



**AGENDA PACKET**  
**VILLAGE OF LAKE ZURICH**  
**Planning and Zoning Commission Virtual Meeting**

**February 17, 2021**  
**07:00 pm**

# **VILLAGE OF LAKE ZURICH**

## **PLANNING AND ZONING COMMISSION VIRTUAL MEETING**

**FEBRUARY 17, 2021**

**07:00 PM**

### **AGENDA**

#### **1. CALL TO ORDER AND ROLL CALL**

Chairperson Orlando Stratman, Vice-Chair Kurt Baumann, Antonio Castillo, Ildiko Schultz, William Riley, Craig Dannegger, Joe Giannini, and Alternate Mike Muir.

#### **2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

##### **A. Minutes of the Planning and Zoning Commission Meeting, on January 20, 2020.**

Attachment: [2A.pdf](#)

#### **3. PUBLIC MEETING - No items at this time.**

(This agenda item includes items that do not require public testimony)

#### **4. PUBLIC HEARING**

(This agenda item includes proposals presented to the Planning & Zoning Commission requiring public testimony, discussion and recommendation to the Village Board for final action. Written testimony and comments submitted to [info@lakezurich.org](mailto:info@lakezurich.org) prior to the start of the meeting will be read into the record.)

##### **A. 410 Telser Rd Special Use Permit (PZC 2021-02):**

The Application was continued at the January 20, 2021 at the request of the applicant. Continued public hearing to consider a special use permit for a trucking company, yard, and maintenance facility for semi-tractor-trailer trucks.

Applicant: Sungor Transportation

Owner: Barbara Koldon

Attachment: [4A.pdf](#)

##### **B. 265 North Rand Road -- Andy's Deli:**

The Application was continued at the October 21, 2020 meeting to give the applicant the opportunity to address comments of the PZC. Continued public hearing to consider a request for a Planned Unit Development (PUD) and Zoning Map Amendment for the development of the property with a Deli/Sandwich Shop and retail store with two residential units above. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant and Owner: Kolasa Real Estate Investment Inc.

Attachment: [4B.pdf](#)

#### **5. OTHER BUSINESS - No items at this time.**

#### **6. STAFF REPORTS**

(This is an opportunity for staff of the Community Development Department to report on matters of interest to the Planning & Zoning Commission)

#### **7. PUBLIC COMMENT**

(Comments submitted to [info@lakezurich.org](mailto:info@lakezurich.org) prior to the start of the meeting will be read into the record.)

#### **8. ADJOURNMENT**

Unapproved  
**VILLAGE OF LAKE ZURICH**  
**PLANNING & ZONING COMMISSION MINUTES**  
**January 20, 2021**  
(Electronic Online Meeting)

The meeting was called to order by Chairman Stratman at 7:01 p.m.

**ROLL CALL:** *Present* – Chairman Stratman, Commissioners Baumann, Castillo, Riley, and Schultz. *Absent*: Commissioner Giannini, and Muir. Chairman Stratman noted a quorum was present, and Commissioner Dannegger arrived at 7:04 p.m. *Also present*: Community Development Director Sarosh Saher, Innovation Director Michael Duebner, and Planner Tim Verbeke.

Chairman Stratman read the Rules of Procedure that will be followed during the online electronic meeting. Residents were given the opportunity to comment through email or in writing prior to the meeting, to participate in the virtual online meeting after preregistering, or to comment during the meeting with staff monitoring the various Village platforms.

**CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Approval of the December 16, 2020 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Castillo, seconded by Commissioner Baumann to approve the December 16, 2020 minutes of the Planning and Zoning Commission as submitted.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Riley and Schultz.

NAYS: 0

ABSENT: 2 Commissioner Muir, Giannini

MOTION CARRIED

**PUBLIC COMMENT** - Director Duebner, who have been and will continue to monitor online platforms, had received public comments through email that had been forwarded to the PZC members and would become part of the record.

**PUBLIC MEETING:**

A. 1240 Honey Lake Road – Final Plat of Subdivision for Beech Drive Subdivision (PZC 2021-01)

*Applicant: Sameer Ghanma, National Land Development Group, LLC*

*Owners: Laura & Debra Armentrout*

Chair Stratman read a statement asking if participants would agree to participate in an electronic meeting and listed the conditions. Mr. Ghanma agreed to the conditions.

Applicant Sam Ghanma, representing National Land Development Group, gave a presentation on the proposed four new single-family homes and final plat of subdivision. Mr. Ghanma explained that one home will be constructed on the property to the north in the future to reduce the storm water impact on the surrounding area. The lots will have a similar character to the lots to the west and Mr. Ghanma will be dedicating 30 feet along Honey Lake for stormwater mitigation.

Planning &amp; Zoning Commission Meeting Minutes, January 20, 2021

2

Commissioner Schultz had clarifying questions regarding the wooded area in the rear of the property. Mr. Ghanma indicated that it will be the responsibility of the homeowners. Commissioner Schultz had additional questions regarding the style of the home, stormwater management, and the current swimming pool on the property.

Commissioner Baumann had follow-up questions regarding stormwater management and the Honey Lake Road culvert. Director Saher indicated the culvert was already addressed by the developers engineer.

Commissioner Riley asked if all the diseased trees would be taken care of. Mr. Ghanma indicated that they would be.

MOTION was made by Commissioner Castillo, seconded by Commissioner Baumann, to receive into the public record the staff review of compliance of this Application for Final Plat with the zoning standards as presented by staff this evening, and to make these standards a part of the official record for the Application and approve the Final Plat of Subdivision for Beech Drive Subdivision.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Riley and Schultz.

NAYS: 0

ABSENT: 2 Commissioner Muir, Giannini

MOTION CARRIED

#### **PUBLIC HEARING:**

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann to open the following public hearing at 7:41 p.m. for Application PZC 2020-08, 265 N Rand Road – Continued Consideration for a PUD for a European Deli; and Application PZC 2021-02, 410 Telser Rd Special Use Permit PZC 2021-02.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Riley and Schultz.

NAYS: 0

ABSENT: 2 Commissioner Muir, and Giannini

MOTION CARRIED

Those wishing to speak were sworn in by Chairman Stratman. Chair Stratman read a statement asking if participants would agree to participate in an electronic meeting and listed the conditions, and all agreed to the conditions. Planner Verbeke confirmed that the public hearing had been properly noticed and those wishing to comment had and would be given an opportunity to do so.

*Continued Application:*

**A. 265 North Rand Road – Andy's Deli (former Joe's Barbershop property):**

The Application was continued at the October 21, 2020 meeting to give the applicant the opportunity to address comments of the PZC and return at the November meeting. The Applicant has requested additional time and asked that the hearing be continued to the February 17, 2021 meeting of the PZC.

*Applicant and Owner: Kolasa Real Estate Investment Inc.*

MOTION was made by Commissioner Castillo, seconded by Commissioner Baumann, to continue the public hearing on Application PZC 2020-08 to the next scheduled PZC meeting on February 17, 2021 at 7 p.m.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Riley and Schultz.

NAYS: 0

ABSENT: 2 Commissioner Muir, and Giannini

MOTION CARRIED

*New Applications:*

B. 410 Telser Rd Special Use Permit:

The Application to consider a special use permit for request for a trucking company, yard, and maintenance facility for semi-tractor-trailer trucks. The Applicant has requested additional time and asked that the hearing be continued to the February 17, 2021 meeting of the PZC.

*Applicant and Owner: Sungor Transportation*

MOTION was made by Commissioner Baumann, seconded by Commissioner Riley, to continue the public hearing on Application PZC 2021-02 to the next scheduled PZC meeting on February 17, 2021 at 7 p.m.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Riley and Schultz.

NAYS: 0

ABSENT: 2 Commissioner Muir, and Giannini

MOTION CARRIED

**OTHER BUSINESS** - None

**STAFF REPORT:**

Planner Verbeke said the Andy's Deli and 410 Telser Rd will be on the February agenda.

**PUBLIC COMMENT:**

Directors Duebner said no additional comments or requests to speak had been received during the course of the meeting.

**ADJOURNMENT:**

MOTION was made by Commissioner Schultz, seconded by Commissioner Castillo, to adjourn the meeting.

The meeting was adjourned at 7:52 p.m.

*Submitted by: Tim Verbeke, Planner*

Approved by:



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

**APPLICATION PZC 2021-02**  
**PZC Hearing Date: February 17, 2021**

**AGENDA ITEM 4.A**

**STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Tim Verbeke, Planner  
Mary Meyer, Building Services Supervisor

Date: February 17, 2021

Re: PZC 2021-02 Zoning Application for 410 Telser Road – Sungor Transportation Special Use Permit for trucking company, yard, and maintenance facility

**SUBJECT**

Igor Burduja, Sungor Transportation, (the “Applicant”) requests a Special Use Permit to operate a trucking company, yard, and maintenance facility for semi-tractor-trailer trucks at the property commonly known as 410 Telser Road and legally described in Exhibit A attached hereto (the “Subject Property”).

**GENERAL INFORMATION**

Requested Action: Special Use Permit

Current Zoning: I Industrial District

Current Use: Vacant Building

Proposed Use Office, Truck Yard and Maintenance Facility

Property Location: 410 Telser Road

Applicant: Igor Burduja, Sungor Transportation

Owner: Barbara Koldon

Staff Coordinator: Tim Verbeke, Planner

**Staff Report**  
**APPLICATION PZC 2021-02**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

**LIST OF EXHIBITS**

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

**BACKGROUND**

Igor Burduja, Sungor Transportation (the “Applicant”), with the consent of the owner, Ms. Barbara Koldon, is proposing to relocate his licensed and bonded freight shipping/trucking company, known as Sungor Transportation, from Palatine to Lake Zurich. The land use is proposed to be established at 410 Telser Road, and legally described in Exhibit A attached hereto (the “Subject Property”).

The Applicant desires to establish a trucking company and office and maintenance area in the existing industrial building, along with a yard on the vacant parcels to north. Yard and maintenance facilities require a special use permit in the Lake Zurich I-Industrial zoning district.

The primary activity of the land use as classified by the Standard Industrial Classification (SIC) System is “over-the-road” trucking services, (SIC #4212 and #4213), either as common carriers or under special or individual contracts or agreements, for freight generally weighing more than 100 pounds. The SIC code also allows for terminals operated by such motor freight transportation companies for their own use classified in the same Industry Group 421, and also provides for separate maintenance and service facilities operated by motor freight transportation companies (classified as auxiliary). All such activities are allowed as “permitted uses” in the I Industrial District.

However, the Lake Zurich zoning code classifies “yards and maintenance facilities” as special uses, requiring further review and scrutiny through the public hearing process with Village Board approval.

The Applicant has therefore filed an application with the Village of Lake Zurich received on December 28, 2020 (the “Application”) additionally seeking:

- Special Use Permit to establish a yard and maintenance facility (S)

The Subject Property is located within the Village’s I Industrial Zoning District. The existing approximately 13,800 square-foot building on the property will be retrofitted with a maintenance facility and supporting offices. The only alterations to the building will include increasing the size of the two overhead doors on the North Elevation to allow for truck repairs. A floor drain system along with a triple basin will be installed within the building to comply with State of

**Staff Report**  
**APPLICATION PZC 2021-02**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

Illinois Plumbing Code. The remaining two vacant parcels to the north are proposed to be paved for use as a parking lot and operate as a truck parking and staging area. The truck parking area will consist of 31 truck parking spaces 12 feet x75 feet with a 60-foot wide drive aisle. The parking lot is set back from the street for a distance of 50 feet to provide an area for a landscape berm and screening.

Transportation Services provided by Sungor Transportation include: Vans, Flatbed, Reefer, Dry Bulk, Hazmat, Car Transport, Tankers, Coal/Coke. Sungor Transportation Inc. is a Hazmat certified freight shipping Trucking Company. The Applicant has stated that no loads (freight) will be stored on the subject property. Sungor Transportation will operate a fleet of 35 semi-tractor-trailer trucks at this location with eight employees working in the office full time.

Pursuant to public notice published on January 5, 2021, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for February 17, 2021, to consider the Application. On December 31, 2020 the Village posted a public hearing sign on the Subject Property (Exhibit B).

The public hearing was opened by the PZC on January 20, 2021, but continued at the request of the applicant.

Staff offers the following additional information:

- A. **Courtesy Review.** Due to the low impact of this project, courtesy review was not recommended.
- B. **Zoning History.** The property is located within the Lake Zurich Industrial Center Unit II Subdivision, Lot 13-16, which was recorded on October 24, 1983 in Lake County and is zoned within the I-Industrial District. The existing warehouse building was constructed in 1985, and used by Koldon Moving and Storage, a moving company up until 2020.
- Sungor Transportation has been operating at 300 South Hicks Road in Palatine since 2015. The business is expanding and looking to relocate to a larger property to allow for maintenance and truck parking on the same site.
- C. **Surrounding Land Use and Zoning.** The subject property is located on Telser Road at the heart of the Industrial Park. The land to the north, south, east, and west of the Subject Property is zoned I-Industrial and improved with a variety of Industrial uses.
- D. **Trend of Development.** The subject property is located within the thriving Lake Zurich Corporate and Industrial Park in the northeast quadrant of the Village. The accessibility to major state highways, a strong industrial park community, room for potential growth and development, all position the Subject Property in a desirable location for many industrial-oriented businesses.
- E. **Zoning District.** The I-Industrial district is intended to provide for a range of nuisance free manufacturing, warehousing, transportation, wholesaling, and industrial uses that are

**Staff Report**  
**APPLICATION PZC 2021-02**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

compatible with the suburban residential character of the village. The industrial district is also meant to accommodate certain professional offices and similar uses that may provide services to the industrial users and are compatible with the industrial character of the district. It is the goal of these regulations to provide and preserve an area within the village for industrial uses that create employment and economic benefits for the village and the industrial district.

### **GENERAL FINDINGS**

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

#### **9-19-3: STANDARDS FOR SPECIAL USE PERMITS.**

Staff has reviewed the plan and found that the development proposal will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

A. General Standards: No special use permit shall be recommended or granted unless the applicant shall establish substantial conformance with the following:

1. **Zoning Code and Plan Purposes:** The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

**Staff Response: Standard met. The development will continue to remain in substantial conformance with the purpose and intent of the I-Industrial District, and the land use designation of the adopted Comprehensive Plan.**

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

**Staff Response: Standard met. The business is consistent with industrial-oriented development in the Industrial District. All maintenance activities will take place within the enclosed building on the property. The business has demonstrated that it does not have any substantial or undue adverse effect upon any adjacent properties and does not adversely impact the public health, safety, and general welfare of the Village.**

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

**Staff Report**  
**APPLICATION PZC 2021-02**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

**Staff Response: Standard met. The entirety of the business and its activities will be operated on the subject property.**

**Standard somewhat met. Even though the requirement of landscaped yards along the perimeter of parking lots does not apply to parking lots located in required interior side or rear yards in the I industrial district, landscaping is required for yards as proposed in this Application. The Applicant has failed to provide adequate screening and buffering between the proposed parking lot/yard and the street/neighbors properties. Staff continues to work with the Applicant to complete the landscape requirements.**

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

**Staff Response: Standard met. The proposed development is currently served by and will continue to be served adequately by essential public facilities and services such as streets, utilities, drainage and other municipal services. No change in impact these are anticipated at this time.**

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

**Staff Response: Standard met. Telser Road has adequate capacity to accommodate the traffic generated by semi-tractor-trailer trucks that will be attributed to Sungor Transportation.**

**Staff Response: Standard somewhat met. The applicant did not provide any details showing the maneuvering and truck movements within the property, as no backing onto Telser Road is allowed. The applicant has yet to provide striping details for truck parking and automobile parking. Staff will review the handicapped spaces location/details upon final engineering submittal if approved.**

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

**Staff Response: Standard met. The proposed use will not result in the destruction or removal of any natural features. Any removal of trees will require a tree removal permit which provides for compensation through new replacement trees or a fee in lieu of. The proposal indicated that the existing wetland pond will be preserved and enhanced. The Applicant is proposing to**

**Staff Report**  
APPLICATION PZC 2021-02

**Community Development Department**  
PZC Hearing Date: February 17, 2021

**construct an additional detention facility at the rear of the property to compensate for the additional paved areas of the truck parking lot.**

7. **Compliance with Standards.** The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

**Staff Response: Standard met. There are no additional standards imposed on the land use by the zoning code.**

8. **Positive Effect.** The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

**Staff Response: Standard met. The proposed development will continue to contribute to the established character of the Industrial Park.**

B. **Special Standards for Specified Special Uses.** When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

**Staff Response: Standard met. The applicant has agreed to and staff will ensure that the Applicant continues to comply with the conditions imposed on trucking company, yard, and maintenance facility.**

C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. **Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

**Staff Response: Standard met. The business will continue to provide a convenient location for this service within the community.**

2. **Alternative Locations.** Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

**Staff Response: Standard met. There is no evidence that the proposed location is inappropriate for the proposed land use, so an alternative location would not be any more appropriate than the proposed location. A trucking company,**

**Staff Report**  
APPLICATION PZC 2021-02

**Community Development Department**  
PZC Hearing Date: February 17, 2021

**with a yard, and maintenance facility requires a Special Use Permit and is only provided for within the Industrial District.**

3. **Mitigation of Adverse Impacts.** Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

**Staff Response: Standard met: The warehouse building has been developed and constructed to prevent any undue adverse effect on itself or on surrounding property in relation to its location, design and operation.**

**Standard somewhat met. The proposed truck parking yard will need to provide adequate screening and buffering between the street/neighbors uses.**

**Staff Report**  
**APPLICATION PZC 2021-02**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

**RECOMMENDATION**

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits

Based on the review of staff, the standards for approval continue to be met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2021-02, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - a. Zoning Application and Cover Letter dated December 28, 2020, prepared by Mr. Igor Burduja, of Sungor Transportation
  - b. Exhibit A: Legal Description
  - c. Floor Plan prepared by Sungor Transportation, dated December 28, 2020.
  - d. Engineering Plans dated January 21, 2021, prepared by MEI
  - e. Exterior Design dated January 21, 2021, prepared by MEI
  - f. Engineer's Estimate of Probable Cost dated January 21, 2021, prepared by MEI
  - g. Stormwater Report dated January 21, 2021, prepared by MEI
  - h. Revised Engineering Plans February 3, 2021, prepared by MEI
2. The final landscape design plan depicting the required landscape screening of the yard and maintenance areas from the street and neighboring properties shall be submitted for approval by village staff prior to construction of the various new improvements on the subject property. Such screening shall consist of a solid fence in compliance with Section 8-11-1 of the Lake Zurich Municipal Code, and screening plant material as approved by village staff.
3. The final lighting and photometric design plan depicting, in particular, exterior lighting within the truck parking yard shall be submitted for approval by village staff prior to construction of the various new improvements on the subject property.
4. The Applicant shall submit any proposals for onsite signage or branding to the village prior to final plan approval. The final proposed signage plan shall be approved by village staff.
5. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Tim Verbeke  
 Planner

**Staff Report**  
APPLICATION PZC 2021-02

**Community Development Department**  
PZC Hearing Date: February 17, 2021

**LAKE ZURICH PLANNING & ZONING COMMISSION**  
**FINAL FINDINGS & RECOMMENDATIONS**

**FOR 410 TELSER ROAD**  
**February 17, 2021**

The Planning & Zoning Commission recommends approval of Application PZC 2021-02, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **February 17, 2021** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - a. Zoning Application and Cover Letter dated December 28, 2020, prepared by Mr. Igor Burduja, of Sungor Transportation
  - b. Exhibit A: Legal Description
  - c. Floor Plan prepared by Sungor Transportation, dated December 28, 2020.
  - d. Engineering Plans dated January 21, 2021, prepared by MEI
  - e. Exterior Design dated January 21, 2021, prepared by MEI
  - f. Engineer's Estimate of Probable Cost dated January 21, 2021, prepared by MEI
  - g. Stormwater Report dated January 21, 2021, prepared by MEI
  - h. Revised Engineering Plans February 3, 2021, prepared by MEI
2. The final landscape design plan depicting the required landscape screening of the yard and maintenance areas from the street and neighboring properties shall be submitted for approval by village staff prior to construction of the various new improvements on the subject property. Such screening shall consist of a solid fence in compliance with Section 8-11-1 of the Lake Zurich Municipal Code, and screening plant material as approved by village staff.
3. The final lighting and photometric design plan of the entire property depicting, in particular, exterior lighting within the truck parking yard, shall be submitted for approval by village staff prior to construction of the various new improvements on the subject property.
4. The Applicant shall submit any proposals for onsite signage or branding to the village prior to final plan approval. The final proposed signage plan shall be approved by village staff.
5. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
  - Without any further additions, changes, modifications and/or approval conditions.
  - With the following additions, changes, modifications and/or approval conditions:

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Planning & Zoning Commission Chairman

**Staff Report**  
APPLICATION PZC 2021-02

**Community Development Department**  
PZC Hearing Date: February 17, 2021

**EXHIBIT A**  
LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOTS 13, 14, 15 AND 16 IN LAKE ZURICH INDUSTRIAL CENTER UNIT II BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1983 AS DOCUMENT NUMBER 2246623, IN LAKE COUNTY, ILLINOIS.

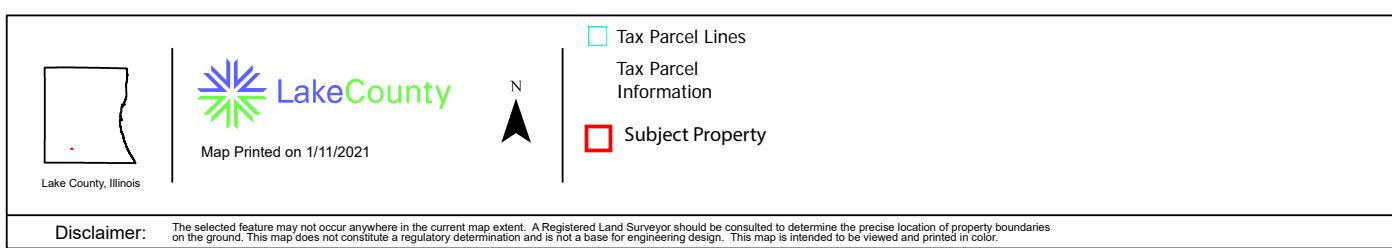
**Staff Report**  
APPLICATION PZC 2021-02

**Community Development Department**  
PZC Hearing Date: February 17, 2021

**EXHIBIT B**  
PUBLIC HEARING SIGN PRESENT AT SUBJECT PROPERTY



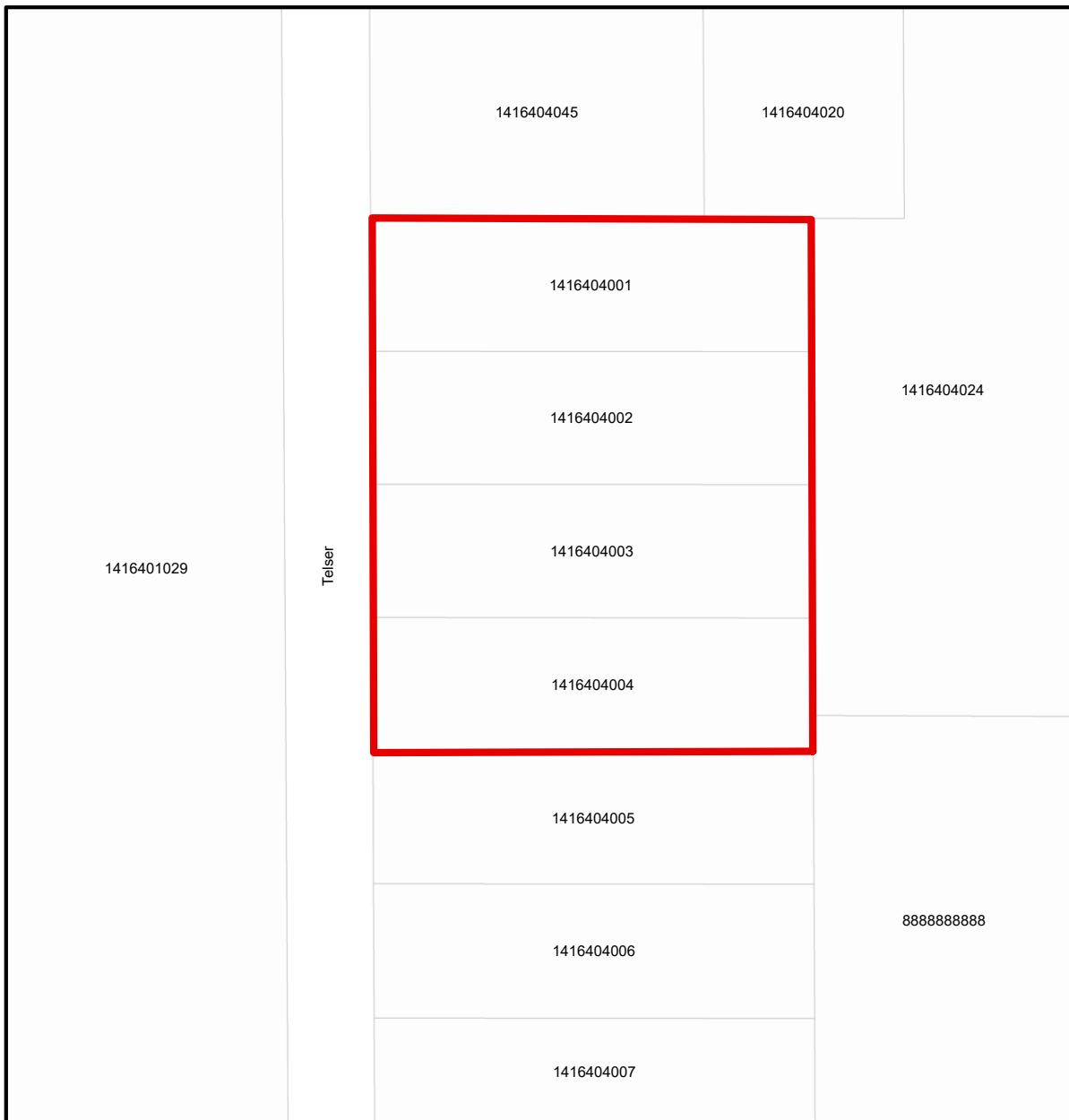
## Sungor Transportation - 410 Telser





# Sungor Transportation

## 410 Telser



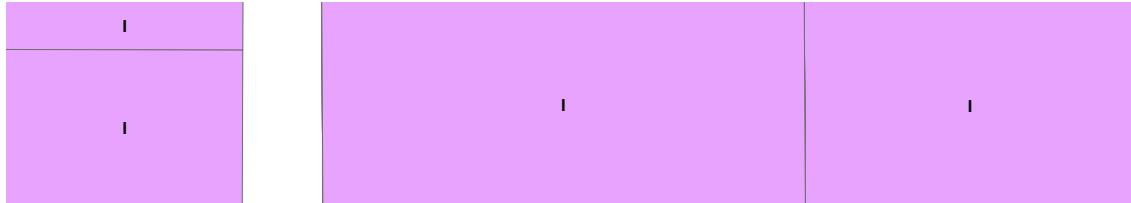
COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
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LakeZurich.org



# Sungor Transportation

## 410 Telser



Ensell

Capital



Telser

COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
Fax: (847) 726-2182  
LakeZurich.org



*At the Heart of Community*

FIRE DEPARTMENT  
Fire Prevention Bureau

1075 N. Old McHenry Road  
Lake Zurich, Illinois 60047  
Fire.bureau@lakezurich.org  
(847) 540-5073  
LakeZurich.org

January 4, 2021

Tim Verbeke  
Village of Lake Zurich  
505 Telser Road  
Lake Zurich, IL 60047

**RE: PR21-003 – 410 TELSER ROAD  
SUNGOR TRANSPORTATION – P&Z COMMENTS**

Tim:

Thank you for the submittal. After reviewing the submittal, I have the following comments:

1. Provide a layout of the interior showing the intended use.
2. Will the flammable liquid storage tanks be staying? If yes, then the proper state and local permits will be required.
3. Depending on the interior use, a sprinkler study may be required to confirm the protection is correct.
4. Provide drawings to the Village if any interior changes will be made.
5. Contact my office at 847-540-5073 to discuss the fire alarm radio contract.
6. Provide new keys for the Knox key box as soon as locks are changed.

If there are any questions, please contact my office.

