

Standard 3. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property.

Comment: Development permitted through the map amendment will be inextricably bound by the Planned Unit Development and accompanying conditions of approval; as such the combination of rezoning and Planned Unit Development conditions will allow development that is compatible with existing uses and zoning of nearby property. Development along US Route 12 in the vicinity of the site consists of a mixture of existing residential and nonresidential uses and zoning classifications. Specifically, properties to the south and southwest are located in the General Commercial (GC) zoning district with nonresidential uses. To the west is a nonresidential religious institutional use located in the Residential-1 (R-1) zoning district. To the north is Residential-1 (R-1) zoning with large-lot single-family dwellings of which the proposed development will be located 750 linear feet away from the nearest residential property line with extensive landscaping along with existing and newly planted, predominantly native trees separating these uses. The property to the east is located in the Open Space (OS) zoning district and is owned by the Lake County Forest Preserve. Ultimately, with an established mixed residential and nonresidential development pattern in the vicinity of the site, the request meets this standard.

Standard 4. The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development.

Comment: The rezoning of the parcel to General Commercial will allow for a self-service storage use (Outdoor) with an approved PUD-CUP. The County will be able to provide adequate levels of service to the property as a private septic and water well are required. Wauconda Township Highway Department will need to approve the proposed access improvements prior to approval of the building permits.

Standard 5. The proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife, and natural resources.

Comment: Compliance with all requirements of the UDO and all applicable permitting agencies, in addition to other conditions required through the Conditional Use Permit and Preliminary Development Plan process (including, but not limited to, the Preliminary Development Plan development intensity thresholds, setbacks, open space restrictions, and other constraints, as well architectural, signage, landscaping and site layout elements) will ensure that no significant adverse impacts to other property or the environment will occur.

Standard 6. The subject property is suitable for the proposed zoning classification.

Comment: The property itself is suitable for development as a commercial Planned Unit Development given its size (sufficient to accommodate amply buffered commercial development), close access to a strategic regional arterial highway, the well-established commercial development trend along US Route 12, and the need to promote a well-balanced tax base. The property is therefore suitable for the proposed GC zoning classification with the development restrictions and conditions imposed through the PUD-CUP.

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## **RECOMMENDATION ON CONDITIONAL USE PERMIT**

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Staff is inclined to recommend approval of the Conditional Use Permit (CUP) as the proposal meets a preponderance of the Conditional Use Permit Approval Criteria in Section 151.050(F)(3) of the Lake County Code as follows:

Standard 1: The use in its proposed location will be consistent with the stated purpose and intent of Section 151.005:

Comment: See Appendix A, page 15

Standard 2: The proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Section 151.112:

Comment: With the exception of the outdoor RV storage, the proposed uses are allowed within the GC zoning district. The County's development review process will ensure all Ordinance requirements are satisfied.

Standard 3: The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Regional Framework Plan:

### 1. Adjacent Property

Comment: The proposed commercial PUD, controlled by a variety of development conditions, will not have an adverse impact on adjacent property. New development along the US Route 12 strategic regional arterial corridor has generally trended towards commercial uses in recent decades to meet retail, employment, and service needs of the growing population in this part of the County. At various locations along this regional corridor, commercial and other non-residential projects have been sited adjacent to or in the direct vicinity of existing residential development at a short distance from the highway or at major road intersections. More recent non-residential development proposals along the corridor have incorporated more context-sensitive and environmentally sustainable site planning features. In the case of the subject proposal, the project's 61% permanent preservation of open space along the northside of the property, reinforced through significant setbacks, landscaping opacity, and photometric requirements, will ensure minimal visual, noise and light impacts on adjacent property. Further, the property is currently improved with a single-family dwelling and equestrian agricultural use, and as a result off-site stormwater release and water quality has become degraded over time. The stormwater management and water quality impacts on adjacent property will be improved and mitigated in the proposed

development through UDO standards and additional best management practices. Finally, the applicant's architectural plans – as one of several development conditions – will ensure that the design of the site and buildings thereon will be visually appealing, unobtrusive from surrounding properties, and visually compatible with adjacent properties.

## 2. Character of the neighborhood

Comment: The character of the area along and near the US Route 12 corridor is well-established as a mixture of residential and abutting commercial and other non-residential uses. The County's Framework Plan promotes the use of these guidelines in regulating new corridor developments in the unincorporated area, and the County Board has adopted a series of resolutions requiring their use in the context of conditional use permits and planned unit developments along US Route 12 within the boundaries of nearby Ela Township. Although the proposed development is just north of the Ela Township border, the proposal follows these corridor design elements. The development will not have adverse impacts on the character of the area.

## 3. Natural Resources

Comment: The County's ordinance and other agency regulations will ensure that such existing natural resources will be protected, enhanced, or mitigated. Further, the development's impact on the environment will be significantly improved through the extensive use of permanent open space, the inclusion of stormwater and water quality best management practices. The development will not have a substantial adverse impact on natural resources; to the contrary, the proposed development's environmental features will enhance and improve the quality of wetlands and mature woodland areas.

