

RESOLUTION

No. #000537-2019
Wauconda Township

STATE OF ILLINOIS)
)SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS

April 14, 2020

CHAIR AND MEMBERS OF THE COUNTY BOARD:

Pursuant to State Statutes and following property publication of public notice, the Lake County Zoning Board of Appeals conducted a public hearing on January 7, 2020 relative to the application of Timothy James, to rezone the property identified by PIN 09-36-400-009 and commonly known as 25250 W. Old Rand Road, Wauconda, Illinois, from the Residential-1 (R-1) zoning district to the General Commercial (GC) zoning district. The subject property is legally described as follows:

That part of the northeast ¼ of the southeast ¼ of Section 36, Township 44, North, Range 9, East of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said quarter quarter section thence running west on the quarter quarter section , line 80 rods, thence south 68 rods; thence east 80 rods, thence north 68 rods to the place of the beginning (excepting therefrom that part thereof conveyed by Andrew C. Bangs, and Frances M. Bangs, his wife, to Louis H. Todd, by warranty deed recorded March 13, 1876, in Book 58 of Deeds, Page 476, describes as follows: commencing 12 rods north of the southwest corner of the northeast ¼ of the southeast ¼ of Section 36, Township and Range aforesaid, thence north 24 rods to the center of Wauconda and Chicago Highway thence southeasterly along the center of said road 38 rods, thence west 29 rods and 11 links to the place of beginning, and except the west 300 feet to the northeast ¼ of the southeast ¼ of Section 36, Township 44 North, Range 9, East of the Third Principal Meridian, lying north of the center line of Rand Road), in Lake County, Illinois, also excepting therefrom the north 240 feet of the east 250 feet of the southeast ¼ of Section 36, Township 44 North, Range 9 East of the Third Principal Meridian, in Lake County, Illinois.

The proceedings of the public hearing conducted on this request were manually and electronically transcribed and a transcript of the testimony is on file and available for public review at the office of the Lake County Zoning Board of Appeals.

In making its recommendation, the Zoning Board of Appeals has considered and taken into account the following:

- a. A site inspection of the property in question;
- b. Reports and recommendations from interested official bodies;
- c. The testimony at the hearing; and

d. Criteria provided in Section 151.047(G)(2) of the Lake County, Illinois Code of Ordinances.

At the close of the hearing of the Lake County Zoning Board of Appeals held on January 7, 2020, a motion to recommend the rezoning from the R1 zoning district to the GC zoning district passed by a vote of 7 to 0.

At the regular review meeting of the Lake County Zoning Board of Appeals held on March 5, 2020, after final review and in due consideration of all the evidence and testimony presented, the Board confirmed that the request for rezoning from R1 zoning district to the GC zoning district meets the standards for map amendments contained in Section 151.047(G)(2) as described below.

Standard 1: The proposed amendment is consistent with the stated purpose and intent of Sec. 151.005 of the Lake County, Illinois Code of Ordinances.

Comment: 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, services the 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.

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 the property along US Route 12 was primarily rural and agricultural for decades, 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 the rezoning in conjunction with the Planned Unit Development conditions will allow a development that is compatible with existing uses and zoning of nearby properties. 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 and improved 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.

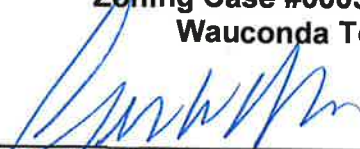
Standard 5: The proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife, and natural resources and in fact, the environmental conditions of the site will be improved through significant open space preservation and the proposed sustainable best practices to be utilized for natural resources management.

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.

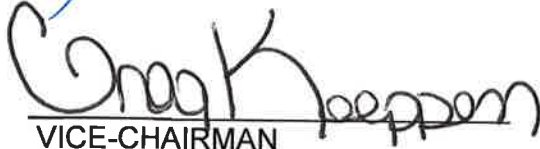
Standard 6: The subject property is suitable for the proposed zoning classification.

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.

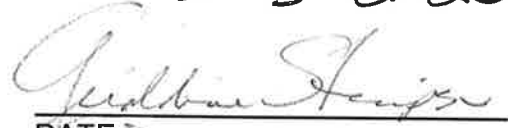
Zoning Case #000537-2019
Wauconda Township



CHAIRMAN
DATE:



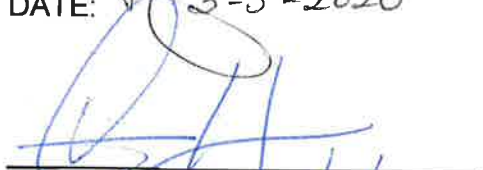
VICE-CHAIRMAN
DATE: 3-5-2020



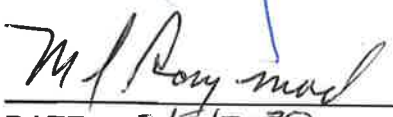
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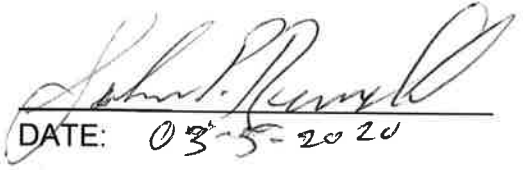
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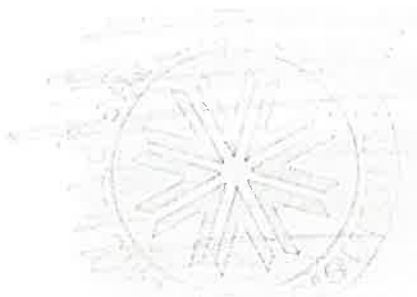
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Dated this 5th day of March, 2020