Sincerely,

Robert Kleinheinz  
Fire Prevention Specialist  
Lake Zurich Fire Department



## PUBLIC WORKS DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
LakeZurich.org

*At the Heart of Community*

January 8, 2021

Tim Verbeke, Planner  
Village of Lake Zurich  
505 Telser Road  
Lake Zurich, Illinois 60047

## PRELIMINARY ENGINEERING REVIEW #1

**DEVELOPMENT:** 410 Telser Road  
Lake Zurich, IL 60047

**ITEMS RECEIVED:**

- 1) Preliminary Concept Plan for 410 Telser Road in Lake Zurich Industrial Center Subdivision prepared by Morris Engineering, Inc., dated December 21, 2020.
- 2) Preliminary Plat of Survey prepared by Morris Engineering, Inc. dated December 21, 2020.
- 3) Description of Applicants Business and Operations

On behalf of the Village of Lake Zurich, Manhard Consulting has completed a preliminary review of the above referenced material for conformance with the Village ordinances and general accepted engineering practices. We reserve the right to generate additional comments on future submittals. The comments below are preliminary in nature. A detailed review will be provided with the final plan set. By copy of this letter we request that the Developer address all comments in a response letter and submit the appropriate revisions for further review.

### Preliminary Engineering Plan

- 1) Developer will be required to provide verification and/or submit documentation of approval or sign off letters from all agencies other than the Village of Lake Zurich that exercise jurisdiction over this development (i.e., USACOE, IEPA, etc.). Please submit a copy of all approvals received to-date and list any approvals pending in the response letter.
- 2) Provide an Engineer's Opinion of Probable Cost (EOPC) for the proposed site improvements.
- 3) It shall be the developer's responsibility to ensure compliance with the 2010 ADA Standards for Accessible Design and the 2018 Illinois Accessibility Code and subsequent amendments. Detailed grades must be provided with final engineering for all pedestrian crossings.
- 4) Provide an engineering plan set prepared by an Illinois licensed professional engineer that includes the appropriate grading, geometrics, utilities, and construction specifications.
- 5) Provide the impervious area calculation for all lots. It should be noted that a 20% minimum landscape area is required for I-1 Zoning.
- 6) Please provide a cross section for the proposed pavement.

**Preliminary Stormwater Management**

- 7) Lake County SMC has updated the Watershed Development Permit, you can find the most recent version at: <https://www.lakecountylil.gov/2363/Watershed-Development-Permit-Application>. A WDP is required as part of the proposed work.
- 8) Provide a stormwater submittal satisfying the Watershed Development Ordinance requirements for a major development.
- 9) A wetland delineation and report is required. Lake County Stormwater Management Commission (SMC) is the wetland permitting authority in the Village of Lake Zurich. Please contact Juli Crane at SMC for additional information.

If you should have any questions, please do not hesitate to contact me.

Yours truly,  
MANHARD CONSULTING



---

Peter Stoehr, P.E.  
Village Engineer

cc: Sarosh Saher, Community Development Director  
Betty Harrison, EQC Supervisor  
Nadine Gerling, Permit Coordinator  
Mary Meyer, Building Services Supervisor



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

To: Tim Verbeke, Planner  
From: Betty Harrison, EQC Supervisor  
Date: January 6, 2021  
Re: 410 Telser Road – Special Use

---

- Public Works has no issue with the special use request.



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

## ZONING REVIEW

**PROJECT:** Sungor Transportation  
**LOCATION:** 410 Telser Rd  
**REVIEWED BY:** Zoning Department  
**DATE:** January 8, 2021

### Outstanding Questions:

- 1) Are there any details provided on proposed interior use of building? Staffs concern is that after the public hearing process, the applicant will come back for occupancy and/or build out permit. This information needs to be submitted at time of Special Use Permit.
  - a. Without knowing the existing/proposed uses, staff is not sure what upgrades may be needed, such as: drains interior and exterior, sprinkler system, washrooms, etc.
- 2) It appears as though truck parking is in front yard - new parking lot area. This likely will need relief by variation. Staff is not sure how likely that would be approved as it would have substantial visual impact, especially to the adjacent neighbor and likely at intersection. Without knowing all of the engineering planned, could the applicant relocate the pond to that area, and place the truck parking at the rear of the building?
- 3) Site plan and landscaping plans are required. Will all existing trees be removed? Didn't see any landscaping details of removal and/or new plantings. Will the parking lot be screened?
- 4) Is the applicant providing parking data of proposed employees on site, employee vehicle parking, and number of trucks?
- 5) Existing tank – Assuming the applicant intends on maintaining the existing above ground tank? It's not shown on plan.
- 6) Maneuvering –The applicant did not provide any details showing the maneuvering, as no backing onto Telser Rd is allowed?
- 7) Assuming no outdoor storage is proposed?



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

- 8) Truck materials – Will any of the loads be stored in the truck at this location? Hazardous materials? Food items?
- 9) Fencing – Is the applicant planning any fencing? Did not provide any fence details?
- 10) Lighting – Is there any new parking lot lighting proposed?
- 11) Exterior modifications – Is there any exterior building modifications proposed?
- 12) Residency – Is there any residency (sleeping area/s) proposed?



Igor Burduja, CEO  
Sungor Transportation Inc  
300 Hicks Rd  
Palatine, Illinois 60067  
Direct: 970-208-5102  
Email: sungortrans2@gmail.com

**VIA EMAIL and IN PERSON DELIVERY**

Mr. Orlando Stratman  
Chairperson of the Planning & Zoning Commission  
Village of Lake Zurich  
70 East Main Street  
Lake Zurich, Illinois 60047

**RE: Application for Special Use Permit for 410 Telser Rd, Lake Zurich, IL 60047 (the "Property")**

The undersigned Sungor Transportation, Inc, an Illinois corporation ("Sungor"). Sungor has entered into a contract to purchase the Property and is hereby requesting a special use permit.

- Applicant: Sungor Transportation Inc
- Subject Property: 410 Telser Rd, Lake Zurich, IL 60047
- The property consists of 4 parcels: 1416404001; 1416404002; 1416404003; 1416404004
- Current use of property: vacant.
- Previously used as a Moving and Storage Company with Truck Parking
- Intended use of property: Office, light truck maintenance and limited parking.
- Approval sought: special use permit for Transportation and public utilities: Local and interurban transit companies, yards, and maintenance facilities.

Please find enclosed the following:

- Plat of Survey (5 copies)
- Legal Description of 410 Telser Rd, Lake Zurich, IL 60047 (5 copies)
- Proof of Ownership, title commitment of 410 Telser Rd, Lake Zurich, IL 60047 (5 copies)
- Concept plan for 410 Telser Rd, Lake Zurich, IL 60047 (5 copies)
- Narrative for the applicant and the proposed concept plan (5 copies)
- Signed and notarized application for Special Use Permit (5 copies).
- A check for the Village of Lake Zurich

Respectfully,

A handwritten signature in black ink, appearing to read "Igor Burduja".

Igor Burduja, CEO Sungor Transportation, Inc



(Please Type or Print)

**ZONING APPLICATION**

Community Development Department

505 Telser Rd.

Lake Zurich, IL 60047

Phone: (847) 540-1696

Fax: (847) 540-1769

1. Address of Subject Property: 410 Telser Rd., Lake Zurich, IL

2. Please attach complete legal description

3. Property Identification number(s): 1416404001; 1416404002; 1416404003; 14164040044. Owner of record is: BARBARA KOLDONY Phone: 847-929-3302  
 E-Mail: BARBIEQ22@AOL.COM Address: 25254 SOMERSET CT. LAKE ZURICH, IL

60047

5. Applicant is (if different from owner): Sungor Transportation Inc Phone: 970-208-5102  
 E-Mail: Sungortrans2@gmail.com Address: 300 S. Hicks Rd., Palatine, IL 600676. Applicant's interest in the property (owner, agent, realtor, etc.): Buyer of 410 Telser Rd., Lake Zurich, IL7. All existing uses and improvements on the property are: Vacant 13,000SF Industrial Warehouse  
 previously used as a Moving and Storage Company with Truck Parking, 3 Drive in Doors and 3 Docks, 1,792 SF of Office.8. The proposed uses on the property are: Local and interurban transit companies, yards, and maintenance facilities

9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:

10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:

11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
 THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT,  
 THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

(Name of applicant)

(Signature of applicant)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(Notary Public)

My Commission Expires \_\_\_\_\_

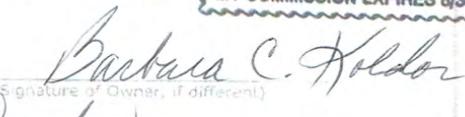
(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(Notary Public)

My Commission Expires \_\_\_\_\_

 (Please Type or Print)	<b>ZONING APPLICATION</b> Community Development Department 515 Telleis Rd Lake Zurich, IL 60047 Phone: (847) 540-1690 Fax: (847) 540-1789
1. Address of Subject Property: 410 Telleis Rd, Lake Zurich, IL	
2. Please attach complete legal description	
3. Property identification numbers: 1415404001, 1415404002, 1416404003, 1416404004	
4. Owner of record: <b>BARBARA C KOLDON 847-989-3302</b> E-Mail: <b>BARBIEQ22@AOL.COM</b> 25654 SOMERSET CT LAKE ZURICH, IL 60047	
5. Applicant is different from owner: Sungor Transportation Inc phone 970-268-5102 E-Mail: <a href="mailto:singortrans2@gmail.com">singortrans2@gmail.com</a> Address: 300 S. Main Rd, Palatine, IL 60067	
6. Applicant's interest in the property (owner, agent, realtor, etc.): Buyer of 410 Telleis Rd, Lake Zurich, IL	
7. All existing uses and improvements on the property are: Vacant 13,000SF Industrial Warehouse Previously used as a Moving and Storage Company with Truck Parking 4 Drive in Doors and 3 Dock. 1727 SF of Office	
8. The proposed uses for the property are: Local and International moving companies, storage and maintenance facilities	
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the subject property and how of record and the date of expiration of said restrictions	
10. Describe any intent or agreement of any nature relevant to the sale or disposal of the subject property	
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the subject property	
THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT. THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY	
Sungor Transportation Inc. (Name of Applicant)	 (Signature of Applicant)
Subscribed and sworn to before me this 21 <sup>st</sup> day of December, 2020. <b>Karolina Kiskyte</b> (Notary Public)	My Commission Expires 
BARBARA C. KOLDON (Name of Owner, if different)	 (Signature of Owner, if different)
Subscribed and sworn to before me this 21 day of December <b>Susan M Olson</b> (Notary Public)	My Commission Expires 



(Please Type or Print)

**ZONING APPLICATION**

Community Development Department

505 Telser Rd.

Lake Zurich, IL 60047

Phone: (847) 540-1696

Fax: (847) 540-1769

1. Address of Subject Property: 410 Telser Rd., Lake Zurich, IL 60047
2. Please attach complete legal description
3. Property Identification number(s): 1416404001; 1416404002; 1416404003; 1416404004.
4. Owner of record is: Barbara C. Koldon Phone: 847-989-3302  
E-Mail barbieq22@aol.com Address: 25654 Somerset Ct, Lake Zurich, IL 60047
5. Applicant is (if different from owner): Sungor Transportation Inc Phone: 970-208-5102  
E-Mail sungortrans2@gmail.com Address: 300 S. Hicks Rd., Palatine, IL 60067
6. Applicant's interest in the property (owner, agent, realtor, etc.): Buyer of 410 Telser Rd., Lake Zurich, IL
7. All existing uses and improvements on the property are: Vacant 13,000SF Industrial Warehouse  
previously used as a Moving and Storage Company with Truck Parking, 3 Drive in Doors and 3 Docks. 1,792 SF of Office.
8. The proposed uses on the property are: Local and interurban transit companies, yards, and maintenance facilities
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:  
N/A
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
Purchase and Sale Agreement between Ms. Koldon and Sungor Transportation fully signed on 12/24/2020.
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
 THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT,  
 THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

(Name of applicant)

(Signature of applicant)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(Notary Public)

My Commission Expires \_\_\_\_\_

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(Notary Public)

My Commission Expires \_\_\_\_\_

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

**Zoning Code Map** Amendment to change zoning of Subject Property from \_\_\_\_\_ to \_\_\_\_\_  
 **Zoning Code Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

Special Use Permit/Amendment for \_\_\_\_\_ Local and interurban transit companies, yards, and maintenance facilities  
(See Section 19-103 of the Lake Zurich Zoning Code for specific standards.)

Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter.)

Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

Modification to the Land Development Code (includes retaining walls more than 2 feet in height)  
(See Section 10-6-18 of the Land Development Code for specific standards.)

---

Preliminary Plat of Subdivision

Final Plat of Subdivision or Amendment to Plat of Subdivision

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

---

Site Plan Approval/Major Adjustment/Amendment  
(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

Exterior Appearance Approval or Amendment  
(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

#### **APPLICATION TO ANNEX CERTAIN TERRITORY**

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

---

Petition to Annex Certain Territory (Please complete attached petition)  
 Application to Annex Certain Territory

---

#### **COMPREHENSIVE PLAN APPLICATION**

Comprehensive Plan **Map** Amendment for \_\_\_\_\_

Comprehensive Plan **Text** Amendment for \_\_\_\_\_



Igor Burduja, CEO  
Sungor Transportation Inc  
300 Hicks Rd  
Palatine, Illinois 60067  
Direct: 970-208-5102  
Email: [sungortrans2@gmail.com](mailto:sungortrans2@gmail.com)

December 28, 2020

**VIA EMAIL AND IN PERSON DELIVERY**

Mr. Orlando Stratman  
Chairperson of the Planning & Zoning Commission  
Village of Lake Zurich  
70 East Main Street  
Lake Zurich, Illinois 60047

[Tim.Verbeke@lakezurich.org](mailto:Tim.Verbeke@lakezurich.org)

**RE: Description of Applicant's Business and Operations**

The undersigned Sungor Transportation, Inc, an Illinois corporation ("Sungor"). Sungor is an interstate transportation company that has been in business since 2012. Sungor is owned by three equal shareholders Igor Burduja, Iurie Barcari and Vitaliy Onypko. Sungor is currently located at 300 Hicks Rd., Palatine, IL and is looking to purchase 410 Telser Rd, Lake Zurich, IL (the "Property") for its business operations.

The Property consists of two developed and two undeveloped parcels. The developed part consists of asphalt paved lot and 13,000SF building with 1,792 SF of office space and a 11,208 SF warehouse with 3 drive-in doors and 3 loading docks. The Property is currently vacant and zoned I-1. Previously the Property was used by a moving and storage Company with limited Truck Parking.

Sungor is seeking a special use permit for the Property under the classification of local and interurban transit companies, yards, and maintenance facilities, as defined under Section 9-6-3(D)(1) of the Lake Zurich Municipal Code (the "Code"). Sungor intends to use the property for light truck and trailer maintenance with limited parking. All the equipment that Sungor owns (trucks and trailers) are new. If any heavy maintenance is required it is performed at the dealership and Sungor Transportation will continue to use the dealership for such service. The Property will be used to service only the fleet that belongs to Sungor Transportation and solely for light repairs.



Sungor Transportation expects limited traffic at the property, because the company operates nationwide and all trucks and trailers are constantly in transit for business purposes. Only during the holiday season will the equipment be parked at the Property for an extended period of time. However, Sungor has arranged parking in other states for many drivers that are not residents of Illinois.

In summary, Sungor believes its business meets the requisites defined under the Code necessary to operate its trucking business under a special use permit at the Property. Accordingly, Sungor requests the village review of the attached supporting documentation and approve Sungor's request.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Igor Buruja".

Igor Buruja

CEO Sungor Transportation, Inc

## ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Commitment Number:

20GNW847196SK

### NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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ALTA Commitment for Title Insurance (08/01/2016)

Page 1

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IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK



**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO. 20GNW847196SK****Transaction Identification Data for reference only:**

ORIGINATING OFFICE	FOR SETTLEMENT INQUIRIES, CONTACT
Chicago Title Company, LLC 5215 Old Orchard, #400 Skokie, IL 60077 Main Phone: (847)677-3410 Email: ctskokie@ctt.com	Chicago Title and Trust Company 5215 Old Orchard, #400 Skokie, IL 60077 Main Phone: (847)677-3410 Main Fax: (847)673-0645

Issued By: GV Title Company  
800 Waukegan Rd, # 201  
Glenview, IL 60025

Order Number: **20GNW847196SK**

Property Ref.: 410 Telser Rd., Lake Zurich, IL 60047

**SCHEDULE A**

1. Commitment Date: June 18, 2020
2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006  
Proposed Insured:  
Proposed Policy Amount:
3. The estate or interest in the Land described or referred to in this Commitment is:  
Fee Simple
4. The Title is, at the Commitment Date, vested in:  
Chicago Title Land Trust Company, as Successor Trustee to The Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751
5. The Land is described as follows:  
LOTS 13, 14, 15 AND 16 IN LAKE ZURICH INDUSTRIAL CENTER UNIT II, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1983 AS DOCUMENT NUMBER 2246623, IN LAKE COUNTY, ILLINOIS.

**END OF SCHEDULE A**

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ALTA Commitment for Title Insurance (08/01/2018)



Printed: 08.23.20 @ 11:29 AM

IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART I  
REQUIREMENTS**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
6. The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being insured, and any additional premium must be paid at that time. An Owner's Policy should reflect the purchase price or full value of the Land. A Loan Policy should reflect the loan amount or value of the property as collateral. Proposed Policy Amount(s) will be revised and premiums charged consistent therewith when the final amounts are approved.
7. Be advised that the "good funds" of the title insurance act (215 ILCS 155/26) became effective 1-1-2010. This act places limitations upon the settlement agent's ability to accept certain types of deposits into escrow. Please contact your local Chicago Title office regarding the application of this new law to your transaction.
8. Effective June 1, 2009, pursuant to Public Act 95-988, satisfactory evidence of identification must be presented for the notarization of any and all documents notarized by an Illinois notary public. Satisfactory identification documents are documents that are valid at the time of the notarial act; are issued by a state or federal government agency; bear the photographic image of the individual's face; and bear the individual's signature.
9. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.

**END OF SCHEDULE B, PART I**

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ALTA Commitment for Title Insurance (08/01/2016)

Page 3

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART I  
REQUIREMENTS**  
(continued)

**Title Insurance Agent:**

GV Title Company  
800 Waukegan Rd, # 201  
Glenview, IL 60025  
Phone: (847)724-5151  
Fax: (847)724-6316

\_\_\_\_\_  
Authorized Signatory

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ALTA Commitment for Title Insurance (08/01/2016)

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART II  
EXCEPTIONS**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

**General Exceptions**

1. **Rights or claims of parties in possession not shown by Public Records.**
2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**
3. **Easements, or claims of easements, not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**
6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.**
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
- C 8. Taxes for the years 2019 and 2020.  
Taxes for the year 2019 are payable in two installments.  
The first installment amounting to \$1,297.14 is paid of record.  
The second installment amounting to \$1,297.14 is not delinquent before September 8, 2020.  
Taxes for the year 2020 are not yet due and payable.  
Permanent Tax No.: 14-16-404-001-0000 (Affects Lot 13)
- D Taxes for the years 2019 and 2020.  
Taxes for the year 2019 are payable in two installments.

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ALTA Commitment for Title Insurance (08/01/2016)

Page 5

Printed: 09.23.20 @ 11:29 AM  
IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART II**  
**EXCEPTIONS**  
(continued)

The first installment amounting to \$1,297.14 is paid of record.

The second installment amounting to \$1,297.14 is not delinquent before September 8, 2020.

Taxes for the year 2020 are not yet due and payable.

Permanent Tax No.: 14-16-404-002-0000 (Affects Lot 14)

**E** Taxes for the years 2019 and 2020.

Taxes for the year 2019 are payable in two installments.

The first installment amounting to \$13,237.95 is paid of record.

The second installment amounting to \$13,237.95 is not delinquent before September 8, 2020.

Taxes for the year 2020 are not yet due and payable.

Permanent Tax No.: 14-16-404-003-0000 (Affects Lot 15)

**F** Taxes for the years 2019 and 2020.

Taxes for the year 2019 are payable in two installments.

The first installment amounting to \$1,297.14 is paid of record.

The second installment amounting to \$1,297.14 is not delinquent before September 8, 2020.

Taxes for the year 2020 are not yet due and payable.

Permanent Tax No.: 14-16-404-004-0000 (Affects Lot 16)

**M** 9. Mortgage dated March 11, 1985 and recorded May 25, 1985 as Document No. 2358037 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank to secure an indebtedness in the amount of \$150,000.00.

(Affects Lots 15 and 16)

**N** 10. Assignment of Rents recorded May 28, 1985 as Document No. 2358038 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank.

(Affects Lots 15 and 16)

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ALTA Commitment for Title Insurance (08/01/2016)

Page 6

Printed: 09.23.20 @ 11:29 AM  
IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART II**  
**EXCEPTIONS**  
(continued)

P 11. Mortgage dated May 1, 1986 and recorded June 9, 1986 as Document No. 2449400 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank to secure an indebtedness in the amount of \$148,514.49.  
(Affects Lots 15 and 16)

Q 12. Assignment of Rents recorded June 9, 1986 as Document No. 2449401 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank.  
(Affects Lots 15 and 16)

R 13. Mortgage dated September 8, 1987 and recorded September 30, 1987 as Document No. 2616959 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank to secure an indebtedness in the amount of \$245,265.27.  
(Affects Lots 15 and 16)

S 14. Assignment of Rents recorded September 30, 1987 as Document No. 2616960 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to Libertyville National Bank.  
(Affects Lots 15 and 16)

W 15. Mortgage dated January 2, 1992 and recorded May 7, 1992 as Document No. 3153872 made by Cosmopolitan National Bank of Chicago, as Trustee under Trust Agreement dated December 1, 1983 and known as Trust Number 26751 to John J. Koldon as Trustee of the John J. Koldon Trust dated June 4, 1991 to secure an indebtedness in the amount of \$587,000.00.  
The original, canceled note or notes secured by the mortgage to be satisfied must be submitted to the Company. In addition we also request a copy of the authority documents for the entity of our payout pursuant to a current payoff letter from the mortgagee or current note holder.  
(Affects Lots 15 and 16)

K 16. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

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CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART II**  
**EXCEPTIONS**  
(continued)

L 17. Note for Information: Title to this property is vested in an Illinois Land Trust. Please contact Chicago Title Land Trust Company at 312-223-4134 for further information on the requirements necessary to proceed with your transaction.

Z 18. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: JGS Lake Zurich West, LLC

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

A 19. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

G 20. Building line 50 feet East of the West line of said lot as shown on Plat of said Subdivision.

H 21. Easement for public utilities over the West 7 feet of said lot, as shown on Plat of said Subdivision.

X 22. Leaking underground storage tank environmental notice recorded February 27, 2004 as Document Number 5507739 and the term and conditions contained therein.

B 23. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.

(This note will be waived for policy)

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ALTA Commitment for Title Insurance (08/01/2016)

Page 8

Printed: 09.23.20 @ 11:29 AM  
IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK



CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO. 20GNW847196SK

**SCHEDULE B, PART II  
EXCEPTIONS  
(continued)**

**END OF SCHEDULE B, PART II**

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ALTA Commitment for Title Insurance (08/01/2016)

Page 9

Printed: 08.23.20 @ 11:29 AM  
IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK



**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO. 20GNW847196SK****COMMITMENT CONDITIONS****1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

- 2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

**4. COMPANY'S RIGHT TO AMEND**

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

**5. LIMITATIONS OF LIABILITY**

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I-Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

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**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO. 20GNW847196SK**

(continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is Two Million And No/100 Dollars (\$2,000,000.00) or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

**END OF CONDITIONS****1031 EXCHANGE SERVICES**

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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ALTA Commitment for Title Insurance (08/01/2016)

Page 11

Printed: 08.23.20 @ 11:29 AM  
IL-CT-FCDE-01080.225403-SPS-1-20-20GNW847196SK





Inquire before you wire!

## WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice. If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

**Federal Bureau of Investigation:**  
<http://www.fbi.gov>

**Internet Crime Complaint Center:**  
<http://www.ic3.gov>

## FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective April 9, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Collection of Browsing Information**

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### **Other Online Specifics**

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

**Links to Other Sites.** FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

#### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

#### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

#### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

#### **Choices With Your Information**

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

**For California Residents:** We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

**For Nevada Residents:** You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: [BCPINFO@ag.state.nv.us](mailto:BCPINFO@ag.state.nv.us).

**For Oregon Residents:** We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

**For Vermont Residents:** We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

#### **Information From Children**

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

#### **International Users**

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

#### **FNF Website Services for Mortgage Loans**

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

#### **Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

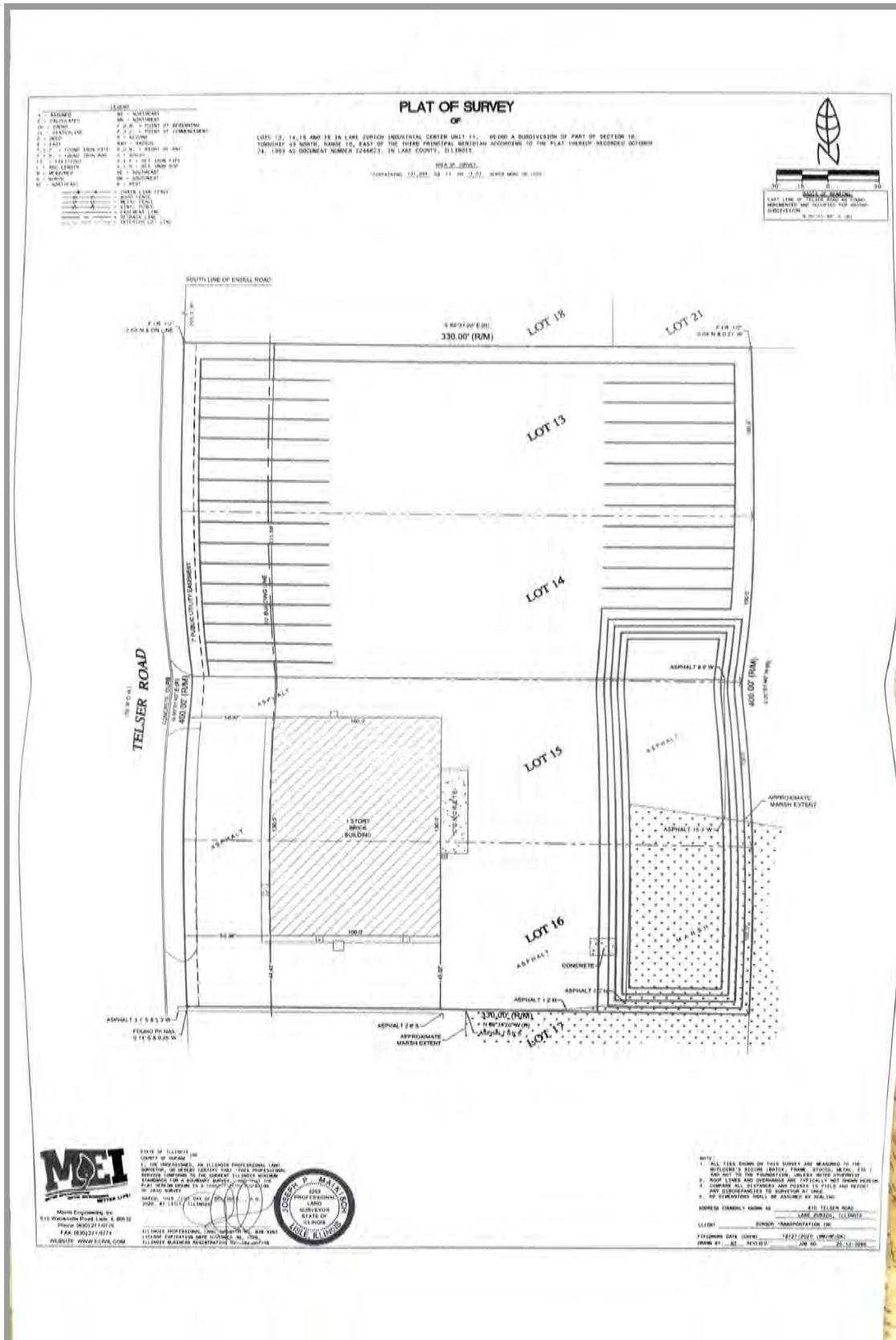
**Accessing and Correcting Information; Contact Us**

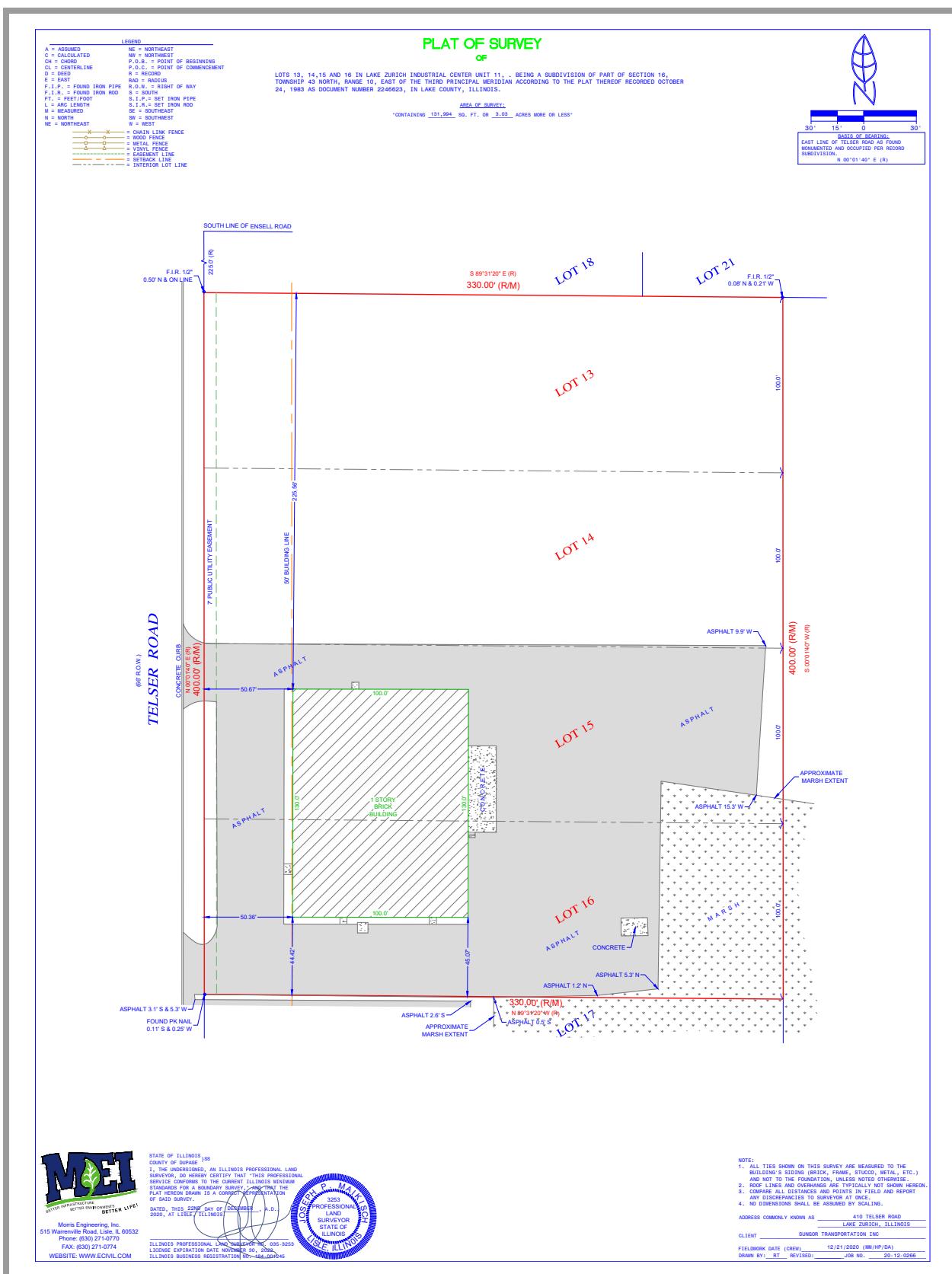
If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to [privacy@fnf.com](mailto:privacy@fnf.com), by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer

**Legal description of 410 Telser Rd, Lake Zurich, IL 60047:**

LOTS 13, 14, 15 AND 16 IN LAKE ZURICH INDUSTRIAL CENTER UNIT II, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1983 AS DOCUMENT NUMBER 2246623, IN LAKE COUNTY, ILLINOIS.