## 4. Infrastructure

Comment: The property will be served by private septic system and on-site well. The site's concentrated commercial layout on the south side of the property necessitates a main access point to the southwest along Old Rand Road, and an emergency access point along Brown Road to the east. The site's commercial development must conform to modern fire and life safety codes.

## 5. Public sites

Comment: The Lake County Forest Preserve, *Lakewood Horse Trailer Parking and Trail*, is located east of the subject property along Brown Road. This public park is open from 6:30 a.m. to sunset and includes a 0.82-mile walking trail and an equestrian path which extends to the north and east into the Lakewood Forest Preserve grounds, which are south of US Route 176 and east of Fairfield Road. Landscaping and berming along the subject property's eastern perimeter adjacent to Brown Road will visually buffer the development from the adjacent Forest Preserve property. Moreover, the proposal's emphasis on thorough buckthorn eradication and native woodland and wetland enhancement will bring the subject property into closer alignment and continuity with the Forest Preserve property from a natural resource stewardship standpoint.

6. Any other measures affecting the public health, safety, or general welfare

Comment: The applicant's development proposal, bounded by significant open space preservation, development intensity limits, setbacks, lighting controls, stormwater enhancements, and water quality best management practices will help mitigate negative impacts on public health, safety, and welfare and add positive benefits to the area. The site's proposed commercial use will enhance and balance the local tax base, add a service option for the area population, and will not add to population growth directly adjacent to a strategic regional arterial corridor. As such, the proposed development will not have a substantial adverse impact on any other aspects of public health, safety, or general welfare.

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**RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN**

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Staff recommends approval of the Preliminary Development Plan because the proposal meets the Standards for Preliminary Plan Approval in Section 151.051(C)(7) of the Lake County Code.

Standard A: The proposed development in its proposed location is consistent with the Regional Framework Plan.

Comment: See Appendix A, page 15

Standard B: The proposed development in its proposed location complies with the PUD standards of Section 151.132.

Comment: The proposed PUD complies with the standards set forth in Section 151.132(B) of the Lake County Code as follows:

- 1) Greater choice in the type of environment and living units to the public:  
Not applicable.
- 2) More open space through conservation development practices  
The Preliminary Development Plan proposes 61% open space on the northside of the property adjacent to the residential zoning use.
- 3) Open space resources connected to one another  
All open space is contiguous along the north side of the property and is near (i.e. across a local road from) the open space to the East within the Forest Preserve.
- 4) A creative approach to the use of land and related physical development  
The principal purpose of the PUD concept allows for innovative design in return for benefits that cannot be achieved through the standard zoning regulations. The rezoning and PUD application combined will ensure only the proposed use of a self-service storage facility can be located on the subject property.
- 5) An efficient use of land resulting in smaller networks of utilities and streets  
The site's large size and location, coupled with the proposal's high-quality design, environmental controls and open space preservation, will ensure that resulting development will be environmentally sensitive and consistent with local community

character. These features will allow the development to be oriented to US Route 12, provide more significant buffering to the residential development north of the site, and greatly enhance native habitat and other natural amenities.

- 6) Promotion of mixed-use development  
Not applicable

Standard C: The proposed development in its proposed location will not result in a substantial adverse effect on any of the following, either as they exist at the time of application or as they may in the future be developed as a result of implementation of the Regional Framework Plan:

- 1. Adjacent property

Comment: See Conditional Use Permit Approval Criteria - Standard 3.1, page 11

- 2. Natural resources

Comment: See Conditional Use Permit Approval Criteria - Standard 3.3, page 12

- 3. Infrastructure

Comment: See Conditional Use Permit Approval Criteria - Standard 3.4, page 12

- 4. Public sites

Comment: See Conditional Use Permit Approval Criteria - Standard 3.5, page 12

- 5. Any other matters affecting the public health, safety, or general welfare.

Comment: The applicant's development proposal, bound by significant open space preservation, intensity limits, setbacks, lighting controls, stormwater and water quality best management practices, will help both mitigate negative impacts on public health, safety and welfare and add positive benefits to the area. The site's proposed commercial use will enhance and balance the local tax base, add a service option for the area population, and will not add to population growth directly adjacent to a strategic regional arterial corridor. As such, the proposed development will not have a substantial adverse impact on any other aspects of public health, safety or general welfare.

**APPENDIX A**  
**UDO Purpose and Intent**  
**Section 151.005 of the Unified Development Ordinance,**  
**Lake County, Illinois Code of Ordinances**