February 1, 2021

Igor Burduja, CEO  
Sungor Transporttaion Inc  
300 Hicks Rd  
Palatine, Illinois 60067

**VIA EMAIL**

Mr. Orlando Stratman  
Chairperson of the Planning & Zoning Commission  
Village of Lake Zurich  
70 East Main Street  
Lake Zurich, Illinois 60047

**RE: Description of Applicant's Business, Operations and Proposed Development  
for 410 Telser Rd, Lake Zurich, Illinois 60047**

**I. Description of Applicant's Business and Operations**

The undersigned Sungor Transportation, Inc, an Illinois corporation ("Sungor"). Sungor is an interstate transportation company that has been in business since 2012. Sungor Transportation was founded by three partners, Igor Burduja, Iurie Barcari and Vitaliy Onypko, who have worked in the transportation industry for many years. Sungor is a carrier of general freight such as household goods, dry food, paper products, beverages. Sungor owns 24 trucks and 27 trailers. The owners' goal is to maintain successful operations by adhering to its core values of safety, technology and customer service. Sungor is currently located at 300 Hicks Rd., Palatine, IL and is looking to purchase 410 Telser Rd, Lake Zurich, IL (the "Property") for its business operations. Sungor is seeking a special use permit for the Property under the classification of local and interurban transit companies, yards, and maintenance facilities, as defined under Section 9-6-3(D)(1) of the Lake Zurich Municipal Code (the "Code"). Sungor intends to use the property for light truck and trailer maintenance with limited parking as well as office for business management staff.

**II. Existing Property at 410 Telser Rd, Lake Zurich Illinois 60047**

The Property consists of two developed and two undeveloped parcels. The developed part consists of asphalt paved lot and 13,000SF building with 1,792 SF of office space and a 11,208 SF warehouse with 3 drive-in doors and 3 loading docks. Structural, plumbing, electrical and sprinkler systems of the building appear to be in good working condition. The undeveloped part is a grass covered field with some bushes and trees at the rear end of the lot. The Property is currently vacant

and zoned I-1. Previously the Property was used by a moving and storage Company with limited Truck Parking.

### **III. Proposed Minor Improvements to the Developed Part of 410 Telser Rd, Illinois 60047**

Sungor will use the subject building for office and light truck maintenance. Currently the office space requires cosmetic repairs. Sungor will replace old carpets and will paint walls. Sungor has eight office employees that will work at this location. Parking of their vehicles will be in front of the building where the existing parking spaces are. The warehouse space is in good condition. Sungor will apply for permit to only adjust the height of the drive-in doors at the rear side of the building and install triple basin. The existing outdoor gas tank is not needed for Sungor operations. No major building improvements are necessary and Sungor is ready to start operating from the developed part of the property.

The warehouse space will be used for light truck and trailer maintenance. All the equipment that Sungor owns (trucks and trailers) are new. If any heavy maintenance is required it is performed at the dealership and Sungor Transportation will continue to use the dealership for such service. The Property will be used to service only the fleet that belongs to Sungor Transportation and solely for light maintenance.

### **IV. Proposed Improvements to the Undeveloped Part of 410 Telser Rd., Illinois 60047**

Sungor proposes to asphalt pave the undeveloped lot. Sungor will fence the lot and provide landscaping buffer in accordance with Village of Lake Zurich requirements and install the outdoor LED lighting. Stormwater management area is proposed along the rear property line connecting to the existing stormwater facility within developed area. No changes to existing drainage patterns are proposed and proposed grading allows parking lot to sheet flow to stormwater facility. Lake County WDO requirements will be met and VCBMP will be provided within detention pond area. Development will utilize two existing entrances and no work is proposed within the ROW.

No outside storage of any materials is proposed. Only trucks and trailers of Sungor will be parked at the property waiting for maintenance. Sungor expects limited traffic at the property, because the company operates nationwide and all trucks and trailers are constantly in transit for business purposes. Only during the holiday season will the equipment be parked at the Property for an extended period of time. However, Sungor has arranged parking in other states for many drivers that are not residents of Illinois.

#### **V. Closing Remarks**

Sungor is looking forward to bring its business to the Village of Lake Zurich. Sungor intends to create well paid jobs for local mechanics and office personnel. After successfully completing its due diligence with the seller and the bank Sungor is very motivated to finish the purchase of the property. Sungor will respectfully cooperate with Village requirements in order to obtain approval and proceed with closing. In summary, Sungor believes its business meets the requisites defined under the Code necessary to operate a its trucking business under a special use permit at the Property. Accordingly, Sungor requests the village review the attached supporting documentation and approve Sungor's request.

Very Truly Yours,

Igor Burduja, CEO Sungor Transportation Inc



N. BATISTICH, ARCHITECTS

MEADOWBROOK OFFICE CENTER

16 W. 475 S. FRONTAGE RD. SUITE 201

BURR RIDGE, IL 60527

PHONE: (630) 986-1773

FAX: (630) 986-1783

E-MAIL: SIMON@BATISTICHARCHITECTS.COM

Feb. 1, 2021

Community Development Department

Building and Zoning Division

Lake Zurich, Illinois

Re: 410 Telser Road Sungor Transportation

Response to your comments dated January 8, 2021

1. The only alterations to the building are to increase the size of the two overhead doors on the North Elevation to allow for truck repairs. A floor drain system along with a triple basin will be installed to comply with State of Illinois Plumbing Code.
2. Engineering has been submitted for review.
3. Site / Landscape plans will be submitted for review upon final engineering.
4. The parking requirements are not changing. The existing uses remain.
5. Tank is to be removed.
6. Engineering submitted indicates maneuvering.
7. There will be no outdoor storage.
8. There will be no truck loads stored on site.
9. Fencing will be installed as required by the Village.
10. Parking lot lighting will be installed as required by the Village.
11. The only exterior modification is to increase the size of the two exterior doors on the North elevation.
12. There is no residency (sleeping area) proposed.

Sincerely,

Simon Batistich, ALA



N. BATISTICH, ARCHITECTS

MEADOWBROOK OFFICE CENTER  
16 W. 475 S. FRONTAGE RD. SUITE 201  
BURR RIDGE, IL 60527  
PHONE: (630) 986-1773  
FAX: (630) 986-1783  
E-MAIL: SIMON@BATISTICHARCHITECTS.COM

Feb. 1, 2021

Robert Kleinheinz  
Fire Prevention Specialist  
Lake Zurich Fire Department

Re: PR21-003 410 Telser Road Sungor Transportation

Response to your comments dated January 4, 2021

1. There are no revisions to the interior. The only revisions proposed are increasing the size of two overhead doors on the North Elevation.
2. Flammable liquid storage tanks to be removed.
3. If required, a sprinkler study will be provided.
4. If interior changes are proposed in the future, drawings will be submitted to the Village.
5. Owner will contact your office to discuss the fire alarm radio contract.
6. Keys will be provided for the Knox box.

Sincerely,

Simon Batistich, ALA



## PUBLIC WORKS DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
LakeZurich.org

*At the Heart of Community*

January 8, 2021

Tim Verbeke, Planner  
Village of Lake Zurich  
505 Telser Road  
Lake Zurich, Illinois 60047

## PRELIMINARY ENGINEERING REVIEW #1

**DEVELOPMENT:** 410 Telser Road  
Lake Zurich, IL 60047

**ITEMS RECEIVED:**

- 1) Preliminary Concept Plan for 410 Telser Road in Lake Zurich Industrial Center Subdivision prepared by Morris Engineering, Inc., dated December 21, 2020.
- 2) Preliminary Plat of Survey prepared by Morris Engineering, Inc. dated December 21, 2020.
- 3) Description of Applicants Business and Operations

On behalf of the Village of Lake Zurich, Manhard Consulting has completed a preliminary review of the above referenced material for conformance with the Village ordinances and general accepted engineering practices. We reserve the right to generate additional comments on future submittals. The comments below are preliminary in nature. A detailed review will be provided with the final plan set. By copy of this letter we request that the Developer address all comments in a response letter and submit the appropriate revisions for further review.

### Preliminary Engineering Plan

- 1) Developer will be required to provide verification and/or submit documentation of approval or sign off letters from all agencies other than the Village of Lake Zurich that exercise jurisdiction over this development (i.e., USACOE, IEPA, etc.). Please submit a copy of all approvals received to-date and list any approvals pending in the response letter.
- 2) Provide an Engineer's Opinion of Probable Cost (EOPC) for the proposed site improvements.
- 3) It shall be the developer's responsibility to ensure compliance with the 2010 ADA Standards for Accessible Design and the 2018 Illinois Accessibility Code and subsequent amendments. Detailed grades must be provided with final engineering for all pedestrian crossings.
- 4) Provide an engineering plan set prepared by an Illinois licensed professional engineer that includes the appropriate grading, geometrics, utilities, and construction specifications.
- 5) Provide the impervious area calculation for all lots. It should be noted that a 20% minimum landscape area is required for I-1 Zoning.
- 6) Please provide a cross section for the proposed pavement.

**Preliminary Stormwater Management**

- 7) Lake County SMC has updated the Watershed Development Permit, you can find the most recent version at: <https://www.lakecountylil.gov/2363/Watershed-Development-Permit-Application>. A WDP is required as part of the proposed work.
- 8) Provide a stormwater submittal satisfying the Watershed Development Ordinance requirements for a major development.
- 9) A wetland delineation and report is required. Lake County Stormwater Management Commission (SMC) is the wetland permitting authority in the Village of Lake Zurich. Please contact Juli Crane at SMC for additional information.

If you should have any questions, please do not hesitate to contact me.

Yours truly,  
MANHARD CONSULTING



Peter Stoehr, P.E.  
Village Engineer

cc: Sarosh Saher, Community Development Director  
Betty Harrison, EQC Supervisor  
Nadine Gerling, Permit Coordinator  
Mary Meyer, Building Services Supervisor



**FIRE DEPARTMENT**  
Fire Prevention Bureau

1075 N. Old McHenry Road  
Lake Zurich, Illinois 60047  
Fire.bureau@lakezurich.org  
(847) 540-5073  
LakeZurich.org

*At the Heart of Community*

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February 5, 2021

Mary Meyer  
Village of Lake Zurich  
505 Telser  
Lake Zurich, IL 60047

**RE: PR21-025 – 410 TELSER  
SUNGOR TRANSPORTATION**

Mary:

Thank you for the packet and responses. If any vehicles will be parked inside, then a sprinkler study will be required. At this time, I do not have any further comments. If you have any questions, please contact my office.

Sincerely,

Robert Kleinheinz  
Fire Prevention Specialist  
Lake Zurich Fire Department



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

**BUILDING & ZONING REVIEW**

**PROJECT:** Sungor Transportation  
**LOCATION:** 410 Telser Rd  
**REVIEWED BY:** Building & Zoning Department  
**DATE:** February 9, 2021

- **Parking Lot**
  - Show striping details – truck parking and automobile parking. Indicate handicapped spaces location/details.
  - Parking lot lighting plan will be submitted upon final engineering. Parking lot lighting is noted to be installed as required by the Village.
  - General parking data is needed. The comment about parking requirements not changing and existing use remain is not correct. The use is changing, this will be a new “truck terminal.” Info is needed to verify parking compliance.

(2)	Truck terminals	1 for each employee plus 1 for each truck regularly stored on site plus 1 for each patron to design capacity
-----	-----------------	--

- **Landscaping**
  - Tree removal will be submitted upon final engineering. Landscaping is noted that it will be submitted for review upon final engineering. Landscaping is a requirement for the parking lot expansion, and we should have a plan to review (details of removal and new).
  - Unless mandated by PZC/Board, fencing will not be required, except as a trash enclosure screening.

**Additional Questions**

- **Truck Repair**
  - Will Sungor only repair their own fleet or will they be doing truck repairs for anyone else?
  - Will inoperable vehicles be in lot awaiting repairs?

Village of Lake Zurich  
Utilities Division of  
Public Works

# Memo

To: Tim Verbeke, Planner  
From: Betty Harrison, EQC Supervisor  
Date: February 10, 2021  
Re: February Commission Meeting

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1. 410 Telser Road – Special Use; Second Submittal
  - Public Works has no issue with the special use request

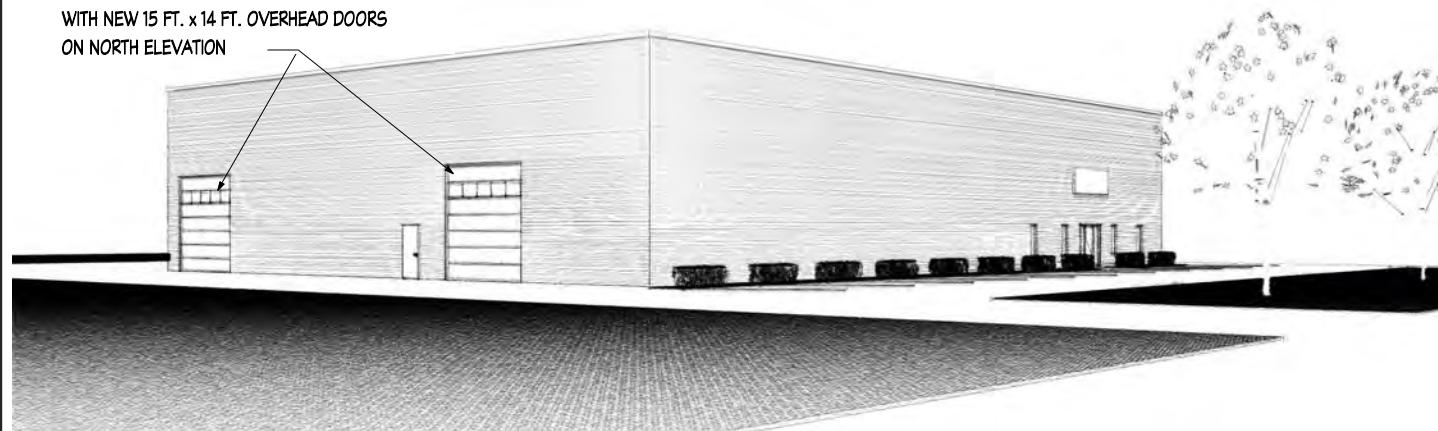
410 Telser Road, Lake Zurich

**ENGINEER'S ESTIMATE OF PROBABLE COST**

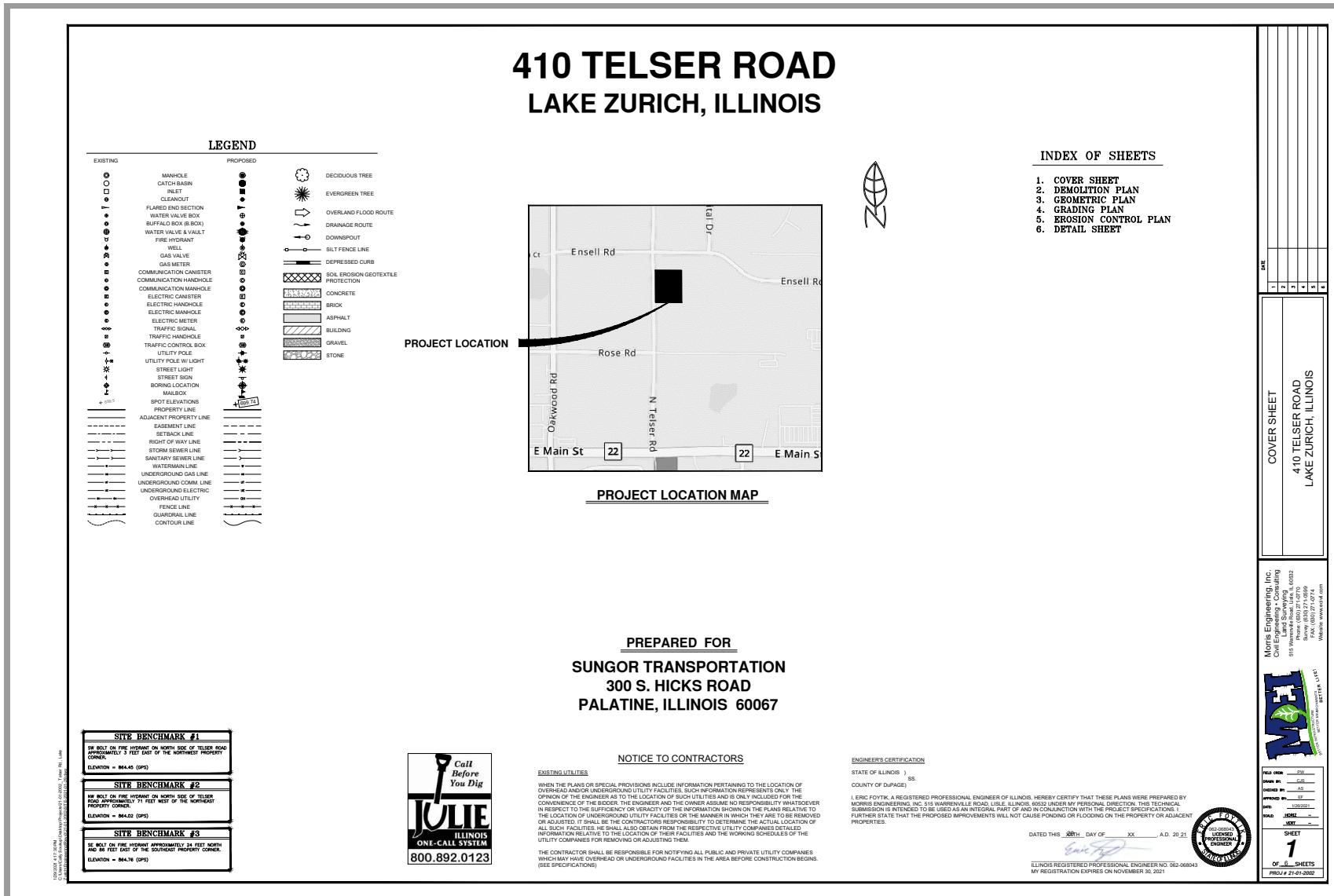
	UNIT	QUANTITY	UNIT PRICE	ITEM COST	SUM COST
Erosion Control	LS	1	\$3,000.00	\$3,000	
Landscaping	LS	1	\$5,000.00	\$5,000	
Stormwater Management Facility	LS	1	\$15,000.00	\$15,000	
Lighting	LS	1	\$10,000.00	\$10,000	
Aggregate Base Course, 8"	SY	4,630	\$8.00	\$37,037	
HMA Binder Course, 4"	SY	4,630	\$20.00	\$92,593	
HMA Surface Course, 2"	SY	4,630	\$18.00	\$83,334	
				<b>SUM</b>	<b>\$245,965</b>

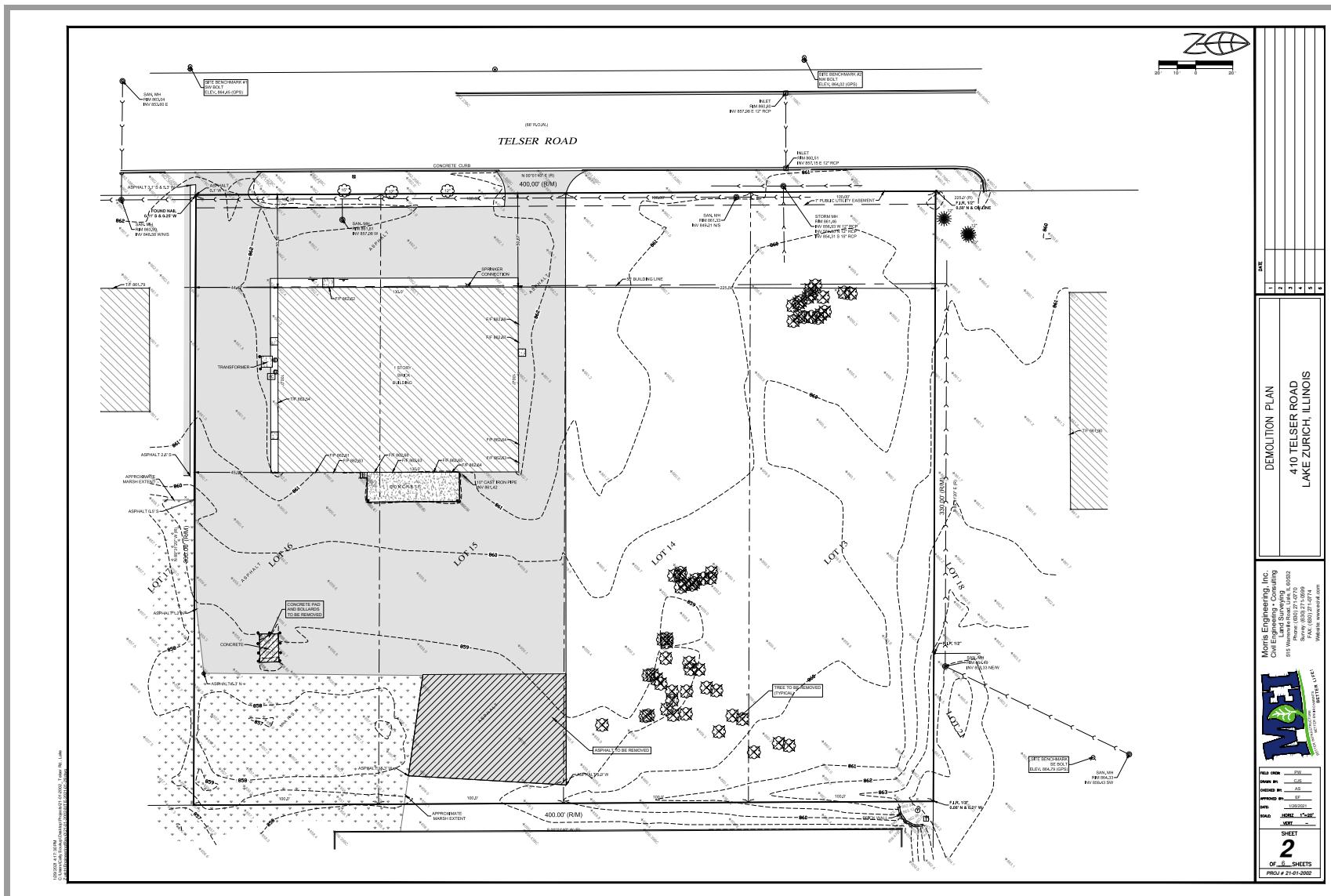
EXTERIOR ALTERATIONS:  
410 TELSER RD, LAKE ZURICH, IL

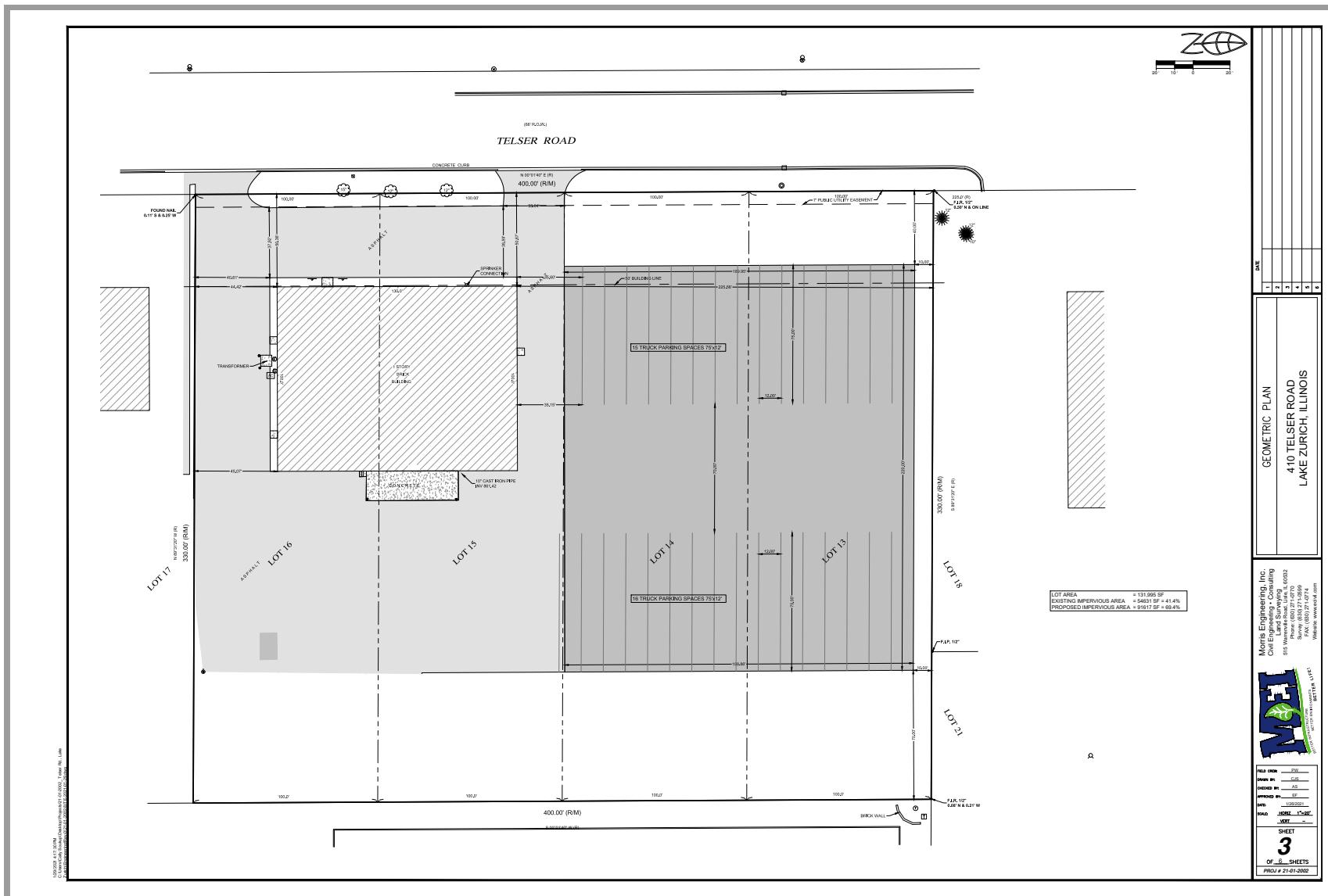
REPLACE EXISTING 10 FT. x 10 FT. OVERHEAD DOORS  
WITH NEW 15 FT. x 14 FT. OVERHEAD DOORS  
ON NORTH ELEVATION

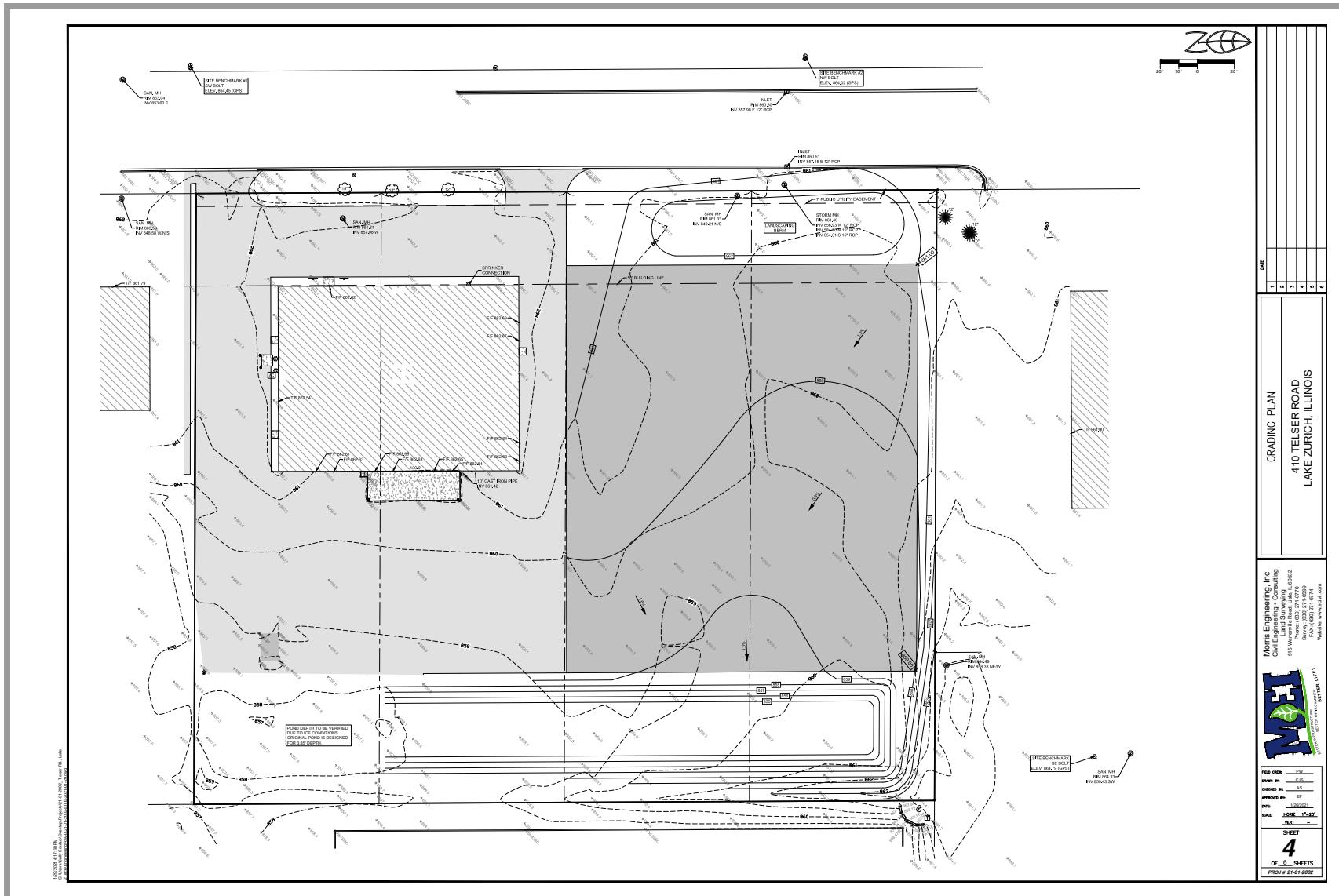


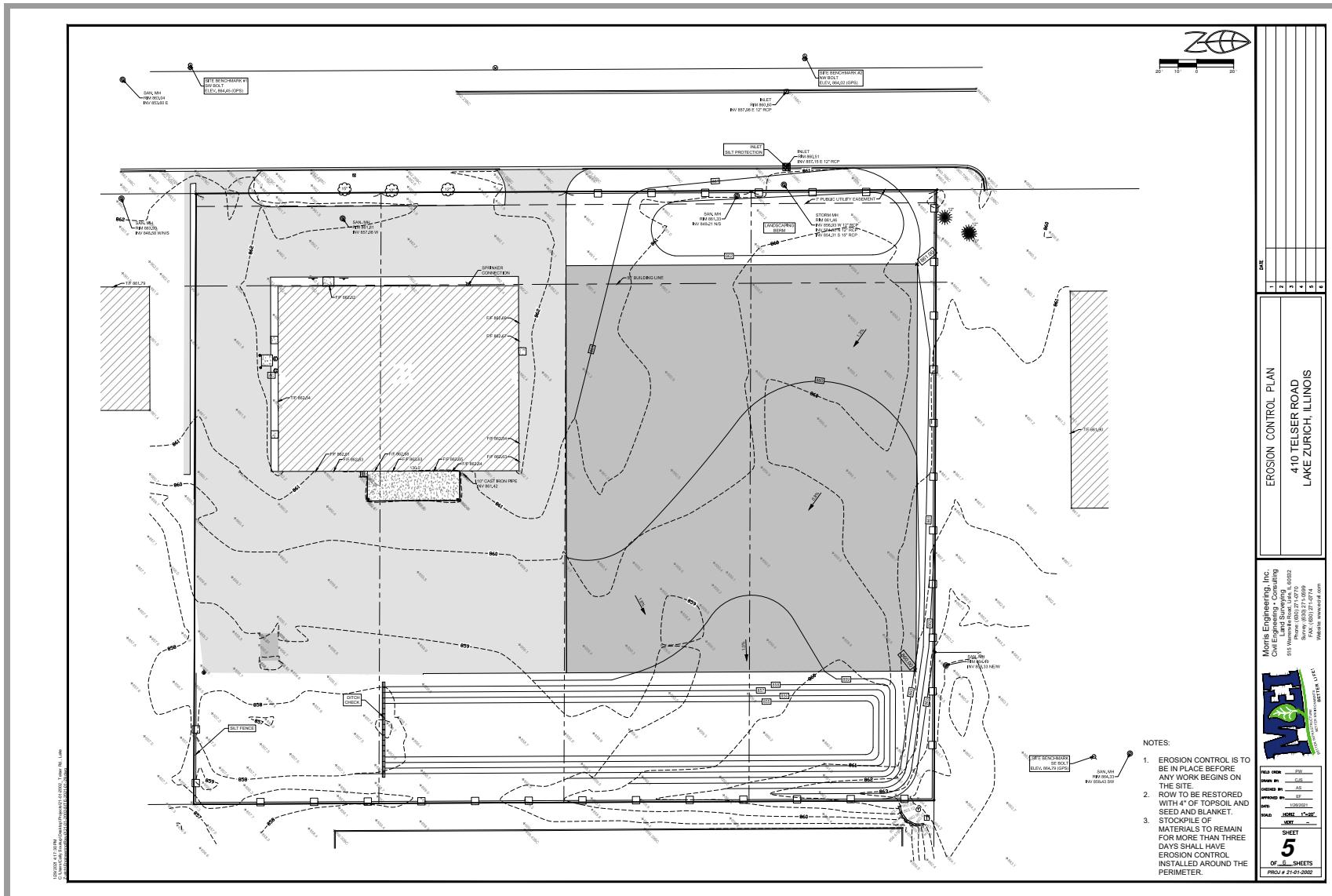
## VIEW FROM NORTHWEST

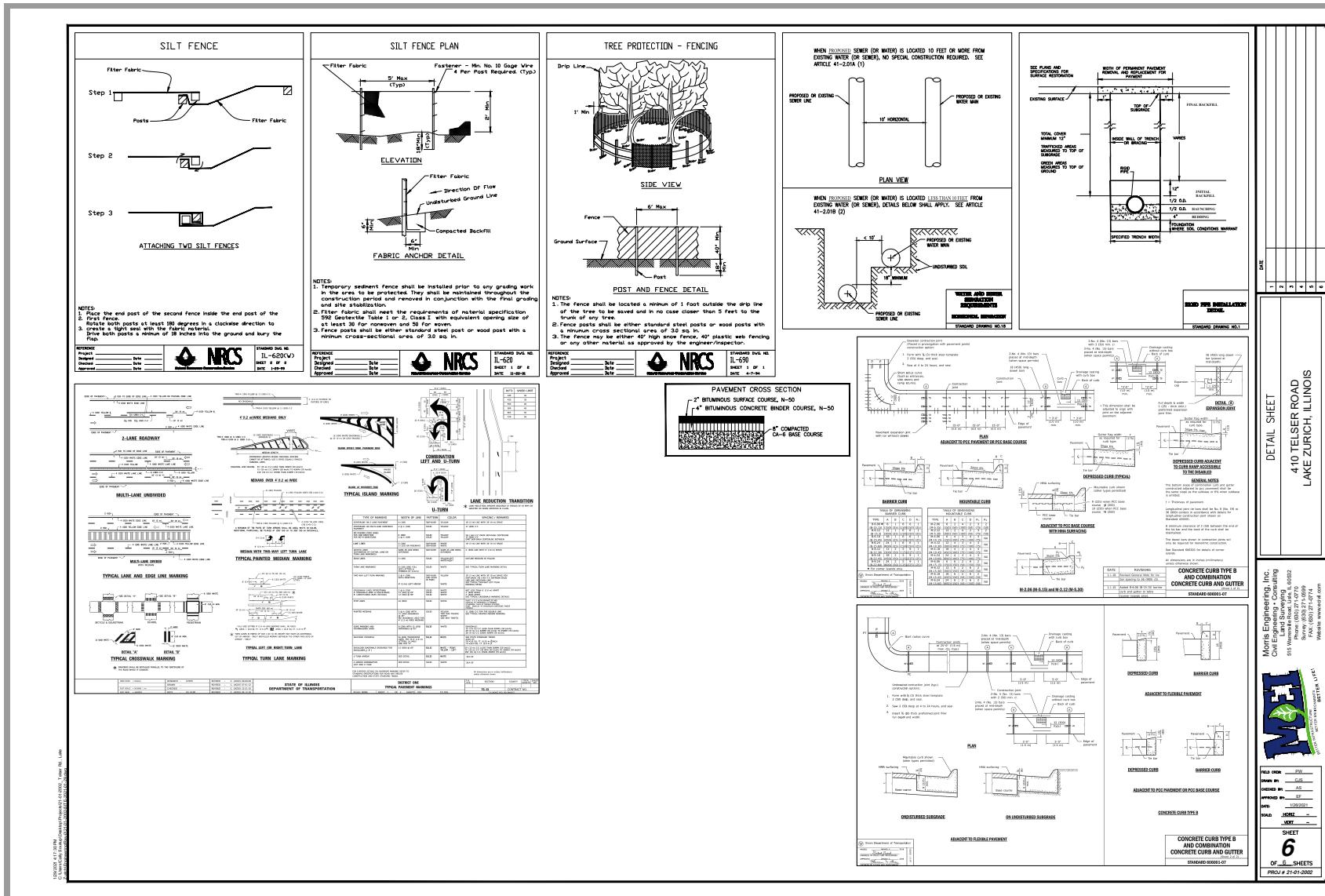












**SUNGOR TRANSPORTATION  
410 TELSER ROAD  
LAKE ZURICH, ILLINOIS**

**STORMWATER REPORT  
JANUARY 29, 2021**

**SUNGOR TRANSPORTATION  
300 S. HICKS ROAD  
PALATINE, ILLINOIS 60067**



**515 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532  
(630) 271-0770**  
MEI Project Number 21-01-2002



January 29, 2021

Re: 410 Telser Road  
Lake Zurich, Illinois  
MEI Project No. 21-01-2002

The Property consists of two developed and two undeveloped parcels. The developed part consists of asphalt paved lot and a 13,000-sf building.

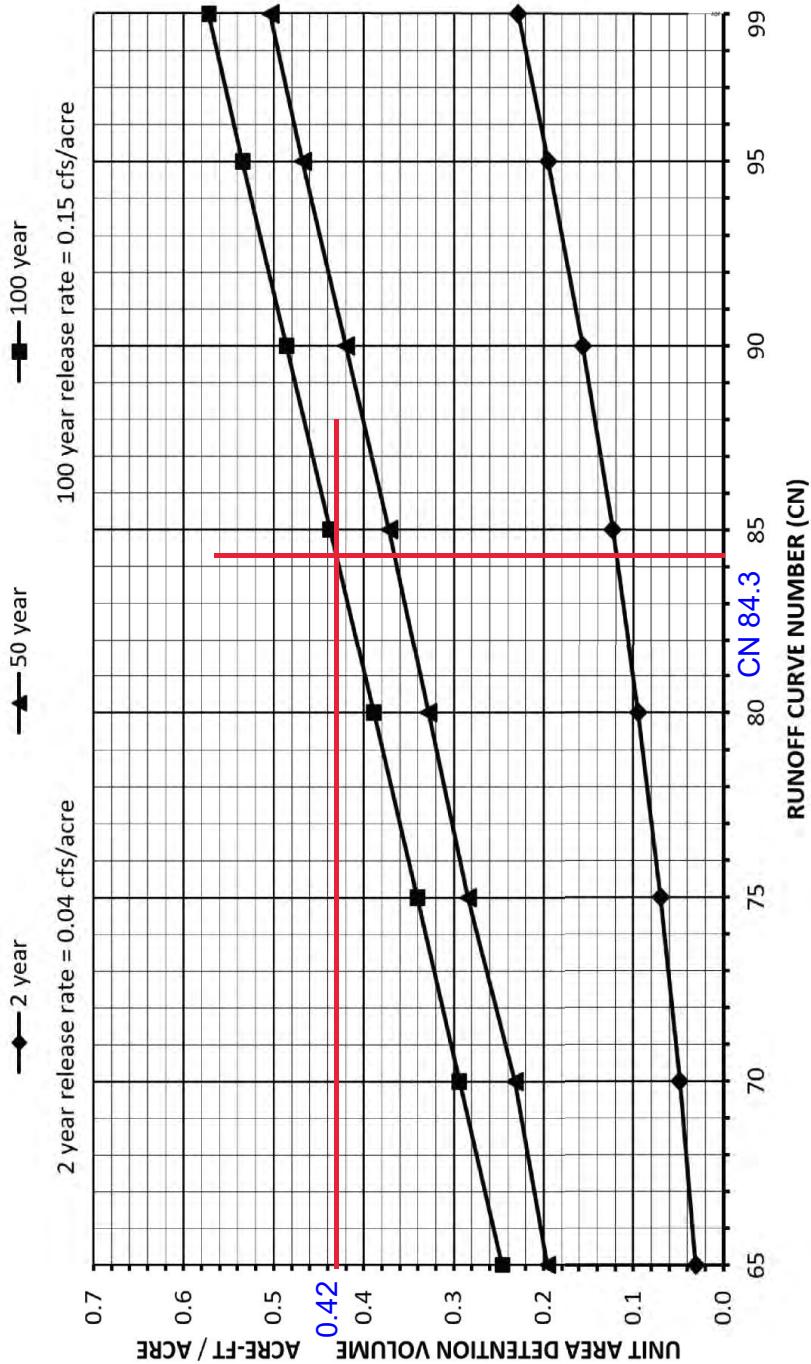
The proposed project will include the installation of a new parking area on lots 14 and 13. The proposed work will require detention to be installed in addition to the existing pond. The proposed pond will be installed along the rear of the property and will connect to the existing pond. The bottom of this pond will be designed as a wet bottom to act as the PCBMP.

There is no known floodplain on or near the parcel. Per Lake County GIS information, there is an isolated wetland located on the portion of the parcel that is to be developed. The exact size of this wetland has not been determined at this time due to weather conditions. A wetland study will be performed in the spring to determine its size and quality. Wetland mitigation will be required, and this study will help determine the extent that the mitigation needs to be.

The property owner will be responsible for the maintenance of the detention pond and all PCBMPs that are constructed.

During the construction process, erosion control will be provided around the site with the installation of silt fence along the property lines.

## Appendix K: Detention Volume Versus Curve Number



$41,667 \times 98 = 4,083,366$   
 $24,316 \times 61 = 1,483,276$   
 Composite CN 84.3  
 $0.42 \times 1.51 \text{AC} = 0.6342 \text{ ac-ft}$

**Proposed Detention Pond Volume Calculation**

Project: Telser Rd  
Location: Lake Zurich  
Date: 1/26/2021  
Engineer: EF  
Project No: 21-01-2002

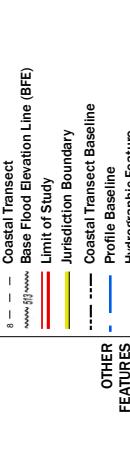
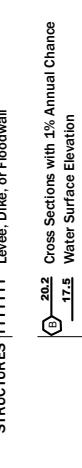
Elevation	Area	Avg. Area	Change in Elev.	Total Volume
855	7353	8220	1	8220
856	9087	9990	1	9990
857	10893	11686.5	1	11686.5
858	12480			
				29896.5 c.f.
				0.686 ac-ft

# National Flood Hazard Layer FIRMette



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



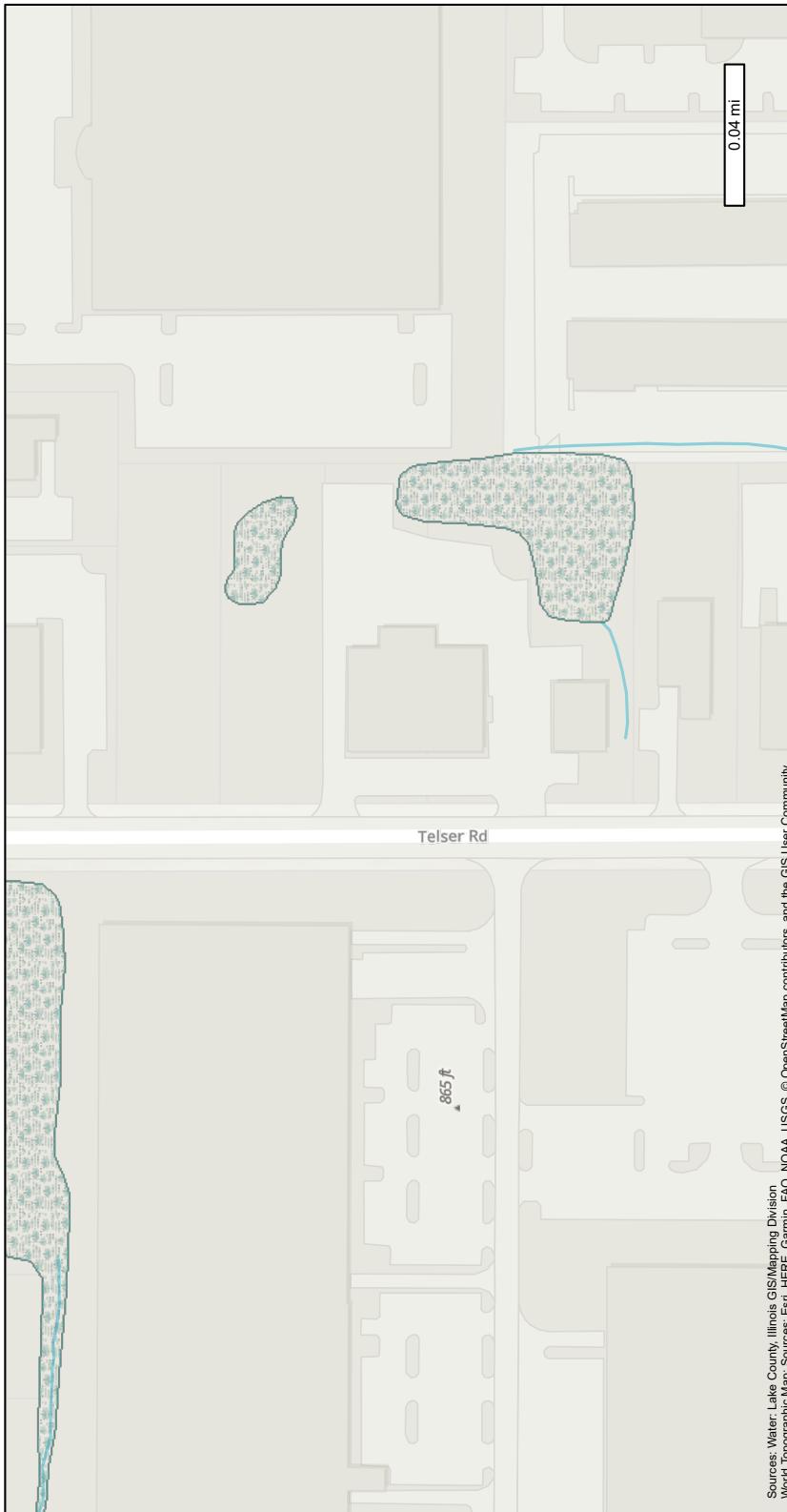
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFH web services provided by FEMA. This map was exported on **1/29/2021 at 1:35 PM** and does not reflect changes or amendments subsequent to this date and time. The NFH and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and undetermined areas cannot be used for regulatory purposes.



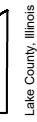
# Lake County, Illinois



Tax Parcel Information  
Lake County Wetland Inventory

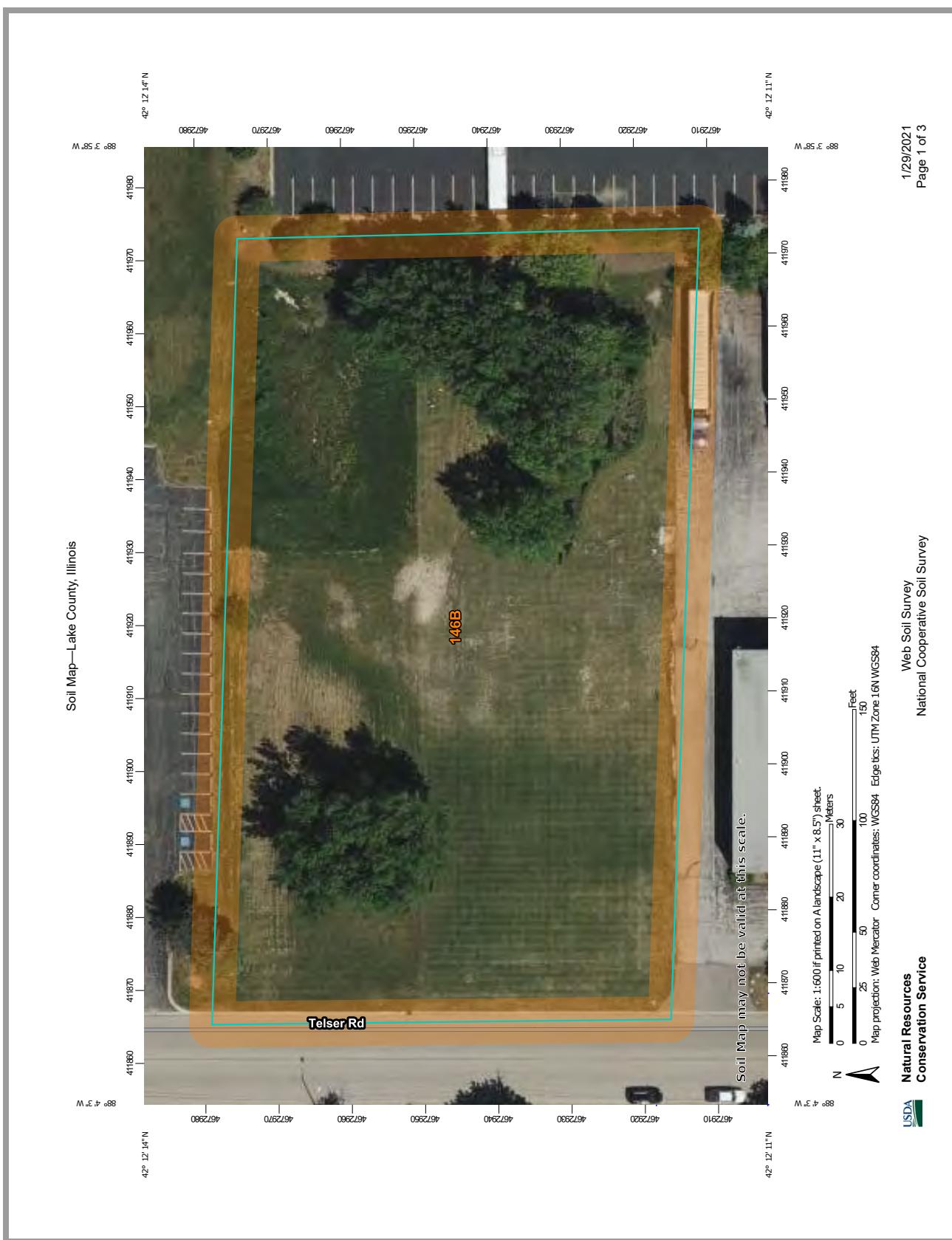


Map Printed on 1/29/2021



Lake County, Illinois

**Disclaimer:** The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.



## Soil Map—Lake County, Illinois

**MAP LEGEND**

<b>Area of Interest (AOI)</b>		Area of Interest (AOI)
<b>Soils</b>		Soil Map Unit Polygons Soil Map Unit Lines Soil Map Unit Points
<b>Special Point Features</b>		Blowout Borrow Pit Clay Spot Closed Depression Gravel Pit Gravelly Spot Landfill Lava Flow Marsh or swamp Mine or Quarry Miscellaneous Water Perennial Water Rock Outcrop Saline Spot Sandy Spot Severely Eroded Spot Sinkhole Slide or Slip Sodic Spot
		Spill Area Stony Spot Very Stony Spot Wet Spot Other Special Line Features Water Features Streams and Canals Transportation Rails Interstate Highways US Routes Major Roads Local Roads Background Aerial Photography

**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Lake County, Illinois  
 Survey Area Data: Version 15, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 13, 2020—Jul 1, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Soil Map—Lake County, Illinois

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
146B	Elliott silt loam, 2 to 4 percent slopes	1.7	100.0%
<b>Totals for Area of Interest</b>		<b>1.7</b>	<b>100.0%</b>



**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey

1/29/2021  
Page 3 of 3



*At the Heart of Community*

**COMMUNITY DEVELOPMENT DEPARTMENT**

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

**APPLICATION PZC 2020-08****AGENDA ITEM 4.B**

**PZC Hearing Opened: October 21, 2020**

**Continued Consideration: February 17, 2021**

**STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Mary Meyer, Building Services Supervisor  
Tim Verbeke, Planner

Date: February 17, 2021

Re: 2020-08 – 265 North Rand Road – Andy’s Deli  
(Former Joe’s Barbershop Property)

**SUBJECT**

Andrew Kolasa, (the “Applicant” and “Owner”) the Applicant and current owner of the property commonly referred to as 265 North Rand Road, requests approval of a Special Use Permit for a Planned Unit Development (PUD), a Zoning Map Amendment, Site Plan Approval and Exterior Appearance Approval to demolish the existing building and construct a new building with a new European deli/restaurant with two residences above along with associated site improvements.