Staff Note: A number of listed purpose and intent provisions in Section 151.005 of the Unified Development Ordinance (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 Store More 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. Although the subject property is adjacent to and not abutting Route 12, development along the US Route 12 strategic regional arterial corridor from the County Line north to Wauconda has generally trended commercial/nonresidential in recent years which provides employment and service needs of the population in this part of the County and provides a balanced tax base for taxing districts. Conversely, in contrast to the site's current Residential-1 zoning classification, new single family detached residential development directly along US Route 12 has been virtually non-existent within Wauconda and Ela Township since the 1990s. Residential development has occurred primarily at some distance from this regional highway along local and collector roads. Hence, while the proposed development is currently inconsistent with the Future Land Use Map, changing conditions since its' 2004 adoption 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 proposed development is consistent with the general trend of development along US Route 12. Given the site's size of 22.5 acres and buildable area of 16.71 acres on the southside of the property adjacent to nonresidential uses and zoning, this particular site lends itself towards a nonresidential use rather than residential development. With the nonresidential uses and trend of development within close proximity to US Route 12, the proposed use would be consistent with this standard.
  2. **Protect prime agricultural lands from premature development; and protect priority open space, natural and cultural resources:** The site is currently improved with an older single-family dwelling and two larger agricultural structures for equines and agricultural storage. The site's current use is no longer consistent with the needs and trends adjacent to US Route 12. Policy 9.3.2 of the Regional Framework Plan recommends rezoning of agricultural land "to accommodate desirable development and when appropriate infrastructure and services are available or will be provided by the developer". Given the lack of new residential development in contrast to the amount and intensity of nonresidential development adjacent to US Route 12, the subject property is suitable for the rezoning. The

proposed development allocates 61% of the site to 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 area located to the north of the subject property.

- 3. Direct growth to locations where infrastructure capacity is available or committed to be available in the near future:** The subject property is currently served by private water well and septic system. The proposed non-residential use does not require public sewer or public water service. The site will be accessed from Old Rand Road to the southwest and an emergency access to the east along Brown Road; the site is located proximate to U.S. Route 12, a strategic regional corridor. As the proposal is intended to accommodate a sub-regional market with self-storage options, the proximity to the highway aligns with this standard. At the time of permit approval, all additional necessary road improvements and access-related improvements will be required by the Wauconda Township Highway Department. 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 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 use is a nonresidential storage facility. While a residential component is not part of the development plan, housing opportunities are currently available in the site's vicinity and the proposal, given its proximity to U.S. Route 12 (a strategic regional arterial), provides additional choice within the sub-regional commercial market for self-storage.
- 6. Encourage an appropriate range of housing types:** Not applicable
- 7. Protecting landowners from any adverse impacts associated with development:**  
The proposed commercial PUD, controlled by a variety of development conditions, will not have an adverse impact on adjacent property. New development along the US Route 12 strategic regional arterial corridor has generally trended towards commercial uses in recent decades to meet retail, employment, and service needs of the growing population in this part of the County. At various locations along this regional corridor, commercial and other non-residential projects have been sited adjacent to or in the direct vicinity of existing residential development at a short distance from the highway or at major road intersections. More recent non-residential development proposals along the corridor have incorporated more context-sensitive and environmentally sustainable site planning features. In the case of the subject proposal, the project's 61% permanent preservation of open space along the northside of the property, reinforced through significant setbacks, landscaping opacity, and photometric requirements, will ensure minimal visual, noise and light impacts on adjacent property. Further, the property is currently improved with a single-family dwelling and equestrian agricultural use, and as a result off-site stormwater release and water quality has become degraded over time. The stormwater management and water quality impacts on adjacent property will be improved and mitigated in the proposed development through UDO standards and additional best management practices. Finally, the applicant's architectural plans – as one of several development conditions – will ensure that the design of the site



and buildings thereon will be visually appealing, unobtrusive from surrounding properties and visually compatible with adjacent properties.

- 8. 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. The benefits of the proposed open space enhancement and stewardship extend beyond the subject property, given the contiguity of the site (across Brown Road to the east) to the managed Lakewood Forest Preserve.
- 9. Controlling development in areas of sensitive natural resources, in order to reduce or eliminate adverse environmental impacts:** The site's existing wetlands will be protected or mitigated, proposes 50% protection of the mature woodland, and will include reforestation utilizing native trees while eliminating invasive tree species. 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.
- 10. Protecting the integrity of watersheds:** The subject property is located within the Slocum Lake Drain sub-watershed, within the Fox River watershed. This watershed will be protected through the site's large concentration of open space and stormwater management best practices.
- 11. Promoting sustainable development:** The project represents sustainable development best practices with significant open space preservation and sustainable best practices for natural resources management.
- 12. Promoting conservation development:** The proposal calls for a nonresidential self-service storage use consisting of commercial development confined to south side of the property with the remaining 61% of the site remaining within permanent, enhanced open space.
- 13. 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:** The subject property is served by private septic and water well and does not require public facilities. The development does not generate a need for school facilities but will provide additional property tax revenue to support local school services.
- 14. Protecting the tax base by managing growth within unincorporated Lake County:** This large commercial site will contribute to the tax base in unincorporated Lake County.
- 15. Promoting land use patterns that increase efficiency in service provision and prudent use of fiscal resources and local government expenditures:** 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 concentrated commercial layout necessitates a main access point to the southwest along Old Rand Road and an emergency access point along Brown Road to the east.

- 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 concentrates commercial development to the south side of the site's total 22.5 acres. The site will be further buffered through reforestation and landscaping. The project's development conditions will provide adequate privacy, light and air within and surrounding the site.

**EXHIBIT A**

Proposed Conditions for Case #PUD-000536-2019

1. The Final Development Plan shall be consistent with the proposed architectural plans.
2. Wetland protection and enhancement verification is required upon site plan approval.