**GENERAL INFORMATION**

Requested Action: Special Use for a Planned Unit Development (PUD)  
Zoning Map Amendment  
Site Plan Approval and Exterior Appearance Approval

Current Zoning: R-5 Single-family Residential District

Proposed Zoning B-1 Local and Community Business District

Current Use: Vacant Commercial Property

Property Location: 265 North Rand Road

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

Applicants: Andrew Kolasa, Jerry Solowiej

Owners: Kolasa Real Estate Investment Inc.

Staff Coordinator: Tim Verbeke, Planner

**LIST OF EXHIBITS**

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

**BACKGROUND**

The property, commonly referred to as the former Joe's Barber Shop property, is located on the northeast corner of the intersection of U.S. Route 12 (Rand Road) and Evanston Terrace, and is legally described in Exhibit A attached hereto (the "Subject Property"). Joe's Barber Shop originally established the store on the property in 1989 with the one-story building that continues to remain today. The current building is centrally located on the northeast corner of the property with parking on the west side. The site is accessible through a vehicular entrance on Evanston Terrace. In 1989, the barber shop was granted approved through a Special Use Permit (Ordinance No. 89-03-308) to allow the construction of a "Family Hair Care" business in the R-4 single-family residential district. The building operated as Joe's Barber Shop between 1989 and 2018. In 1993 the barber shop underwent a re-roofing to bring the building up to code.

The Applicant has filed an application with the Village of Lake Zurich received on August 31, 2020 (the "Application") seeking:

- Special Use Permit for a Planned Unit Development (PUD) for the construction of the Deli and restaurant with residential uses on the upper story (2<sup>nd</sup> Floor);
- Zoning Map Amendment to rezone the property from R-5 single-family residential district to B-1 local and community business district
- Modifications to the zoning and building code requirements;
- Site Plan Review and Exterior Appearance Review to approve the Applicant's proposed building and landscape design on the Subject Property.

*Existing Conditions*

The Subject Property is zoned within the R-5 Single Family Residential District, located along Rand Road, the main commercial and travel corridor of the village. The property comprises an approximately 780 square-foot single-story retail building on 11,326 square-feet of land.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

The Applicants have acquired the property and are proposing to demolish the existing structure and reconfigure the lot with a new two-story commercial building with two residential units above. The applicant intends on residing in one of the two units above the proposed Deli. The units are not proposed to be marketed for sale, rather for the personal use of the property owner and applicant.

*Original Proposal – October 2020*

The original proposal considered by the PZC at the October 21, 2020 meeting included the following:

- Relocating the building closer to Rand Road to increase its distance from the adjacent residential homes to the east. This would result in a reduction of the setback along the westerly side of the property;
- Constructing new 3,017 square-foot building with modern exterior elevations and interiors in keeping with modern design and building standards, customized to fit the proposed uses;
- Constructing a new 5,706 square-foot parking lot with 19 parking spaces on the east side of the property.
- Constructing an outdoor seating area on the southern portion of the property facing Evanston Terrace.
- Installing two new wall signs on the front elevation of the building, and a new ground-mounted monument sign.
- Constructing an 8-foot high fence between the parking lot and Sunrise Lane.
- Installing landscaping along Evanston Terrace, Sunrise Lane, Rand Road, and the property to the north to provide a buffer from the street.
- The Applicant would employ approximately 10 employees and the delicatessen would operate on Monday through Saturday 9am – 8pm, Sunday 9am – 4pm.

*Parking provisions.* The parking requirements were as follows:

- Commercial component (deli and restaurant): The required number of parking spaces for an eating and drinking place is 1 space for each 3 persons of design capacity. The proposed delicatessen was proposed to have 6 tables with an occupancy of 24 seats, thereby requiring a minimum of 8 spaces.
- Residential component (two residences): The applicant proposed 2 residential units which required 1 parking space per bedroom each for a minimum of 3 parking spaces.

A total of 11 parking spaces were required on the property based on the proposed configuration of land uses. The Applicant proposed 19 parking spaces which satisfied the Village's minimum parking requirement, and therefore did not require a departure from the requirements of the zoning code through the PUD.

*Building Architecture:* The new building was proposed to be designed using updated elevations in accordance with the Lake Zurich Building Code. The elevations were designed primarily with brick façades with glass wall window panels along with wood panel accents and concrete block along the southern frontage. The overall height of the building was 25 feet.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

*Current Proposal – February 2021*

Following comments from the PZC and surrounding property owners at the October meeting, and further discussion with staff thereafter, the Applicants submitted their most recent revisions on February 2, 2021.

The primary changes from the original configuration of the property include:

- Reducing the overall width of the building footprint by 2 feet in order to achieve a greater landscape barrier along Sunrise Lane. This will result in a reduction of the floor area of approximately 704 square feet on both floors.
- Reduce the concrete buffer between the parking lot and the building by 1.67 feet in order to achieve a greater landscape barrier along Sunrise Lane.
- Increase the landscape area between Sunrise Lane from 3.30 feet to 7 feet, move the fence in from the property line so that it abuts the parking lot and plant a row of flowering dogwood trees on the street side of the fencing. This will provide the necessary screening and also soften the visual barrier effect of the fence as viewed from the neighboring properties to the east.
- Remove a parking space and utilize it as refuse area, with garbage pickup only occurring within the parking lot.
- Add signage on Sunrise Lane and/or Wilmette Terrace that states the street is designed for “Local Traffic Only” thereby reducing heavy traffic on the street.
- Maintain the interior design capacity with 6 tables at 24 seats.
- The second-floor windows are designed to be smaller if necessary (clerestory windows) to reduce the visual impact on the neighboring residences.

Pursuant to public notice published on September 26, 2020, in the Daily Herald, a public hearing was scheduled with the Lake Zurich Planning & Zoning Commission on October 21, 2020. The hearing was opened and following discussion, was continued to February 17, 2021, to give the Applicant additional time to make revisions. On October 2, 2020, the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

**A. Courtesy Review.** The project to redevelop the property at 265 N Rand Road was presented to the Village Board for Courtesy review on July 6, 2020. Discussion focused on the height of the building at 3 stories, and comments from a number of surrounding residential property owners who were unaware that residential units were being proposed on the upper stories.

Following discussion, the Village Board suggested reducing the height of the building and either reducing or removing the residential units. The Board suggested that if the developer and owners were inclined to move forward, they would need to submit their proposal to the Planning and Zoning Commission for consideration. The courtesy review can be viewed at the following link:

<https://view.earthchannel.com/PlayerController.aspx?&PGD=lakezurichil&eID=454>

**Staff Report**  
**APPLICATION PZC 2020-08**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

The project first went before the Planning and Zoning Commission on October 21, 2020. Following discussion, the Planning and Zoning Commission suggested a number of revision and the Applicant was to come back before the PZC after the revisions were made. The meeting can be viewed at the following link:

<http://view.earthchannel.com/PlayerController.aspx?&PGD=lakezurich&eID=467>

- B. Zoning History.** The existing former Joe's Barber Shop single-story building was constructed in 1953, consistent in height and style with the neighboring development on Evanston Terrace and Sunrise Lane. The property is located at 265 N Rand and is currently zoned within the R-5 Single Family Residential District. The property has not always been zoned R-5. In 1989, Ord. 89-03-308 entitled "An Ordinance Rezoning from R-3 to R-4 and Authorizing a Special Use under the Lake Zurich Zoning Ordinance for Premises at 265 North Rand Road for Use as A Hair Care Salon," rezoned the property from R-3 to R-4 to accommodate the new family Hair Care business. The property was rezoned to R-5 in 2003 as part of the comprehensive amendments to the Zoning Code. The property has been operated as a commercial business through all of its developed history.
- C. Surrounding Land Use and Zoning.** The property is located along the Rand Road (U.S. Route 12) corridor. The properties to the north and south are zoned within the R-5 Single Family Residential district and improved with multi-family residential buildings. The properties to the east are also zoned R-5 and improved with single family residential homes. To the west, the property is bounded by U.S. Route 12 (Rand Road) and R-5 single family homes. A gas station within the B-3 Regional Shopping Business district is located to the southwest of the property.
- D. Trend of Development.** The building at 265 North Rand Road is located on a portion of the Rand Road Corridor of Lake Zurich that is developed with a mix of mature commercial, and residential uses.
- E. Zoning District.** The zoning code provides for three (3) zoning districts for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Lake Zurich and the surrounding suburban area.

The B-1 Local and Community Business District is intended to serve the everyday shopping needs of Village residents as well as to provide opportunities for specialty shops attractive to the wider suburban residential community around the Village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. It also permits compatible uses that, although not used as frequently, would be desirably located in close proximity to potential users. The district is located principally on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses.

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

## GENERAL FINDINGS

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

### 9-22-5: STANDARDS FOR PLANNED UNIT DEVELOPMENTS.

Planned unit developments are included in the zoning code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses and in recognition of the fact that traditional bulk, space, and yard regulations that may be useful in protecting the character of substantially developed and stable areas may impose rigidities on the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

A. Special Use Permit Standards: No special use permit for a planned unit development shall be recommended or granted pursuant to this chapter unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to chapter 19 of this title.

**Staff Response: Standard met. Please refer to the "Standards for Special Use Permits" contained within this report.**

B. Additional Standards for All Planned Unit Developments: No special use permit for a planned unit development shall be recommended or granted unless the applicant shall establish that the proposed development will meet each of the following additional standards:

1. Unified Ownership Required: The entire property proposed for planned unit development treatment shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners and all tracts.

**Staff Response: Standard met. The entirety of the PUD will be developed and operated under the single ownership of Kolasa Real Estate Investment, Inc.**

2. Minimum Area: The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which planned unit developments may be established pursuant to this section.

**Staff Response: Standard met. The property is of a sufficient size to accommodate the development as proposed. The 11,326 square-foot (0.26-acre) property will accommodate the proposed 2-story approximately 3,000**

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

**square foot building with a 5,700 square foot parking lot containing 19 spaces, while providing for the necessary visual buffer along Sunrise Lane.**

3. **Covenants and Restrictions to Be Enforceable by Village:** All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned unit development shall provide that they may not be modified, removed, or released without the express consent of the board of trustees and that they may be enforced by the village as well as by future landowners within the proposed development.

**Staff Response: Standard met. The Village will ensure that any required easements are properly recorded and will be enforced by the Village.**

4. **Public Open Space and Contributions:** Whenever the official comprehensive plan, zoning map, or official map indicates that development of a planned unit development will create a need for land for public purposes of the village within the proposed planned unit development, the board of trustees may require that such area be designated and to the extent such need is specifically and uniquely attributable to the proposed development, dedicated to the village for such use. In addition, the board of trustees may require evidence that all requirements of village ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met as respects the proposed planned unit development.

**Staff Response: Not Applicable. The nature and scope of the development – namely a commercial building with residential component – is not suitable to set aside land for public purposes of the village within the proposed planned unit development.**

**The purpose and intent of such contributions are to compensate for new residential units added to the village, in this case is 2 new units, with new residents that will move into the community to occupy such units.**

**The village will therefore collect impact fees in lieu of land contributions for public open space.**

5. **Common Open Space:**

a. **Amount, Location, And Use:** The failure of a planned unit development to provide common open space shall be considered to be an indication that it has not satisfied the objectives for which such developments may be approved pursuant to this zoning code. When common open space is provided in a planned unit development, the amount and location of such open space shall be consistent with its intended function as set forth in the application and planned unit development plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as

**Staff Report**  
**APPLICATION PZC 2020-08**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

appropriate to the intended leisure and recreational uses for which such open space is intended.

- b. **Preservation:** Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement, or development other than that shown on the approved final plan. The restrictions must be permanent and not for a given period of years and must run with the land. Such covenants and dedications may provide that they may be released, but only with the express written consent of the board of trustees.
- c. **Ownership And Maintenance:** The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards and to ensure that remedial measures will be available to the village if such open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the planned unit development or the village.
- d. **Property Owners' Association:** When the requirements of subsection B5c of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:
  - i. The bylaws and rules of the association and all declarations, covenants, and restrictions to be recorded must be approved as part of the final plan prior to becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this subsection B5d(1); and
  - ii. The association must be established and all covenants and restrictions must be recorded prior to the sale of any property within the area of the planned unit development designated to have the exclusive use of the proposed open space or improvements; and
  - iii. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it; and
  - iv. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements; and
  - v. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

association that meets the requirements for becoming a lien on the property in accordance with state statutes; and

- vi. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds (2/3) of the members voting on the issue; and
- vii. The village must be given the right to enforce the covenants; and
- viii. The village must be given the right, after ten (10) days' written notice to the association, to perform any maintenance or repair work that the association has neglected to perform, to assess the membership for such work and to have a lien against the property of any member failing to pay such assessment. For this purpose alone, the village shall have all the rights and powers of the association and its governing body under the agreements and declarations creating the association.

**Staff Response: Not Applicable. Based on the smaller size, nature and scope of the development, and size of the subject property, the village has determined that the development is not required to provide any public open space, rather pay impact fees in lieu of such land contribution.**

6. **Landscaping and Perimeter Treatment:** Any area of a planned unit development not used for structures or circulation elements shall be landscaped or otherwise improved. The perimeter of the planned unit development shall be treated so as to ensure compatibility with surrounding uses by means such as provision of compatible uses and structures, setbacks, screening, or natural or manmade buffers.

**Staff Response: Standard Met. All portions of the development are proposed to be either improved with paved areas or landscaped.**

**The development will be provided with landscape buffers along the interior lot line – northern lot line – to mitigate the impact of the development. The buffer comprises a 123-foot landscaped area consisting of a mix of 3-inch caliper trees and 3-foot shrubs. The landscape buffer along Sunrise Lane is 7 feet wide. An 8-foot tall fence along with a mix of 3-in caliper trees is proposed to be installed within that buffer to screen the development from the adjacent single-family residential properties on the east side of Sunrise Lane.**

**The fence is set back from the property line so that it abuts the parking lot thereby allowing a row of flowering dogwood trees to be planted on the street side of the fencing. This provides the necessary screening and also softens the visual barrier effect of the fence. Further at the street intersection, the fence is set back from the line of sight control area.**

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

7. **Private Streets:** Private streets are prohibited unless expressly approved by the board of trustees. If so approved, they shall meet all construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in subsection B5d of this section.

**Staff Response: Not Applicable. The development is being proposed on a single site and therefore no internal streets are proposed.**

8. **Sidewalks:** A sidewalk meeting the standards of the Lake Zurich subdivision ordinance shall be provided along at least one side of every street in or abutting a planned unit development; provided, however, that such sidewalk may be constructed in a street right of way or as a specific element of the design of the planned unit development.

**Staff Response: Standard met. A sidewalk currently exists along the Rand Road frontage of the Subject Property. Since the sidewalk is in adequate condition, no mitigation or improvement measures will be required.**

**There are no existing sidewalks along Evanston Terrace or Sunrise Lane for its entire length, and as such no sidewalks are being required as part of this development.**

9. **Utilities:** All utility lines shall be installed underground.

**Staff Response: Standard Met. The development is proposed with all onsite utilities buried with the exception of the Rand Road overhead powerlines. The Applicant is additionally working with the regional and local utility companies to determine the viability of burying the utilities along the periphery of the development particularly at the western side of the property.**

C. **Additional Standards for Specific Planned Unit Developments:** When the district regulations authorizing any planned unit development use in a particular district impose standards to be met by such planned unit development in such district, a special use permit for such development shall not be recommended or granted unless the applicant shall establish compliance with such standards. (Ord., 10-2004)

**Staff Response: Standard Met. There are no additional standards imposed through the establishment of a commercial building with a residential component that are proposed within such district.**

**9-19-3: STANDARDS FOR SPECIAL USE PERMITS.**

Staff has reviewed the plan and found that the amendment will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

A. General Standards: No special use permit for a planned unit development shall be recommended or granted unless the applicant shall establish substantial conformance with the following:

1. Zoning Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

**Staff Response: Standard met. The creation of the Planned Unit Development (PUD) will allow for the Mixed-Use development to be constructed as proposed. The development will therefore remain in substantial conformance with the purpose and intent of the B-1 Local and Community Business District. The property has historically been used as a commercial property. Even though it is zoned within a residential district, the location, proximity to a major regional arterial road, nature and character of the property warrant a non-residential use.**

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

**Staff Response: Standard met. The proposed building will be constructed in a manner so as to minimize any undue adverse effect upon itself or any adjacent properties. These measures include:**

- **Constructing the new building at a location as far from the single-family residences to the east. As currently located, the east wall of the proposed building is approximately 127 feet from the nearest west wall of the residence east of the subject property.**
- **Installing landscape material and fencing as buffers along the northern perimeter lot lines to screen the development from adjacent residential development.**
- **Installing site lighting both on the building and within the parking lot to ensure that the illumination is within the parameters and standards of the site lighting codes.**
- **Implementing traffic control measures to only allow traffic to enter the property from Evanston Terrace.**

**As it relates to use and design, the proposed development is consistent with the trend of development along the Rand Road Area. The proposal will enhance the character of the corridor by redeveloping a vacant parcel traditionally used for commercial uses along the main travel corridor in Lake Zurich.**

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

**Staff Response:** Standard met. The location and operation of the proposed development is not intended to interfere with the surrounding development. There are no pedestrian paths connected to any pavement within the residential portion of the neighborhood, and vehicular access is from Evanston Terrace. No access to the property is proposed from Sunrise Lane which serves the single-family homes.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

**Staff Response:** Standard met. The site is currently served with utilities that were meant to serve the barbershop but which is no longer in use. The developer has proposed to replace the existing utilities on the entire property with new utilities that are designed in locations and with capacity to serve the new commercial building and residence.

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

**Staff Response:** Standard met. It is anticipated that vehicular traffic approaching from Rand Road will access the property from Evanston Terrace. The configuration of the parking lots, entrance and egress locations, internal drive aisles and traffic signage is proposed to minimize any traffic congestion or conflicts, and will not negatively impact circulation along Sunrise Lane.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

**Staff Response:** Standard met. The proposed development will not result in the destruction, loss, or damage of any natural or historic features as the development is reusing an existing building and improving property that was previously developed but currently vacant.

**The development proposes to preserve some of the existing trees within the peripheral buffers to the greatest extent possible.**

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

7. **Compliance with Standards.** The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

**Staff Response: Standard met. The proposed development will comply with all other additional standards imposed through the building codes for a commercial building with a residential component and its accessory uses.**

8. **Positive Effect.** The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

**Staff Response: Standard met. The proposed development will assist in redeveloping and revitalizing a commercial property that has been vacant for several years on Lake Zurich's Rand Road corridor.**

B. **Special Standards for Specified Special Uses.** When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

**Staff Response: Standard met. There are no special standards for any special uses being requested. Staff will ensure that compliance is established before any additional permits are issued.**

C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. **Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

**Staff Response: Standard met. The proposed development will bring a new and comprehensive lifestyle option to the Village. Residents of the village and surrounding municipalities will be provided with a convenient space for specialty grocery and deli services.**

2. **Alternative Locations.** Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

**Staff Response: Standard met. The proposed location is suitable for a commercial building with a residential component, and fits with the land uses, architecture, and design along Rand Road.**

3. **Mitigation of Adverse Impacts.** Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

**Staff Response: Standard met. The applicant has taken a number of steps to minimize the impact of the development on surrounding property. These include:**

- Reconstructing the building as close to Rand Road as possible to minimize the impact on the residents living on Sunrise Lane;
- Restricting access from Evanston Terrace;
- Buffering using landscape material and an 8-foot tall fence; and
- Site lighting that meets the requirements of the zoning code.

These necessary steps have been taken to minimize any substantial adverse effects of the proposed development both on itself and on surrounding property.

#### STANDARDS FOR MAP AMENDMENTS

Amending the zoning map of the zoning code is a matter committed to the sound legislative discretion of the board of trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied, the board of trustees shall act in what it reasonably believes to be in the best interest of the general public, and may consider, among other factors, the following factors as they may be relevant to a particular application:

A. The consistency of the proposed amendment with the purposes of this zoning code.

**Staff Response: The subject property has been zoned within a residential district since the original platting of the property to be consistent with the zoning classification of homes on the eastern side of Sunrise Lane. The purpose and intent of such zoning was to allow the property to revert to a residential use in the event its use as a Family Hair Care Business was abandoned or relinquished.**

However, since the existing building presents the opportunity for uses other than residential uses, the most suitable way in which a new non-residential use could be established on the property is to rezone it to the B-1 Local and Community Business District. The B-1 district was intentionally created to accommodate the continued use of such smaller properties serving nearby residential uses.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

B. The community need for the proposed amendment and for the uses and development it would allow.

**Staff Response:** Standard met. The proposed amendment would allow a unique building to be constructed and be used adaptively with a land use that provides a service to the community.

C. If a specific parcel of property is the subject of the proposed amendment, then the following factors:

1. Existing Uses And Classifications: The existing uses and zoning classifications for properties in the immediate vicinity of the subject property.

**Staff Response:** Standard met. The property is proposed to be rezoned from R-5, which is consistent with the neighboring zoning classifications, to B-1.

According to Section 9-4-1 entitled "Purposes," the B-1 district was created to ".....serve the everyday shopping needs of Village residents as well as to provide opportunities for specialty shops attractive to the wider suburban residential community around the Village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. It also permits compatible uses that, although not used as frequently, would be desirably located in close proximity to potential users. The district is located principally on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses."

2. Trend Of Development: The trend of development in the immediate vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.

**Staff Response:** Standard met. The subject property is located along the Rand Road corridor. The area is part of a transitional residential area providing a transition from the higher intensity commercial land uses within the B-3 district to the south and southwest to residential uses to the north.

3. Diminution Of Values: The extent to which the value of the subject property is diminished by the existing zoning classification applicable to it.

**Staff Response:** Standard Met. The subject property is zoned within the R-5 Single-Family Residential Zoning District. However, the property has historically been used for a non-residential purpose (used most recently for family hair care). Its location, design and configuration are not conducive to use as a residential structure and will require considerable cost to be reconfigured and upgraded for a residential use resulting in a diminution in its value.

**Staff Report**  
**APPLICATION PZC 2020-08**

**Community Development Department**  
**PZC Hearing Date: February 17, 2021**

4. Increase in Health, Safety, And Welfare: The extent, to which any such diminution in value is offset by an increase in the public health, safety, and welfare.

**Staff Response: Standard Met.** The Applicant proposes to demolish the existing structure and construct a new building that will fit within the character of Lake Zurich as well as being ADA compliant. Limited wall-mounted signage is proposed on the building.

5. Effects On Adjacent Properties: The extent to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

**Staff Response: Standard Met.** The deli and two residential units above proposed to be established will be surrounded on three sides by residential buildings and uses. However, its relatively low intensity is not expected to have any detrimental impact these residential properties. The Applicant contends that the proposed residences will not be for sale or rent and will remain for private use of the building owners.

6. Value Of Adjacent Properties: The extent to which the value of adjacent properties would be affected by the proposed amendment.

**Staff Response: Standard met.** The entirety of the business will be operated within the building with the exception of an outdoor patio seating area which will be utilized in the summer months. This patio will be located away from any residence and will be adequately screened from the roadway and parking lot. The Applicant has demonstrated that it will not have any substantial or undue adverse effect upon any adjacent properties and will not adversely impact the public health, safety, and general welfare of the Village.

7. Future Development: The extent to which the future orderly development of adjacent properties would be affected by the proposed amendment.

**Staff Response: Standard Met.** The adjacent residential properties to the north and south are already built up and will continue their operation and use as residential properties. The existing use will not impede upon or negatively impact their ongoing use. No evidence has been submitted or found showing that the proposed location is inappropriate for the proposed land use.

8. Suitability Of Text Amendment: The suitability of the proposed text amendment for the zoning district in which the amendment is being proposed.

**Staff Response: Not applicable.** The Applicant is requesting an amendment to the zoning map (Map Amendment), not the language and provisions of the zoning code (Text Amendment).

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

9. Ingress and Egress: The availability, where relevant, of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

**Staff Response: Standard Met. The Applicant intends to utilize an access point on Evanston Terrace, which is a similar configuration to the current conditions.**

10. Utilities and Services: The availability, where relevant, of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under its present zoning classification.

**Staff Response: Standard Met. The proposed business is currently served by and will continue to be served adequately by essential public facilities and services such as streets, utilities, drainage and other municipal services. The application will be required to increase the size of the water and sanitary sewer utilities to accommodate the proposed use.**

11. Length of Vacancy: The length of time that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

**Staff Response: Standard Met. The previous owner, Joe's Barber Shop, vacated the property early in 2018. The property has been vacant since that time. The Applicant took ownership in June of 2020.**

12. Positive Effect: The proposed amendment creating a positive effect for the zoning district, its purposes, and adjacent properties shall be placed before the benefits of the petitioner. (Ord. 2013-12-944, 1-6-2014)

**Staff Response: Standard Met. The Applicant intends to construct a unique building which will contribute to the established character of Lake Zurich.**

#### **IDENTIFICATION AND ANALYSIS OF ZONING RELIEF FOR THE PLANNED UNIT DEVELOPMENT (PUD)**

On analysis of the proposed development against the various standards contained within the municipal code, staff has identified the following areas that will require zoning relief.

1. **Section 8-11-1.F.2 Maximum Fence Height; Interior Side and Rear Yards.** The Building regulations require that fences in Interior Side and Rear Yards not exceed a maximum height of 5 feet. The code allows for fences to extend to 7 feet in height for certain residential property being used for business or industrial purposes. The Applicant is requesting an 8-foot high fence in the corner front yard adjoining the adjacent Sunrise Lane to screen the proposed parking lot from the residences.

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

The fence will be set back 7 feet from the east lot line and landscape material will be planted in that area of the property to reduce the barrier effect of the fence.

2. **Section 9-4-10.B. Minimum lot area;** The zoning regulations require lots within the B-1 district to be a minimum of 20,000 square feet. The existing property is 11,326 square feet, thereby requiring a modification to the requirement to allow the property to be rezoned for commercial uses.
3. **Section 9-4-10.C.1 Minimum Yards; Front and Corner Side Yards.** The zoning regulations require that the structure be setback a minimum of 25 feet from any front or corner lot line. U.S. Route 12 also requires a minimum of a 50-foot setback. The Applicant is requesting a 15-foot setback from Rand Road and a 7-foot side yard setback from Evanston Terrace. The current building's corner yard setback is 14 feet off Sunrise Lane lot line.

The reductions in the setback from Rand Road and Evanston terrace are consistent with the properties to the north at 211 Sunrise Lane and to the south at 100 North Rand Road.
4. **Section 9-4-10.C.2 Minimum Yards; Side Yards.** The Building regulations require that the structure be setback a minimum of 10 feet from any side lot. The Applicant is requesting a 7-foot front yard setback. The current building is setback 9 feet off the side yard lot line.
5. **Section 9-4-10.E.1 Minimum Landscaped Surface Area, Retail Use.** The Building regulations require that the minimum landscaped surface area percent be 40%. The Applicant requires a landscape surface area of 22%.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

### **RECOMMENDATION**

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-18-3: Standards for Amendments
- Section 9-19-3: Standards for Special Use Permits
- Section 9-22-5: Standards for Planned Unit Developments

Staff has determined that with the modifications to the zoning code, the standards for approval will be met and recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2020-08, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application dated August 31, 2020, and prepared by Andrew Kolasa.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Geometric Site Plans, dated August 31, 2020, and prepared by Andrew Kolasa.
  - d. Landscape Plan, dated August 31, 2020, and prepared by Andrew Kolasa.
  - e. Front and Side Elevations, dated August 31, 2020, and prepared by Andrew Kolasa.
  - f. Proposed Floor Plan, dated August 31, 2020, and prepared by Andrew Kolasa.
  - g. Front and Side Elevations, dated August 31, 2020, and prepared by Andrew Kolasa.
  - h. Cover letter, dated February 2, 2021 and prepared by Andrew Kolasa.
  - i. Revised Landscape Plans, dated February 2, 2021 and prepared by Andrew Kolasa.
  - j. Revised Site Plan, dated February 11, 2021 and prepared by Andrew Kolasa.
  - k. Revised Renderings dated February 2, 2021 and prepared by Andrew Kolasa.
2. The new parking lot shall be properly screened with the required amount of landscaping and buffering plant material as required by the village code. Additionally, a solid fence shall be constructed along the easterly frontage of the property along Sunrise Lane for the purpose of screening the building and parking lot from the adjacent residences to the east across Sunrise Lane. This fence shall be set back at a distance of no less than 7 feet from the east lot line and not exceed a height of 8 feet. Screening landscape material shall additionally be planted within the 7-foot landscape area between the fence and east lot line. These landscape materials may take the form of shrubs, grasses, ornamental trees, shade trees and evergreens. The height of fencing along the remaining north, west and south lots lines shall conform to the height in that respective yard as required by Section 8-11-1 of the Lake Zurich Municipal Code.
3. Foundation landscape material shall also be added along the southerly and westerly elevations of the building. These foundation landscape materials may take the form of shrubs, grasses, or evergreens. The final landscape plan shall be approved by village staff prior to approval of the project by the Village Board.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

4. The Applicants shall work with Village Staff and the Village Engineer to make any necessary changes to the existing street edge along the frontage of the property with Evanston Terrace and Sunrise Lane, and to the vehicular access areas to the property for the provision of proper street curbing where required.
5. Traffic signage at the access to the property and at the intersection of Evanston Terrace and Sunrise Lane shall be installed to address any traffic flow and safety and concerns following the review of the Final Plan documents. Specifically, signage on Sunrise Lane and/or Wilmette Terrace that states the street is designed for “Local Traffic Only” shall be installed at appropriate locations determined by the Village, thereby reducing through-traffic on Sunrise Lane.
6. All graphics and signage shall be designed and constructed on compliance with the requirements of the Sign Code (Title 12).
7. No customer overflow parking will be allowed on the right-of-way adjoining the property.
8. The exterior site lighting on both the building and the site shall be designed in conformance with the requirements of Chapter 8 Article B entitled “Exterior Lighting.” Prior to Final Plan approval, final illumination and lighting plans shall be submitted for review and approval by the Village.
9. The Owner shall be responsible for payment of the all Impact Fees for the establishment of the two new upper-story residences on the property and as a condition of the approval of the Final Plan. Such Impact Fees shall be as follows:
  - a. The required school impact fee: (1-2 bedroom) – \$795.00 per unit
  - b. The required park impact fee: (1-2 bedroom) - \$5,166.00 per unit
  - c. The required library impact fee: \$125.00 per unit

The school impact fees, park impact fees, and library impact fees are paid pro-rata and due at the time a building permit is issued for the building and shall include the fees for all units contained within such building.
10. The special use for a Planned Unit Development (PUD) constituting the building containing the European Deli, outdoor seating areas, two residential units on the second floor, and associated parking lot and accessory structures shall be the only land uses and structures allowed on the subject property as granted by this approval. Such uses shall be located within and associated with the property at 265 North Rand Road in the configuration as approved herein. Such Special Use shall not be altered, expanded or relocated on the property, transferred to successive ownership or converted to another land use without the express approval of the Village.
11. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Tim Verbeke, Planner

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

**LAKE ZURICH PLANNING & ZONING COMMISSION  
FINAL FINDINGS & RECOMMENDATIONS**

**265 NORTH RAND ROAD  
February 17, 2021**

The Planning & Zoning Commission recommends approval of Application [PZC 2020-08](#), and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated [February 17, 2021](#) for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application dated August 31, 2020, and prepared by Andrew Kolasa.
  - b. Exhibit A: Legal Description of the Subject Property
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  - d. Landscape Plan, dated August 31, 2020, and prepared by Andrew Kolasa.
  - e. Front and Side Elevations, dated August 31, 2020, and prepared by Andrew Kolasa.
  - f. Proposed Floor Plan, dated August 31, 2020, and prepared by Andrew Kolasa.
  - g. Front and Side Elevations, dated August 31, 2020, and prepared by Andrew Kolasa.
  - h. Cover letter, dated February 2, 2021 and prepared by Andrew Kolasa.
  - i. Revised Landscape Plans, dated February 2, 2021 and prepared by Andrew Kolasa.
  - j. Revised Site Plan and occupancy calculations, dated February 11, 2021 and prepared by Andrew Kolasa.
  - k. Revised Renderings dated February 2, 2021 and prepared by Andrew Kolasa.
2. The new parking lot shall be properly screened with the required amount of landscaping and buffering plant material as required by the village code. Additionally, a solid fence shall be constructed along the easterly frontage of the property along Sunrise Lane for the purpose of screening the building and parking lot from the adjacent residences to the east across Sunrise Lane. This fence shall be set back at a distance of no less than 7 feet from the east lot line and not exceed a height of 8 feet. Screening landscape material shall additionally be planted within the 7-foot landscape area between the fence and east lot line. These landscape materials may take the form of shrubs, grasses, ornamental trees, shade trees and evergreens. The height of fencing along the remaining north, west and south lots lines shall conform to the height in that respective yard as required by Section 8-11-1 of the Lake Zurich Municipal Code.
3. Foundation landscape material shall also be added along the southerly and westerly elevations of the building. These foundation landscape materials may take the form of shrubs, grasses, or evergreens. The final landscape plan shall be approved by village staff prior to approval of the project by the Village Board.
4. The Applicants shall work with Village Staff and the Village Engineer to make any necessary changes to the existing street edge along the frontage of the property with Evanston Terrace and Sunrise Lane, and to the vehicular access areas to the property for the provision of proper street curbing where required.

**Staff Report  
APPLICATION PZC 2020-08**

**Community Development Department  
PZC Hearing Date: February 17, 2021**

5. Traffic signage at the access to the property and at the intersection of Evanston Terrace and Sunrise Lane shall be installed to address any traffic flow and safety and concerns following the review of the Final Plan documents. Specifically, signage on Sunrise Lane and/or Wilmette Terrace that states the street is designed for "Local Traffic Only" shall be installed at appropriate locations determined by the Village, thereby reducing through-traffic on Sunrise Lane.
6. All graphics and signage shall be designed and constructed on compliance with the requirements of the Sign Code (Title 12).
7. No customer overflow parking will be allowed on the right-of-way adjoining the property.
8. The exterior site lighting on both the building and the site shall be designed in conformance with the requirements of Chapter 8 Article B entitled "Exterior Lighting." Prior to Final Plan approval, final illumination and lighting plans shall be submitted for review and approval by the Village.
9. The Owner shall be responsible for payment of the all Impact Fees for the establishment of the two new upper-story residences on the property and as a condition of the approval of the Final Plan. Such Impact Fees shall be as follows:
  - a. The required school impact fee: (1-2 bedroom) – \$795.00 per unit
  - b. The required park impact fee: (1-2 bedroom) - \$5,166.00 per unit
  - c. The required library impact fee: \$125.00 per unit

The school impact fees, park impact fees, and library impact fees are paid pro-rata and due at the time a building permit is issued for the building and shall include the fees for all units contained within such building.

10. The special use for a Planned Unit Development (PUD) constituting the building containing the European Deli, outdoor seating areas, two residential units on the second floor, and associated parking lot and accessory structures shall be the only land uses and structures allowed on the subject property as granted by this approval. Such uses shall be located within and associated with the property at 265 North Rand Road in the configuration as approved herein. Such Special Use shall not be altered, expanded or relocated on the property, transferred to successive ownership or converted to another land use without the express approval of the Village.
11. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
  - Without any further additions, changes, modifications and/or approval conditions.
  - With the following additions, changes, modifications and/or approval conditions:

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Planning & Zoning Commission Chairman

Staff Report  
APPLICATION PZC 2020-08

Community Development Department  
PZC Hearing Date: February 17, 2021

**EXHIBIT A**  
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THAT PART OF THE W ½ OF THE SE ¼ OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN IN THE VILLAGE OF LAKE ZURICH, LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 20 IN FRANK W. KINGSLEY'S ZURICH HEIGHTS GOLF CLUB ESTATES, A SUBDIVISION OF A PART OF THE S ½ OF SECTION TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED AS DOCUMENT 3666560 AND PARTIALLY VACATED BY DOCUMENT 366635; THENCE SOUTH 152.12 FEET ; THENCE WEST 30 FEET TO THE NORTH CORNER AND POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST 124.90 FEET, MORE OR LESS, TO THE EAST RIGHT OF THE LINE OF U.S. ROUTE NO. 12, KNOWN AS RAND ROAD; THENCE SOUTH ALONG THE EAST RIGHT OF WAY LINE OF RAND ROAD TO THE LINE EXTENDING EAST OF EVANSTON TERRACE; THENCE EAST ALONG THE NORTH LINE EXTENDED OF EVANSTON TERRACE, 100 FEET OR LESS, TO A POINT WHICH IS SOUTH FROM THE PLACE OF BEGINNING, THENCE NORTH 102.08 FEET TO THE PLACE OF BEGINNING OF LAKE COUNTY, ILLINOIS.

Staff Report  
APPLICATION PZC 2020-08

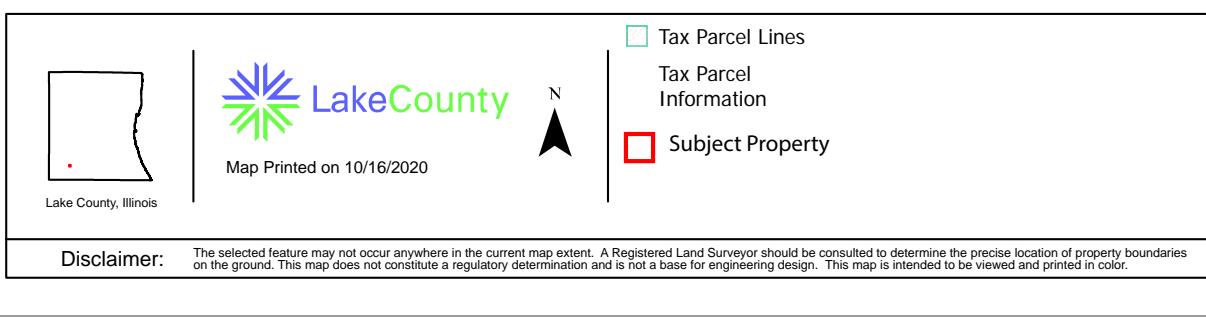
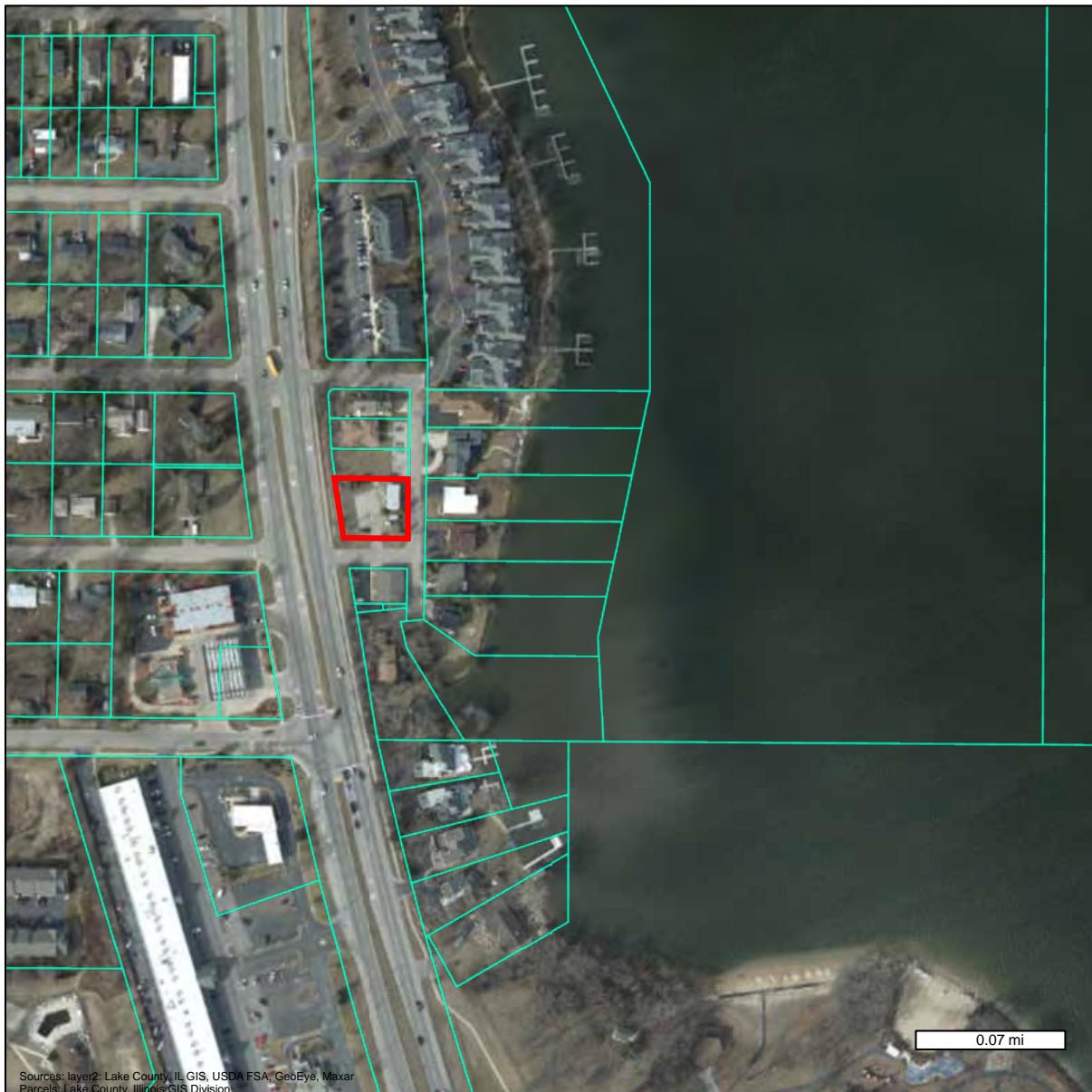
Community Development Department  
PZC Hearing Date: February 17, 2021

**EXHIBIT B**

PUBLIC HEARING SIGN PRESENT AT THE SUBJECT PROPERTY



## 265 N Rand





# Andy's Deli Proposal

## 265 N Rand Road



COMMUNITY SERVICES DEPARTMENT

Building and Zoning Division

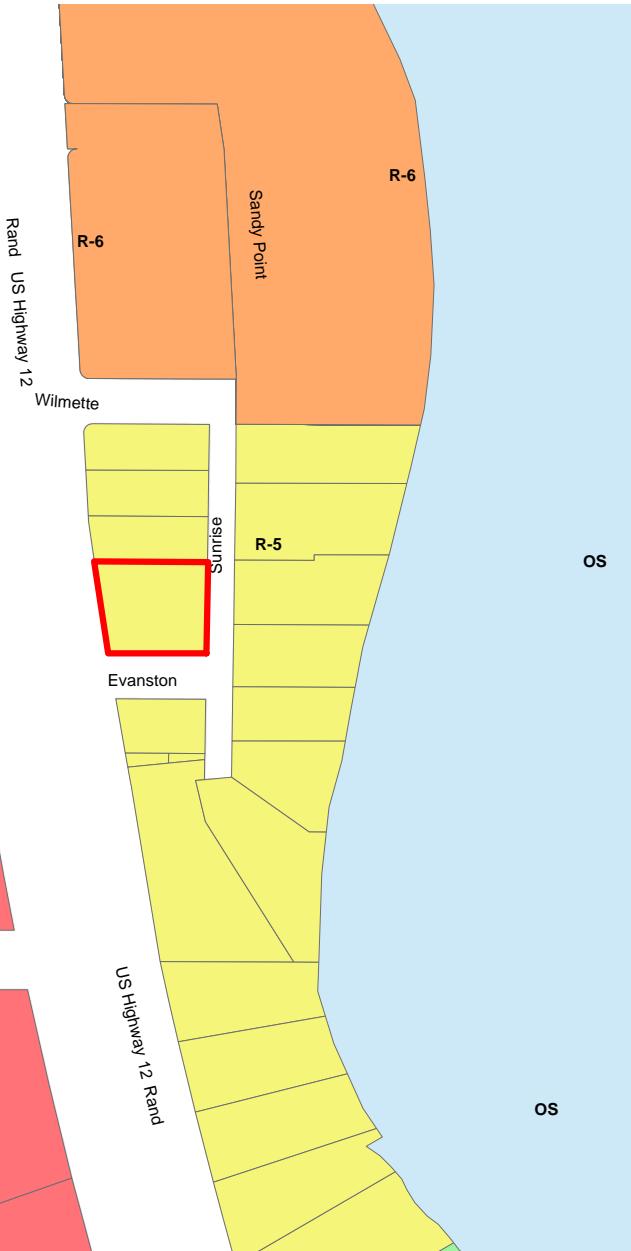
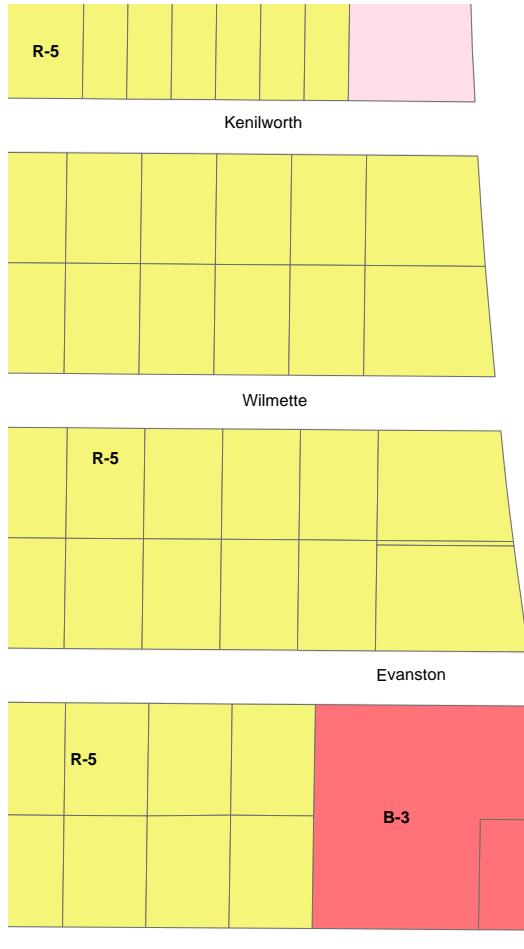
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
Fax: (847) 726-2182  
LakeZurich.org



# Andy's Deli Proposal

## 265 N Rand Road



COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
Fax: (847) 726-2182  
LakeZurich.org

# FEBRUARY SUBMITTAL



# Andy's Deli

& MIKOLAJCZYK SAUSAGE SHOP, INC.

4021 W. KINZIE ST., CHICAGO IL 60624

PH.: 773-722-1000 FAX: 773-722-7924

Andy's Deli and European Café

February 2021

As previously stated, Andy's Deli & Mikolajczyk Sausage Shop Inc. aka Andy's Deli would like to open a Delicatessen with two dwelling units on the second floor at 265 N Rand Road Lake Zurich, Illinois 60047. The hours of operation of the delicatessen would be Monday through Saturday 9am – 8pm, Sunday 9am – 4pm.

Andy's Deli & Mikolajczyk Sausage Shop Inc. would like to update the project with the following points. The deli would consist of 2 cashier stations, indoor/outdoor seating with 6 tables, Coffee, tea, juice section. The Delicatessen will have a service deli with ready eat meat products (soups, sausages, hams, bacon, cheeses, etc.), there will also be retail shelves stocked with European style products (jar pickles, jar mushrooms, condiments, etc.). Self-serve retail refrigerators/freezer would contain (dairy, vacuum sealed ready to eat meat products, frozen ice cream, frozen pierogi, etc.). The back room of the deli would contain a kitchen, walk in cooler, walk in freezer and a dry goods storage area.

Landscaping from the Sunrise Ln. would consist of tall trees and shrubbery which would provide privacy for the neighbors. Andy's Deli we would like to enclose the property with an 8-foot solid fence (height approval needed by Lake Zurich). This enclosure would block any noise and provide privacy for the neighbors along Sunrise Ln.

The entrance and exit of the parking lot would be of Evanston Terrace street. This would create less traffic for the neighborhood by focusing only on one street. All deliveries and pickups would all come from Evanston Terrace during

#### Notice

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# Andy's Deli

& MIKOLAJCZYK SAUSAGE SHOP, INC.

4021 W. KINZIE ST., CHICAGO IL 60624

PH.: 773-722-1000 FAX: 773-722-7924

delicatessen hours of operation. Waste and garbage location would be within the enclosed parking lot. The collection of the garbage would be performed within the property. Andy's Deli would like to suggest an installation of a sign on Wilmette Terrace and Sunrise Lane displaying "Local Traffic Only". This would deter anyone not living in the area to avoid using these streets and would prevent lower the traffic for the neighborhood.

The second story dwelling units would have smaller windows on the east side of the building. The windows would be placed closer to the ceiling of the unit. By doing this we believe this would provide even more privacy for the neighbors of Sunrise Ln. Currently the location has an abandoned building which looks awful and we believe that our project would bring value to Lake Zurich and the neighborhood.

Sincerely,

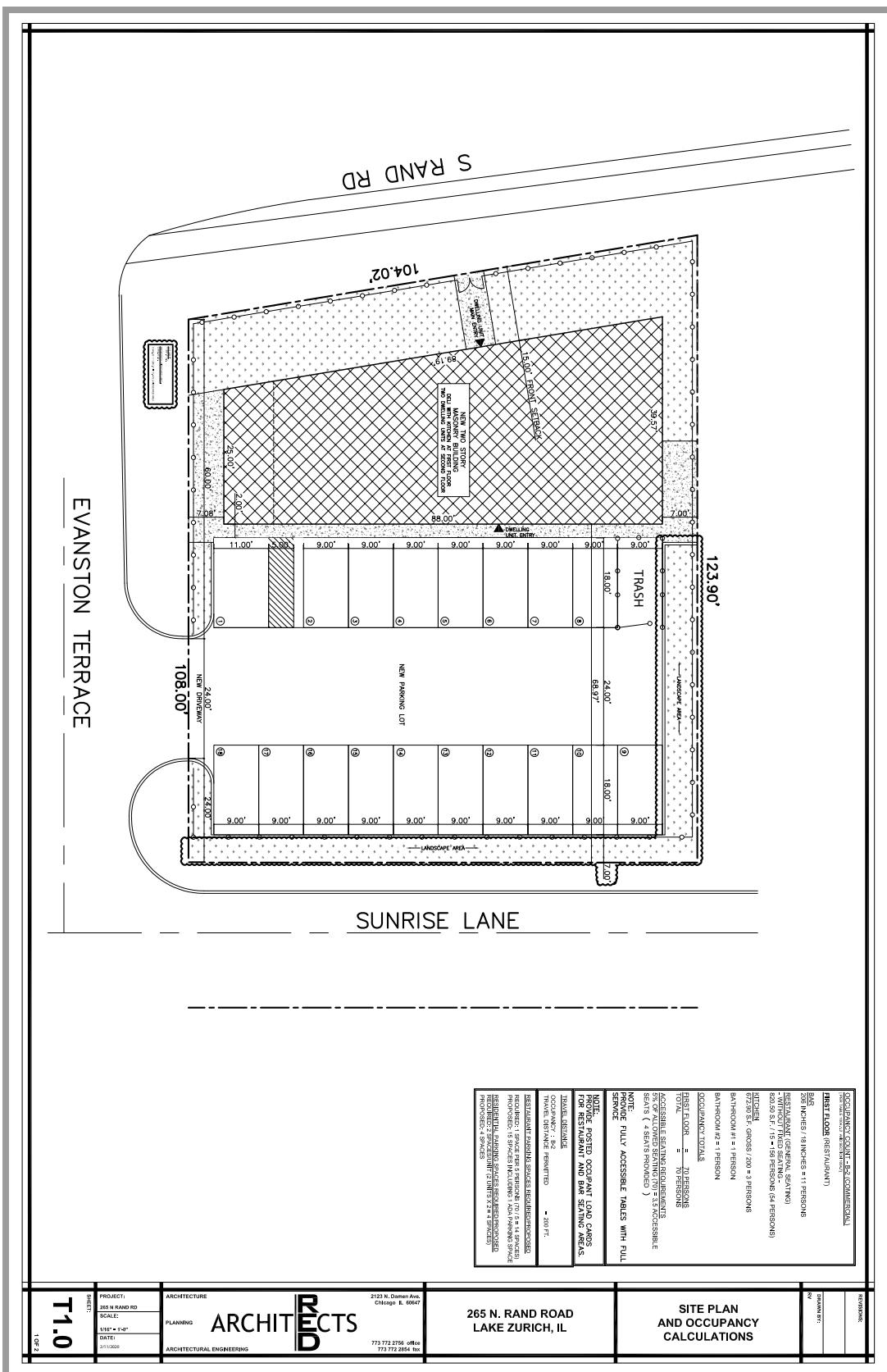
Jack Zak

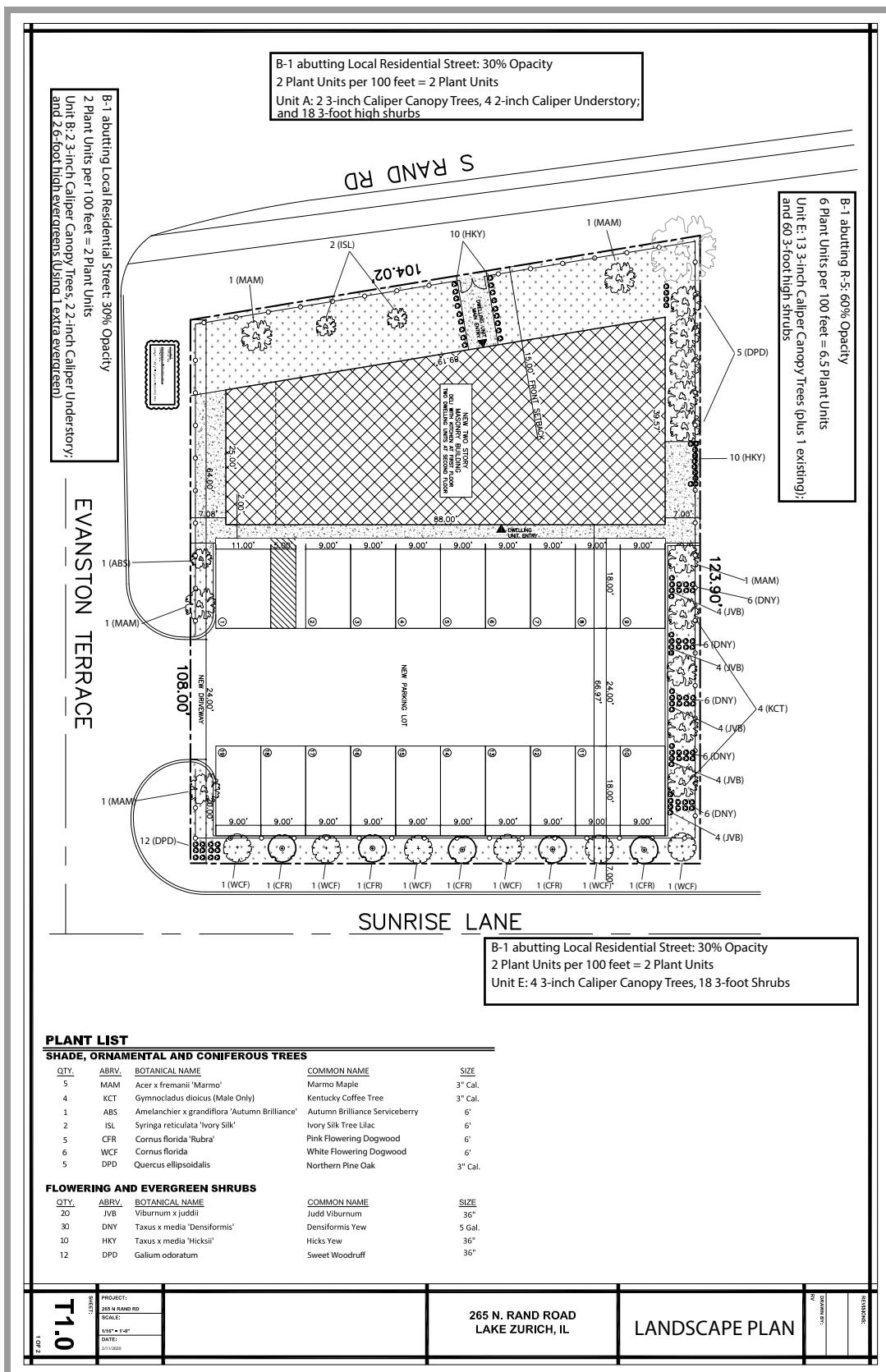
GM

Andy's Deli

#### Notice

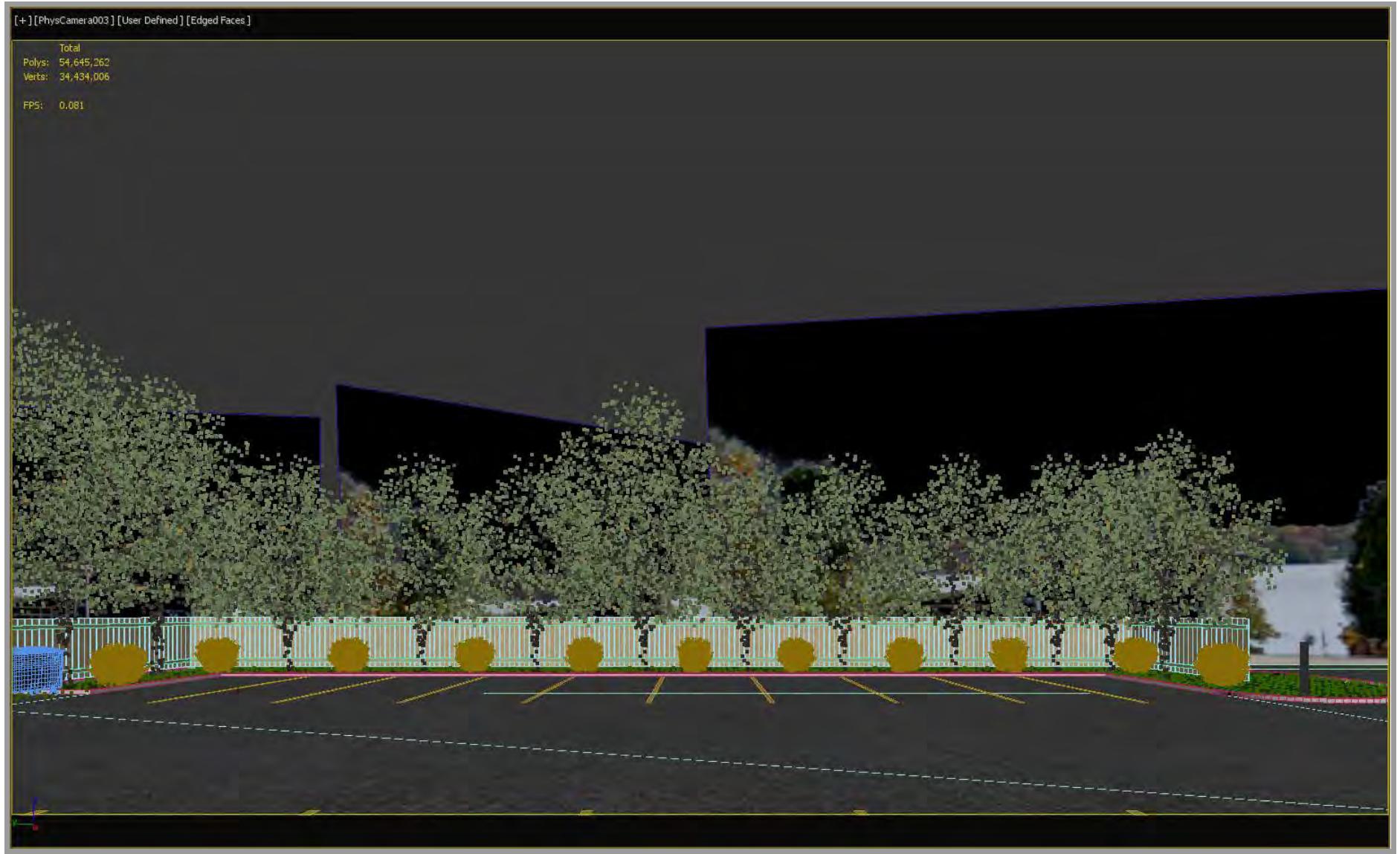
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**From:** [JACK ZAK](#)  
**To:** [Tim Verbeke](#); [Jerzy Solowiej](#)  
**Subject:** Jack Zak Andy's Deli 265 N Rand Rd  
**Date:** Wednesday, December 23, 2020 4:09:40 PM

---

Good Afternoon Tim

Thank You for taking the time to speak to us in regards to the 265 N Rand Rd

Some key points we spoke about:

- Deli store with indoor / outdoor seating for customers
- Signage on the Wilmette Terrace and Sunrise Lane "Not A Thru Street" this would avoid traffic for the neighbors.
- Landscaping from Sun Rise Ln. Tall trees and to close off the parking from the neighbors
- Tall fence to close off the parking Both visibly and acoustically to give neighbors privacy.
- Garbage collection would be done from the parking entrance of Evanston Terrace.
- Second floor Windows to be made smaller and/or be closer to the top of from the roof.

In the attachment there is a rendering of the building with the smaller windows and landscaping

Sincerely,

Jack Zak

Happy Holidays



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

The applicants from 265 Rand Road (Andy's Deli) asked the Planning and Zoning Commissioners for their initial feedback after their second round of revisions and new renderings. The Commissioner's had the following comments, questions, and concerns:

**Orlando Stratman**

I think the revised rendering indicates the petitioner's willingness to listen to the concerns of the residents and the commissioners. I appreciate this commitment by the petitioner. He is on the right approach.

**Kurt Baumann**

I have no issues with the proposed changes.

**Ildiko Schultz**

I do not see much difference between this rendering and the previous one. It still does not fit the overall makeup of the area - too modern and I do not think it will adequately fit the space. I also do not think they need apartments above. There are apartments across the street and unless they expect their employees to be onsite 24/7, they will need transportation. This is the suburbs, not the city - no public transportation! So how do these employees get around if they live above the deli? Especially in the winter. This is an ill-conceived concept for the suburbs though it does make sense in the city.

The shopping center at Honey Lake and Rand, across the street is practically empty - there are many options to be on Rand Rd. in Lake Zurich. This is not a good use of the space.

I do appreciate their willingness to make changes but this looks like a mini box store - and does not fit the area at all! I don't see my opinion changing at this point.

**Craig Dannegger**

The building itself is much better as two stories instead of three, and I think it looks very sharp. However, I had a hard time thinking that the design fits with its surroundings when it is all by itself like that. Similarly, I have a hard time supporting this type of use in this location given its surrounding uses. I would be more able to support this fully if there was additional redevelopment on a larger scale surrounding this location.

**William Riley**

No issues with the proposed changes would vote favorably.



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

**Antonio Castillo**

This looks interesting. Will need some clarification but I could vote favorably.

- Why did they choose Lake Zurich? I know they indicated that they wanted to be in the middle of their facilities in WI and Chicago, but why LZ?
  - Staff Response: They choose Lake Zurich because the owners and builders have ties to Lake Zurich. The builders reside in unincorporated Lake Zurich and love the community. They think their business would be a great fit for the community. The builders and petitioner have also invested heavily (4 or 5 properties if I am not mistaken) in the unincorporated areas of Lake Zurich and would like to continue to invest in the Village itself.
- Also, why this particular property? There are many other commercial properties on Rand as well as other properties north/east of Miller Rd.
  - Staff Response: This property in particular because of the access and visibility to Rand Road. They did not decide on the properties north of Miller on Rand because those properties do not have Lake Zurich utilities.

Thank you for this. It explains more to me and I can look at the petitioner as more of a resident, than an outsider. Good info to know.

**Joe Giannini**

No comments received.

**Mike Muir**

Looks fine to me.

# PREVIOUS SUBMITTAL



*At the Heart of Community*

**FIRE DEPARTMENT**  
Fire Prevention Bureau

1075 N. Old McHenry Road  
Lake Zurich, Illinois 60047  
Fire.bureau@lakezurich.org  
(847) 540-5073  
LakeZurich.org

September 25, 2020

Tim Verbeke  
Village of Lake Zurich  
505 Telser Road  
Lake Zurich, IL 60047

**RE: PR20-162 – 265 N. RAND  
PROPOSED DELI**

Tim:

Thank you for the draft proposal. After review, I have the following comments:

1. Provide a complete sprinkler system and fire alarm system.
2. Public Works will need to tell us where the water supply will come from.
3. Provide the proper turning radius at the entrance for the engine to enter the parking lot.

If you have any questions, please contact my office.

Sincerely,

Robert Kleinheinz  
Fire Prevention Specialist  
Lake Zurich Fire Department

**From:** [Colin Gaffney](#)  
**To:** [Tim Verbeke](#)  
**Subject:** RE: October 21 PZC Meeting  
**Date:** Tuesday, September 22, 2020 10:45:15 AM

---

Looks good Tim! It would be a nice addition. With the only entrance being basically the existing one off of Evanston Terrace, there's not much to say on our end.

Thanks,

Colin

---

**From:** Tim Verbeke  
**Sent:** Tuesday, September 22, 2020 9:34 AM  
**To:** Betty Harrison <betty.harrison@lakezurich.org>; Bob Kleinheinz <Bob.Kleinheinz@lakezurich.org>; Colin Gaffney <colin.gaffney@lakezurich.org>; Keli Amato <Keli.Amato@LakeZurich.org>; Mary Meyer <mary.meyer@lakezurich.org>; Mike Brown <mike.brown@lakezurich.org>; Nadine Gerling <Nadine.Gerling@lakezurich.org>; Nicholle Petroff <Nicholle.Petroff@lakezurich.org>; Peter Stoehr <pstoehr@manhard.com>; Roy Witherow <Roy.Witherow@lakezurich.org>; Sarosh Saher <Sarosh.Saher@lakezurich.org>; Shawn Walkington <shawn.walkington@lakezurich.org>; Steve Schmitt <Steve.Schmitt@lakezurich.org>  
**Subject:** October 21 PZC Meeting

Good Morning Everyone,

We will have 2 items on next month's agenda, but only 1 packet for everyone to review. I have attached the packet for the multi-use building at 265 Rand Road (The Old Joe's Barbershop). The applicant is proposing a Polish Deli on the first floor and a suite above for the deli owner.

It would be great if you could get any comments back to me by Monday October 5<sup>th</sup>.

If you have any questions, please let me know.

Tim

Village of Lake Zurich  
Utilities Division of  
Public Works

# Memo

To: Tim Verbeke, Planner  
From: Betty Harrison, EQC Supervisor  
Date: September 28, 2020  
Re: 265 N Rand Rd

---

1. 265 North Rand Road

- Existing water and sewer connections must be properly disconnected.
- Fire protection is required. Thus, the water connection must be larger than 2-inch. A pressure connection for the fire/domestic service will be made. The line will be brought into the facility. Once inside, the domestic water service will be split off from the fire protection service.
- No information provided as to how water will be metered for the deli or residences.
- Lake County Public Works details and specification are provided. The Village of Lake Zurich details and specifications must be provided and adhered to.
- Connection fee is based on the size of the domestic service. For this location, a 2-inch domestic service is the minimum size. Connection fee for a 2-inch service is \$ 24,000. A credit for the existing  $\frac{3}{4}$ -inch service will be applied. Credit is \$ 4,500. The net connection fee due is \$ 19,500.
- This is a multiple-unit, multiple tenant building. Thus, there is an additional connection fee of \$ 10,000. This is \$ 5,000 for each housing unit.
- Plans must be submitted to Lake County for them to compute the sewer connection fee for Lake County.
- A Letter of Credit (LOC) is required. The LOC will be in the amount of 110% of the Engineer's Estimate of Probable Cost.

## **ZONING REVIEW**

**PROJECT:** Andy's Deli  
**LOCATION:** 265 N Rand  
**REVIEWED BY:** Tim Verbeke  
**DATE:** August 20, 2020

---

**Zoning:** Rezoning from R-5 Single Family Residential to B-1 Local and Community Business District

**Use:** Deli with Residential Above

### **Site Plan**

Entrance to the dwelling is connected to the sidewalk on Rand Road. Is there a connection to the parking lot? How would the tenant enter the property from the parking lot?

**Yes, there is a direct entrance from parking lot to the residential units. See site plan.**

Why are you paving the north side of the lot? Between the parking lot and property line? Staff would like to see that area landscaped/

**North side of the lot has been landscaped. See site plan.**

Ensure there is adequate parking for residential and the business. If you are planning on having two residential unites that will require 2 parking spaces PER unit, plus the parking needed for the deli.

**Adequate parking has been provided.**

This is more of a restaurant now correct? Not just a deli.

**This will be a deli primarily with seating for limited dine in. 50% deli / 50% dine in sandwich shop.**

### **Building**

Add architectural detail to the building. The building does not appear to have a lot of visual interest. Add a Cornices, and a sloping roof to match the neighboring homes.

**Cornice added. Architectural features around windows have been added. Residential entrances have been designed to distinguish it from the commercial space. See elevations.**

Submit rendering/elevations of the building on the site. See attached picture example. Building should have variety of textures and materials like the examples you've submitted.

**See rendering.**

### **Landscaping**

There will need to be a buffer from Sunrise. Staff recommends a 5-foot buffer between Sunrise and the parking lot so landscaping and the fence can be added. Could look into minimizing concrete border around building foundation.

**Concrete walkway has been reduced to 3.67' allowing a landscaped buffer of 3.30' adjacent to Sunrise Lane. No further reduction is possible unless we are able to reduce the aisle width of the parking lot to 22.00'. Please advise.**

What is the current landscape surface area? What is the proposed landscape surface area?

**Lot area = 11,887.21 S.F., Total landscaped area = 2,549.02 S.F. = 21.44% landscaped area**



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT  
Building and Zoning Division

505 Telser Road  
Lake Zurich, Illinois 60047

(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org

## ZONING REVIEW

**PROJECT:** Andy's Deli

**LOCATION:** 265 N Rand

**REVIEWED BY:** Tim Verbeke

**DATE:** October 2, 2020

**Zoning:** B-1 Local and Community Business District  
Requesting a rezoning from R-5 to B-1

The encroachment into the Rand Road setback would be allowable due to precedent set on the east side of Rand Road. The Applicant is requesting a 15-foot building setback. The average setback along that portion of Rand Road is 23 feet with one parcel having a zero lot line parking lot. Although an allowable encroachment, a departure in the PUD would still have to be granted.

Minimum Yards Per Code for B-1:

- Front and corner side (feet): 25 Feet
- Side (feet): 10 Feet
- Rear (feet): 25 Feet

Minimum Yards requested

- Front and corner side (feet): Front: 66 Feet, Corner: 7 Feet
- Side (feet): 7 Feet
- Rear (feet): 15 Feet

Each zoning yard would require a departure in the PUD.

**Use:** Community Business with Residential on the second story.

**Residential Parking:** **Required:** 2 Spaces per Unit: 4 Spaces  
**Proposed:** 4 Outdoor Surface

**Commercial Parking:** **Required:** 1 Space per 3 Persons: 70/3 = 23 spaces  
**Proposed:** 15 Spaces including 1 ADA Parking Space

**Total Parking:** **Required:** 27 Spaces  
**Proposed:** 19 Spaces

This would require a departure in the PUD.

Parking lot design is different in several of the submittals. Please verify which parking lot configuration is correct.

**Outdoor Seating**

Outdoor seating is proposed under an overhang of the second story. Approximately 3 tables in the outdoor seating area. Staff would recommend landscape/planter bed screening or decorate wall screening to buffer the outdoor seating from the parking lot and the neighboring residents.

**Lighting**

The maximum Foot-Candles in all residential districts and for all residential uses regardless of district is 0.50 Foot-Candles at the property boundary with a maximum height of 20 feet. There are several areas on the photometric plan that exceed the maximum requirement.

**Landscaping**

No landscape plan provided. Please provide a detailed landscape plan with proper screening from all neighboring land uses.

The landscape surface area is proposed at 22% which would require a departure in the PUD.

**Signage**

If including any monument signage, please submit those plans.



(Please Type or Print)

## ZONING APPLICATION

Community Development Department  
505 Telser Rd.  
Lake Zurich, IL 60047  
Phone: (847) 540-1696  
Fax: (847) 540-1769

1. Address of Subject Property: 265 North Rand Road, Lake Zurich IL 60047
2. Please attach complete legal description
3. Property Identification number(s): 14-18-400-014
4. Owner of record is: Kolasa Real Estate Investment Inc. Phone: 773-491-1957  
E-Mail jack@andysdeli.com Address: 4021 W Kinzie St. Chicago, IL 60624
5. Applicant is (if different from owner): \_\_\_\_\_ Phone: \_\_\_\_\_  
E-Mail \_\_\_\_\_ Address: \_\_\_\_\_
6. Applicant's interest in the property (owner, agent, realtor, etc.): \_\_\_\_\_
7. All existing uses and improvements on the property are: Vacant Property
8. The proposed uses on the property are: Deli / Sandwich Shop retail store with two apartments on the second floor.
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:  
Multi-use building. 1st floor Commercial and 2nd floor 50% residential
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
\_\_\_\_\_
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

ANDREW KOLASA  
(Name of applicant)

Andrea Kolasa  
(Signature of applicant)

Subscribed and sworn to before me this 31 day of August, 2020.

Signature  
(Notary Public)

My Commission Expires 4-22-22

**OFFICIAL SEAL**  
SOPHIE POKORNOWSKI  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 04/22/22

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

(Notary Public)

My Commission Expires \_\_\_\_\_

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

Zoning Code **Map** Amendment to change zoning of Subject Property from R5 to B-1

Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

Special Use Permit/Amendment for \_\_\_\_\_

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards.)

Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. [See Section 22-105 of the Lake Zurich Zoning Code for specific standards.](#) Please list all the 'modifications' requested in the cover letter.)

Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

Modification to the Land Development Code (includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

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Preliminary Plat of Subdivision

Final Plat of Subdivision or Amendment to Plat of Subdivision

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

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Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

Exterior Appearance Approval or Amendment

(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

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#### **APPLICATION TO ANNEX CERTAIN TERRITORY**

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

Petition to Annex Certain Territory (Please complete attached petition)

Application to Annex Certain Territory

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#### **COMPREHENSIVE PLAN APPLICATION**

Comprehensive Plan **Map** Amendment for \_\_\_\_\_

Comprehensive Plan **Text** Amendment for \_\_\_\_\_



August 31, 2020

Mr. Sarosh Saher,  
Community Development Director  
Village of Lake Zurich 505 Telser Road, Lake Zurich, IL 60047

RE: 265 North Rand Road, Lake Zurich

Dear Mr. Saher,

I am writing this letter to seek zoning code amendment approval from the city of Lake Zurich on the property located at 265 N. Rand Road.

I, Andy Kolasa along with my wife Halina Kolasa own and operate Andy's Deli & Mikolajczyk Sausage Shop Inc. in Chicago Illinois and Andy's Meats Inc in Endeavor Wisconsin. We currently have 3 retail stores, and two meat factories. We have been looking for an opportunity to expand our business in Lake Zurich. We have purchased a place at 265 North Rand Road in Lake Zurich, where we would love to construct a multi-use building with a deli / sandwich shop on the first floor and two apartments on the second floor.

My wife and I would like to incorporate Andy's Deli and Andy's Meats products into our new project located at 265 N Rand Road. Our vision is to construct a deli which will have a service counter where an employee of the deli will provide product such as: deli cuts (ham, loin, sausages, etc.) and Cheese cuts along with bread and pastry to a customer. The customer will also have a chance to have his or her Sandwich, made to their liking by picking from a variety of products that we already manufacture. Our kitchen staff will provide quality foods to our customers. Soups, salads, and other types of food items will be made on site and will be available daily. The customers will have a choice to consume the items on site where seating will be available or take the items home to further process it.

The store will have a self-serve section where a customer can pick and choose from a variety of vacuum-sealed deli cuts, meats, and cheeses. These items are great consume at home. Juice, soda, and other drinks will be available for purchase. A section of imported products from Europe will also be available to our customers. Items such as European sweats, in jar vegetables and fruits and other items imported items will be available for purchase.

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# Andy's Deli

& MIKOŁAJCZYK SAUSAGE SHOP, INC.

4021 W. KINZIE ST., CHICAGO IL 60624

PH.: 773-722-1000 FAX: 773-722-7924

The second floor will be used as residential. I would like to build two units on the second floor of the building. One unit will be one bedroom where the other unit will be two bedrooms. The residential units will have an entrance of Rand Road and the second entrance of the parking lot. Parking lot entrance to the deli / sandwich shop will be off Evanston Terrace. The parking will be adjacent to the property, and it will handle 10+ vehicles. The property along the Sunrise Lane will have an 8-foot fence to separate the parking from the Sunrise Lane.

The property is located on the busy Rand Road. The deli business hours will not be longer than 9:00pm. I have seen that the surrounding area is already used for businesses, e.g. gas station across street. We hope with your support, my wife and I can bring a new variety with great taste to Lake Zurich and its community.

Sincerely,

Andy Kolasa  
773-457-2176  
[info@andysdeli.com](mailto:info@andysdeli.com)  
[www.andysdeli.com](http://www.andysdeli.com)

#### Notice

This message is intended for the use of the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is strictly prohibited.

American Land Title Association	ALTA Settlement Statement - Combined Adopted 05-01-2015
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File No./Escrow No.: BW20050358 Officer/Escrow Officer: Ilene Cohen	Baird & Warner Title Services, Inc. 475 N. Martingale Rd. Ste 120 Schaumburg, IL 60173 (847) 493-5111	
--	---	---

Property Address: 265 NORTH RAND ROAD  
LAKE ZURICH, IL 60047 (LAKE)  
(14-18-400-014)

Borrower: KOLASA REAL ESTATE INVESTMENT, INC., AN ILLINOIS CORPORATION  
4021 W. Kinzie  
Chicago, IL 60624

Seller: JOSEPH VAZZANO  
495 E. Crystal Lake Avenue  
Crystal Lake, IL 60014

CAROL VAZZANO

STEVEN VAZZANO

Lender:

Settlement Date: 4/23/2020  
Disbursement Date: 4/23/2020

Seller			Description			Borrower		
P.O.C.	Debit	Credit	P.O.C.	Debit	Credit	P.O.C.	Debit	Credit
			Deposits, Credits, Debits					
			Sale Price of Property					
			Deposit					
			Prorations					
			County Taxes 1/1/2020 to 4/23/2020					
			2019 1st and 2nd Instalment County Taxes 1/1/2019 to 12/31/2019					
			Commissions					
			Real Estate Commission to Baird & Warner Lake Zurich					
			Real Estate Commission to Keller Williams Chicago-O'Hare					
			Title Charges					
			Title - Lender's Title Insurance to Baird & Warner Title Services, Inc.					
			Title - Owner's Title Insurance to Baird & Warner Title Services, Inc./R & I Law Group					
			Title - Settlement or closing fee to Baird & Warner Title Services, Inc.					
			Title - Wire Fee to Baird & Warner Title Services, Inc.					
			Title - Commitment Update Fee to Baird & Warner Title Services, Inc.					
			Title - Policy Update Fee to Baird & Warner Title Services, Inc.					
			Title - State of Illinois Policy Fee to Underwriter Remittance					
			Title - CPL to Underwriter Remittance					
			Government Recording and Transfer Charges					
			Recording Fees: Deed \$6.00					
			County Deed Tax/Stamps to Lake County Recorder					
			State Deed Tax/Stamps to Lake County Recorder					
			Additional Settlement Charges					
			Survey to Precision Land Surveyors, Inc.					
			Attorney's Fees - Seller to R & I Law Group					
			Attorney's Fees - Buyer to Paul J. Kulas					
Seller			Borrower					
P.O.C.	Debit	Credit	P.O.C.	Debit	Credit	P.O.C.	Debit	Credit
SO	\$0.00	\$0.00						
			Subtotals					
			Due From Borrower					
			Due To Seller					
			Totals					

**knowledge**

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Baird & Warner Title Services, Inc. to cause the funds to be disbursed in accordance with this statement.

**BORROWER(S)**

  
KOLASA REAL ESTATE INVESTMENT, INC., AN ILLINOIS CORPORATION

**SELLER(S)**

JOSEPH VAZZANO

CAROL VAZZANO

**SETTLEMENT COORDINATOR**

Ilene Cohen

STEVEN VAZZANO











**LAND TECHNOLOGY**  
**980 EAST OAK ST #3**  
**LAKE IN THE HILLS, IL 60156**  
**815-363-9200**

PROJECT NAME: 265 RAND ROAD  
CLIENT: JERZY SOLOWIEC  
DATE: 9/21/2020  
LT JOB: 200910ST

**ENGINEER OPINION OF PROBABLE COST**  
**(UNIT QUANTITIES & PRICES)**

	<u>UNIT</u>	<u>QTY</u>	<u>UNIT COSTS</u>	<u>AMOUNT</u>
<b>A. ROAD, DRIVE, WALK &amp; PARKING</b>				
1. EARTH EXCAVATION & DEMO	EACH	1	\$ 10,000.00	\$ 10,000.00
2. BASE COURSE, 10" CA6	SQ YD	634	\$ 10.00	\$ 6,340.00
3. HMA BINDER COURSE, IL 19.0 ( 1.5")	SQ YD	634	\$ 8.00	\$ 5,072.00
4. HMA SURFACE COURSE, MIX D - N50 (2.5")	SQ YD	634	\$ 12.00	\$ 7,608.00
5. BITUMINOUS MATERIAL (PRIME COAT SS-1)	GAL	190	\$ 2.50	\$ 475.00
6. BITUMINOUS MATERIAL (PRIME COAT MC-30)	GAL	190	\$ 2.50	\$ 475.00
7. B6-12 CURB & GUTTER	LIN FT	740	\$ 25.00	\$ 18,500.00
8. PARKING LOT STRIPING	EACH	1	\$ 2,000.00	\$ 2,000.00
9. HANDICAPPED SIGN & POST	EACH	1	\$ 250.00	\$ 250.00
10. PCC SIDEWALK 5"	SQ FT	776	\$ 5.00	\$ 3,880.00
11. TRAFFIC CONTROL	EACH	1	\$ 1,000.00	\$ 1,000.00
<b>ROAD, DRIVE, WALK &amp; PARKING TOTAL</b>				<b>\$ 55,600.00</b>
<b>B. STORM SEWER &amp; PCBMPs</b>				
1. STORM SEWER 8" C900 PVC (INCLUDES TRENCH BACKFILL)	LIN FT	72	\$ 30.00	\$ 2,160.00
<b>STORM SEWER CONSTRUCTION TOTAL</b>				<b>\$ 2,160.00</b>
<b>C. WATER SERVICE CONSTRUCTION</b>				
1. 2" WATER SERVICE COMPLETE	EACH	214	\$ 45.00	\$ 9,630.00
2. TRENCH BACKFILL	TON	20	\$ 25.00	\$ 500.00
3. ROAD WAY RESTORATION	EACH	1	\$ 1,500.00	\$ 1,500.00
<b>TOTAL WATER SERVICE CONSTRUCTION</b>				<b>\$ 11,630.00</b>
<b>D. SANITARY SERVICE CONSTRUCITON</b>				
1. SANITARY SEWER 6" PVC SDR 26	LIN FT	180	\$ 50.00	\$ 9,000.00
2. SEWER SADDLE CONNECTION	EACH	1	\$ 150.00	\$ 150.00
3. SANITARY MONITOR MANHOLE 48" DIA	EACH	1	\$ 2,750.00	\$ 2,750.00
4. GREASE INTERCEPTER	EACH	1	\$ 2,500.00	\$ 2,500.00
5. TRENCH BACKFILL	TON	60	\$ 25.00	\$ 1,500.00
6. ROAD WAY RESTORATION	EACH	1	\$ 1,500.00	\$ 1,500.00
<b>TOTAL SANITARY SERVICE CONSTRUCTION</b>				<b>\$ 17,400.00</b>
<b>E. EROSION CONTROL</b>				
1. TOPSOIL PLACEMENT	SQ YD	790	\$ 1.50	\$ 1,185.00
2. SEEDING	ACRE	0.2	\$ 2,500.00	\$ 500.00
3. SILT FENCE	LIN FT	410	\$ 4.00	\$ 1,640.00
4. COIR LOG	LIN FT	30	\$ 5.00	\$ 150.00
<b>EROSION CONTROL TOTAL</b>				<b>\$ 3,475.00</b>
<b>TOTAL COST OF PROJECT</b>				<b>\$ 90,265.00</b>
<b>TOTAL COST OF PROJECT + 10% ERROR MARGIN (110%)</b>				<b>\$ 99,291.50</b>

*Sotiel S. Polena*

SOTIEL S. POLENA, P.E.

265 N Rand Rd  
LAKE ZURICH, ILLINOIS 60047

PRELIMINARY ENGINEERS OPINION OF PROBABLE CONSTRUCTION COST FOR SITE DEVELOPMENT

**DEMOLITION & SESC**

NO.	ITEM	AMOUNT
1	SILT FENCE	\$1,500.00
2	INLET SILTATION BASKETS	\$1,500.00
3	BUILDING DEMO & REMOVAL	\$12,000.00
4	INLET REMOVAL	\$1,000.00
5	TOPSOIL EXCAVATION	\$1,500.00
6	EARTH EXCAVATION	\$15,000.00
7	CURB, REMOVAL	\$400.00
8	ASPHALT REMOVAL	\$6,000.00

**STORM WATER**

9	Estimated (No PCBMP)	\$10,000.00
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**LANDSCAPING**

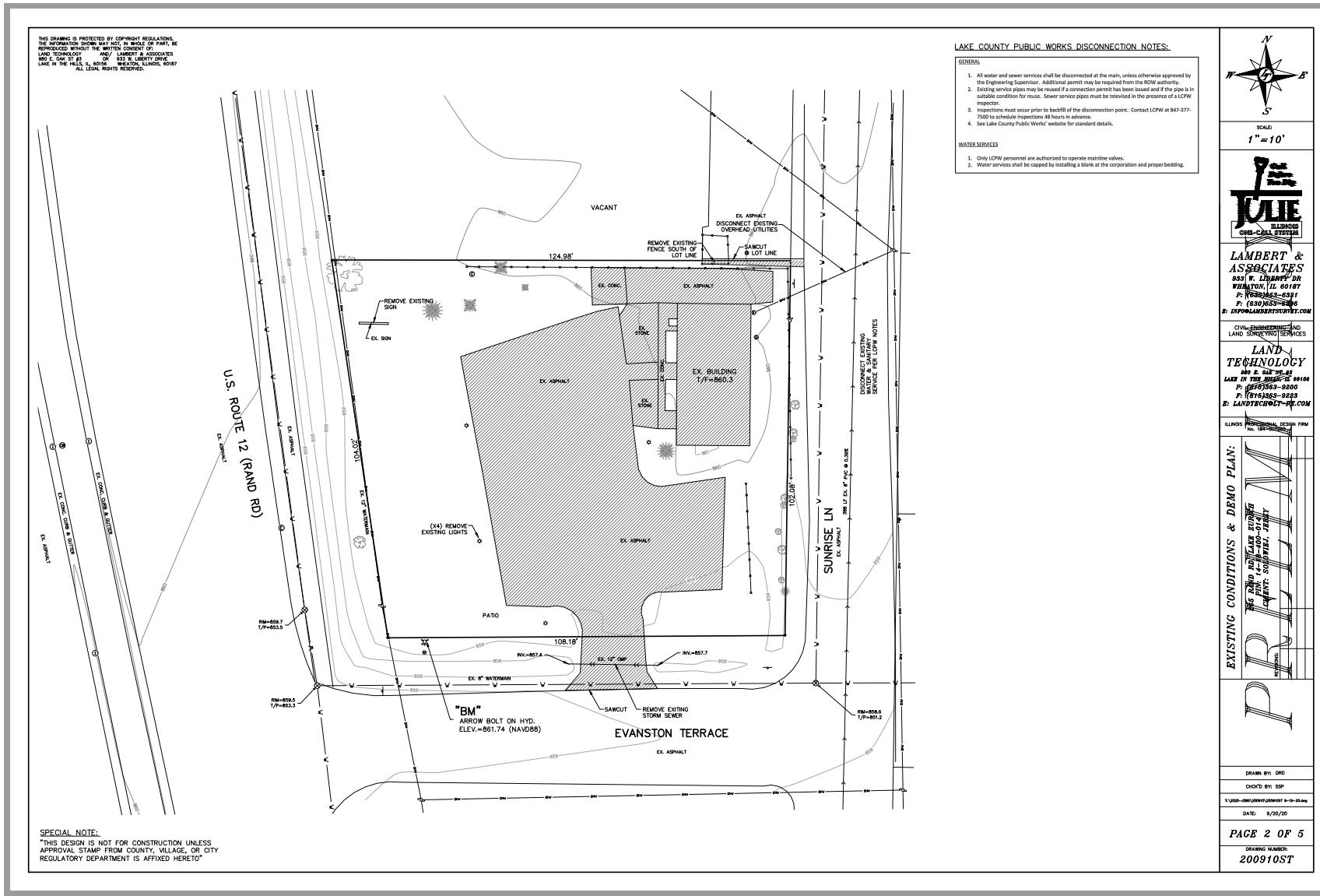
10	TREES, 3" CALIPER	\$2,500.00
11	OTHER LANDSCAPING (ESTIMATED)	\$2,000.00

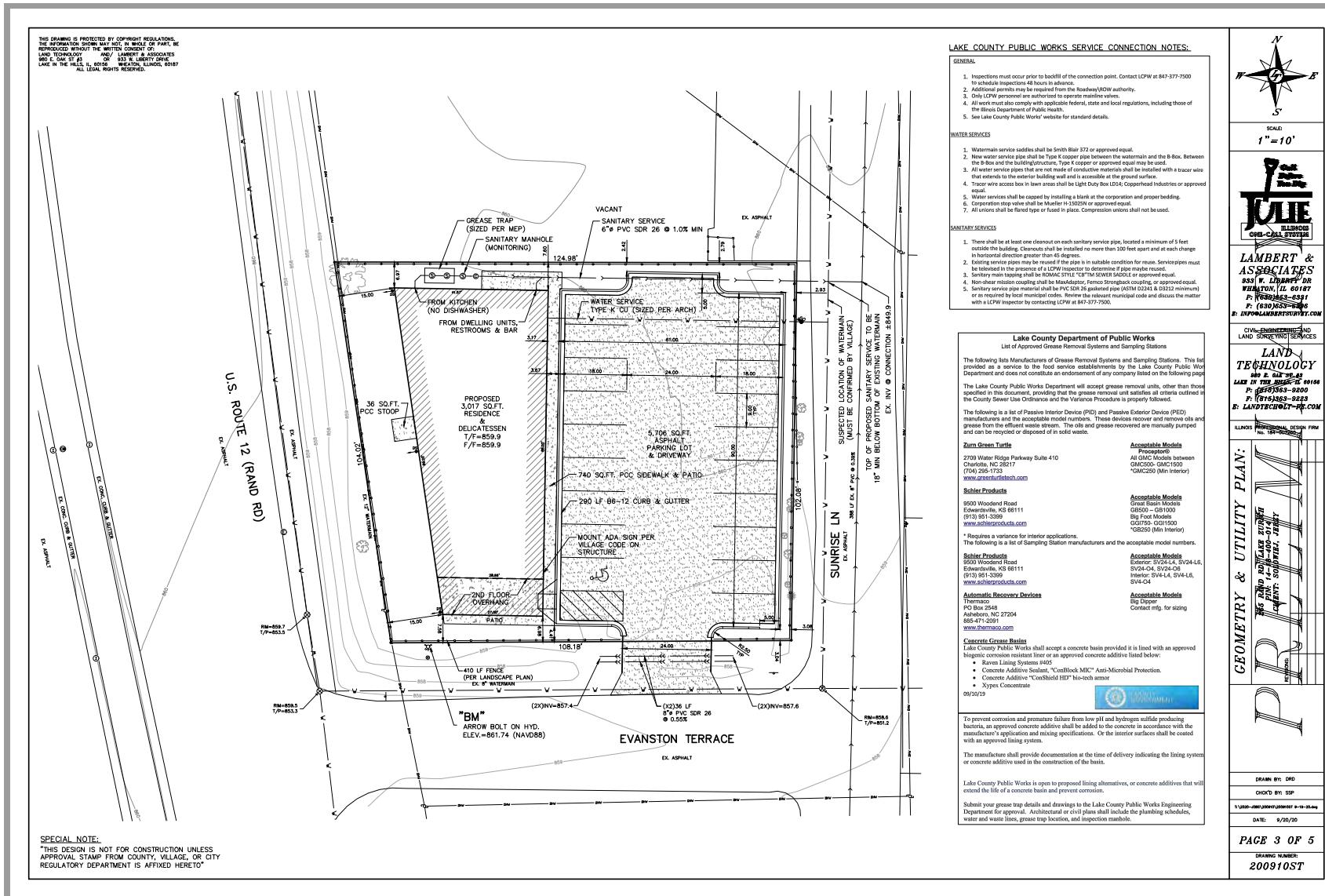
**SITE IMPROVEMENTS**

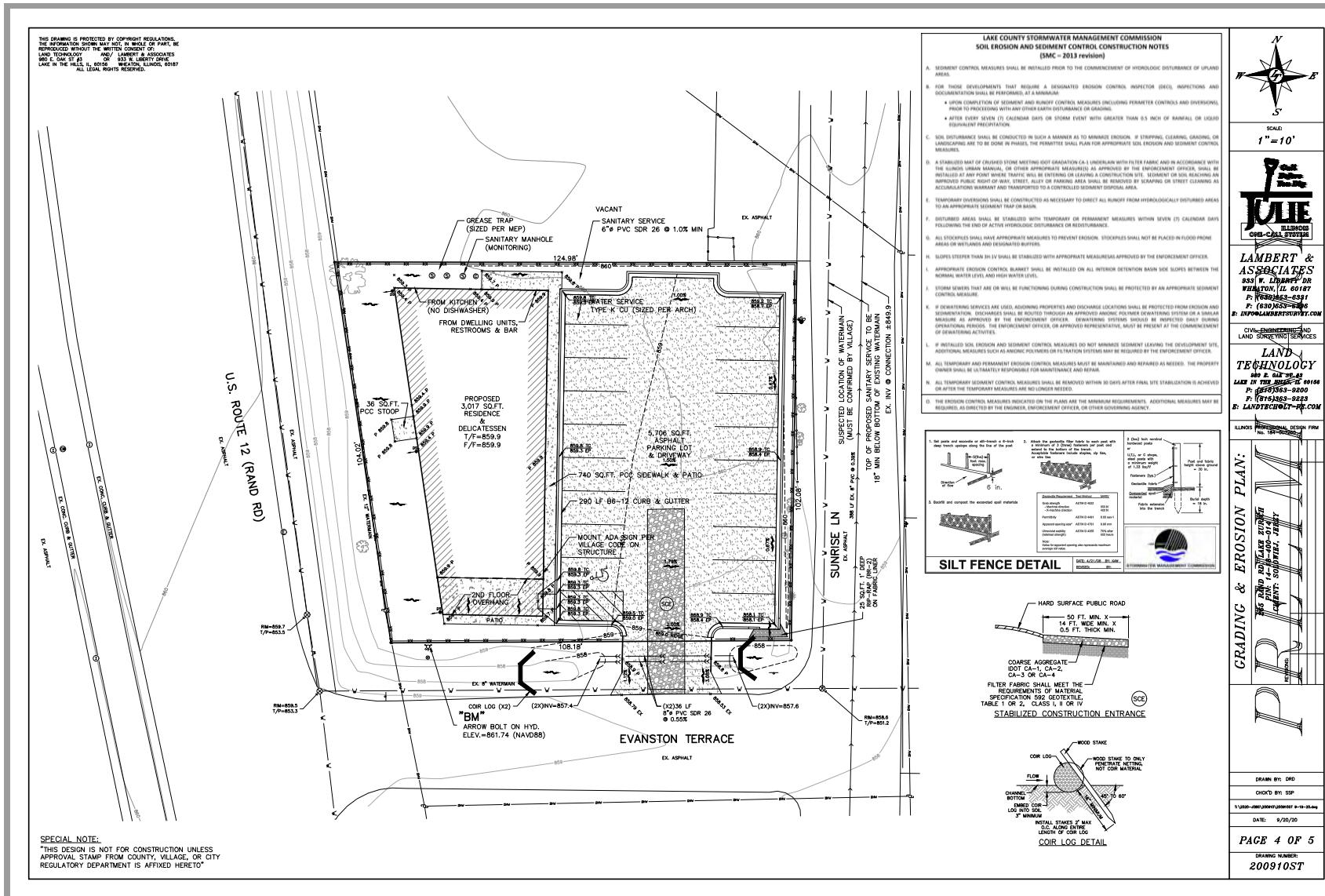
12	SIDEWALK PLACEMENT	\$2,000.00
13	CURB, B6-12	\$5,000.00
14	CONCRETE APPROACH APRONS	\$3,000.00
15	BACK FENCE	\$5,000.00
16	SIGNAGE	\$1,250.00
17	PAVEMENT STRIPPING	\$2,000.00
18	OUTSIDE PATIO	\$4,000.00
19	TOPSOIL REPLACEMENT 6"	\$2,250.00
20	TURF RESTORATION (SALT TOLERANT)	\$3,450.00
21	N-30 SURFACE, 2"	\$10,000.00
22	N-30 BINDER, 4"	\$10,000.00
23	BACKFILL, CA-6 (COMPACTED 6" LIFT)	\$6,000.00
24	LANDSCAPING	\$5,000.00

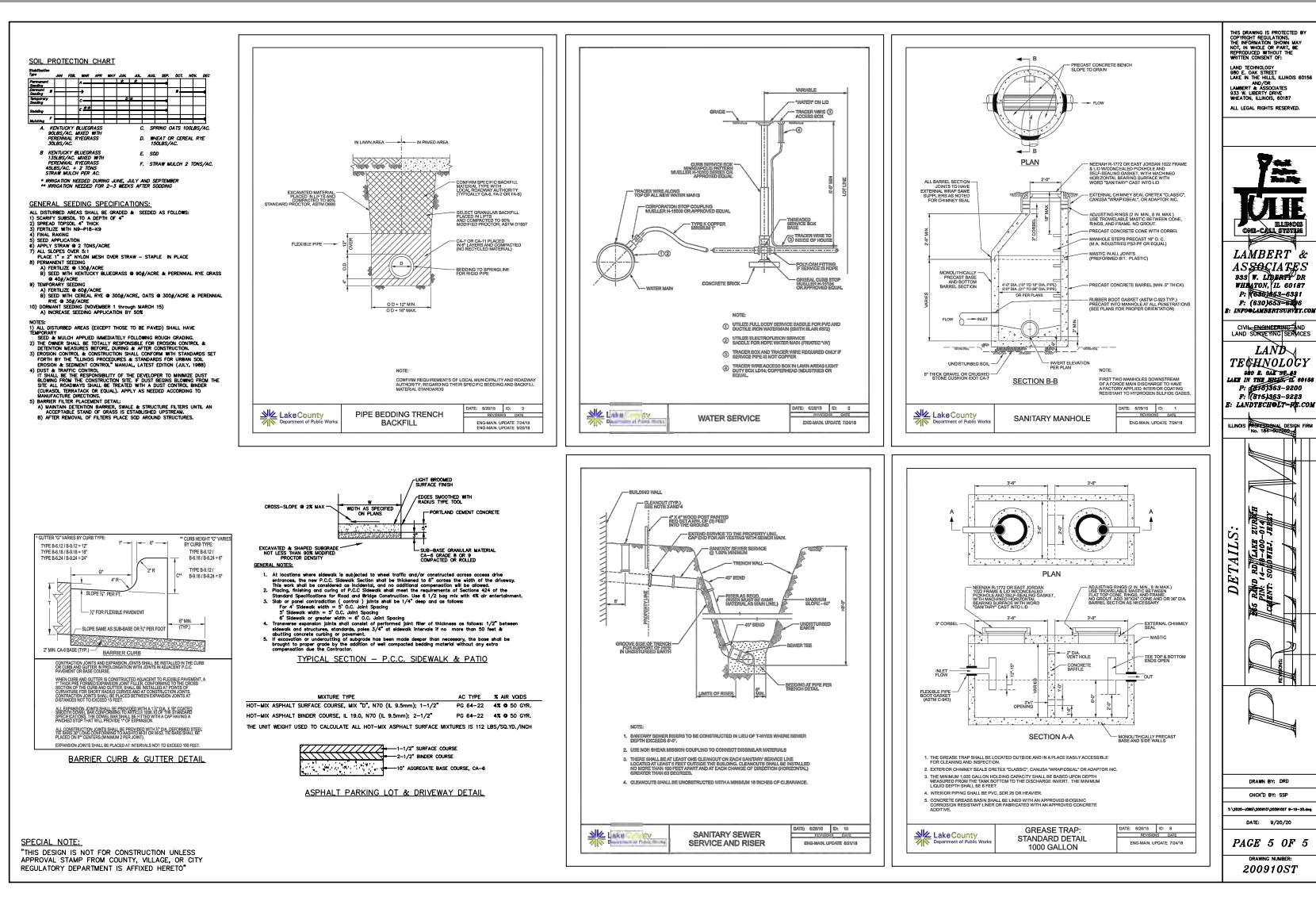
TOTAL                    \$112,350.00

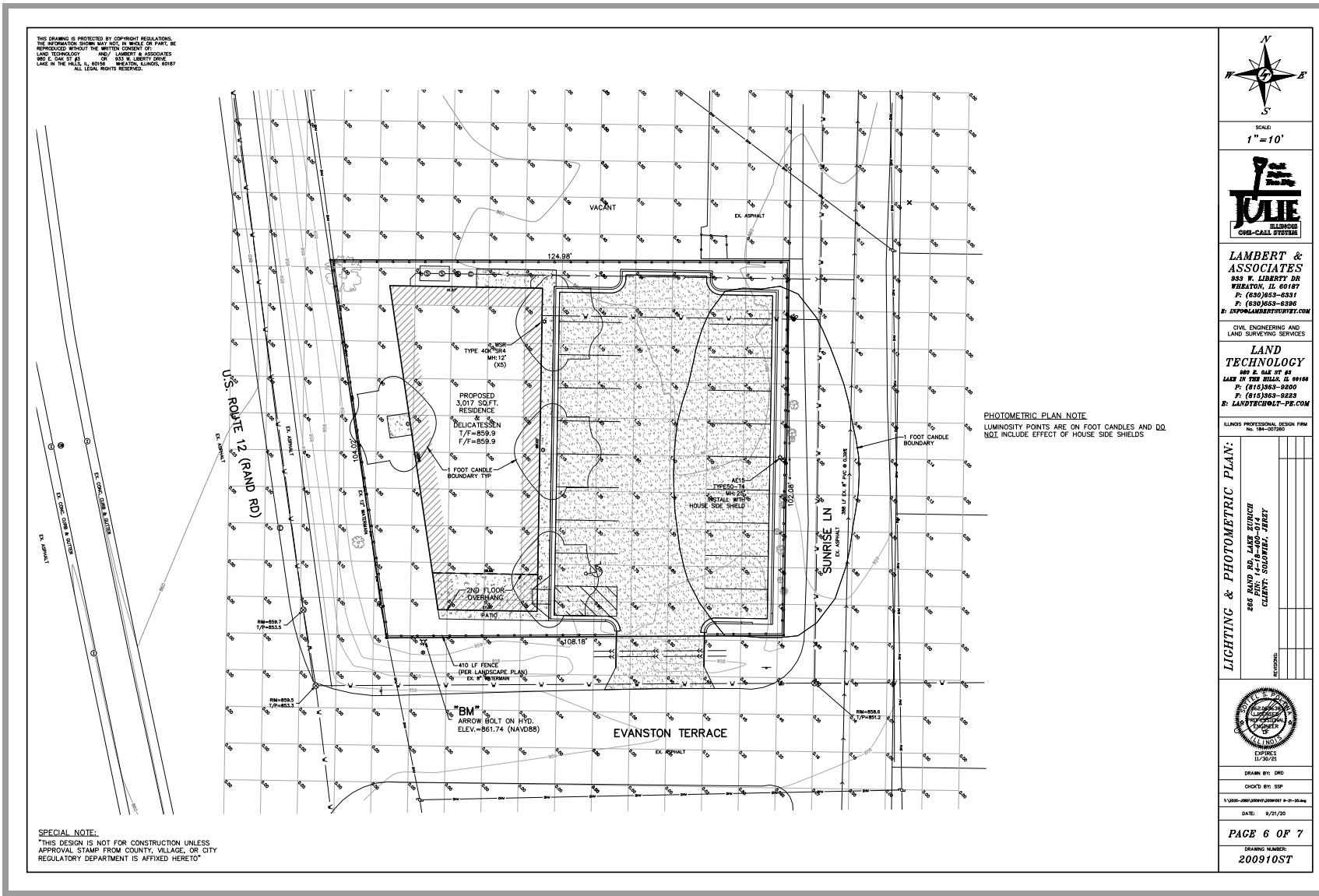


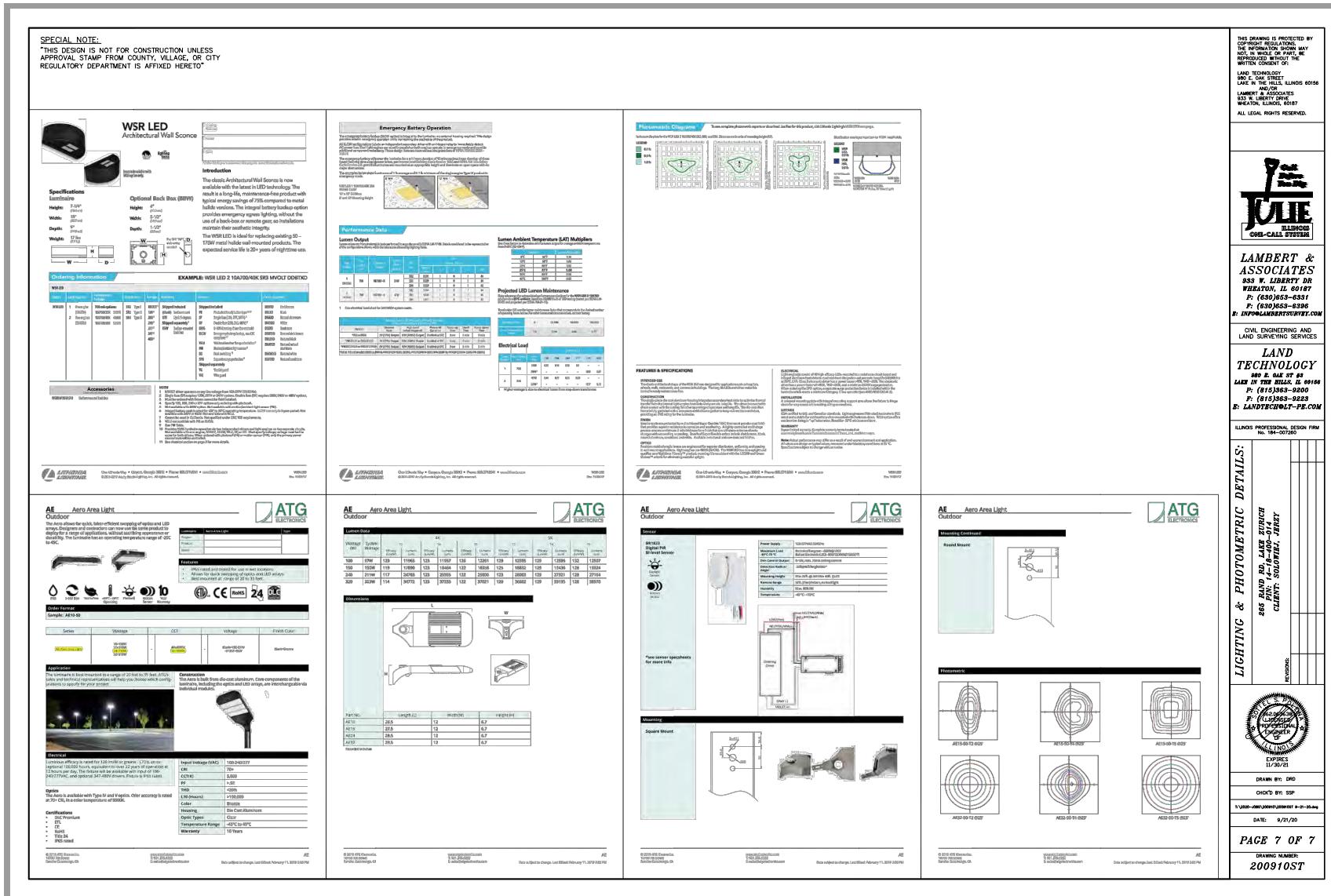


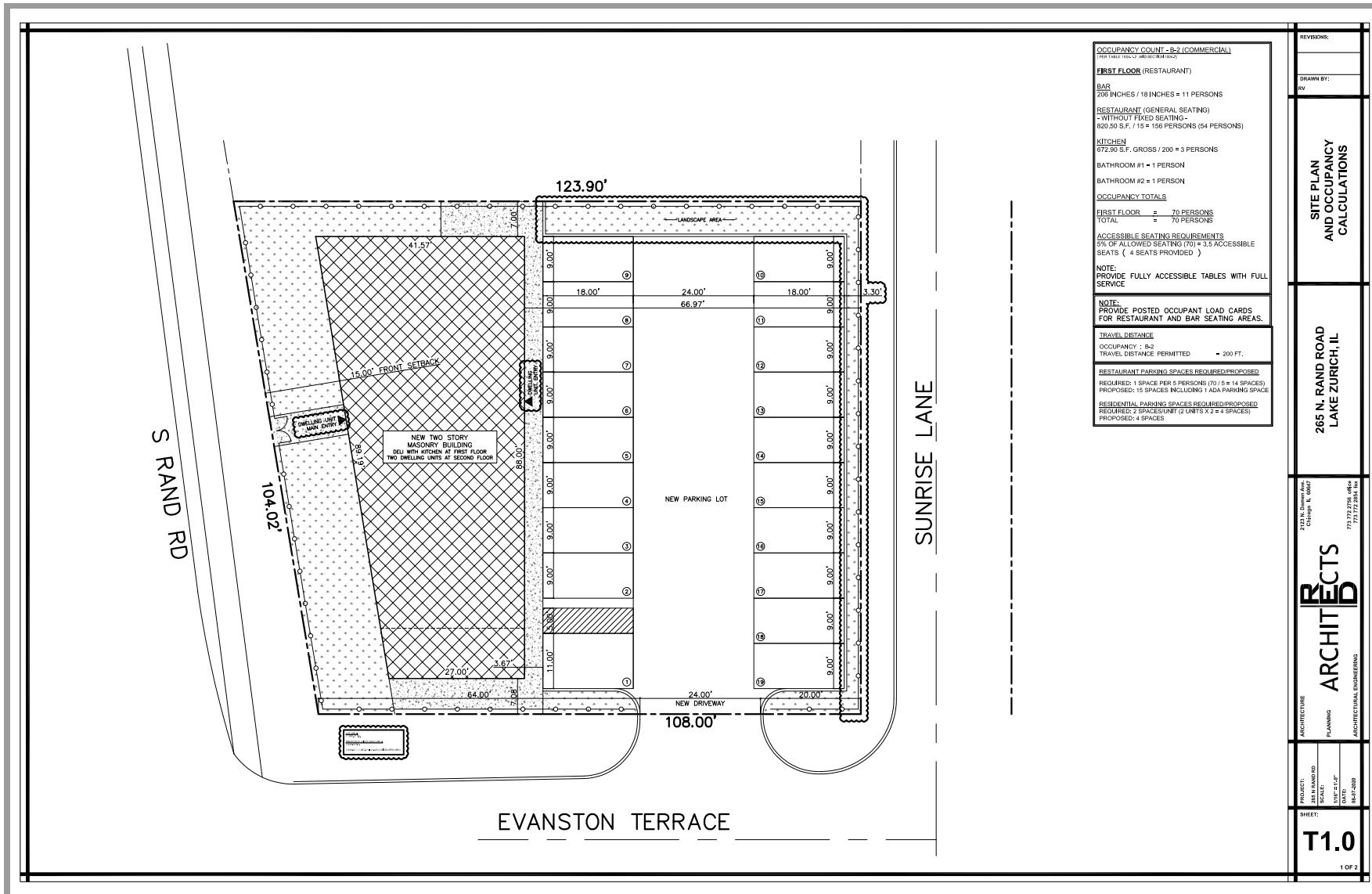


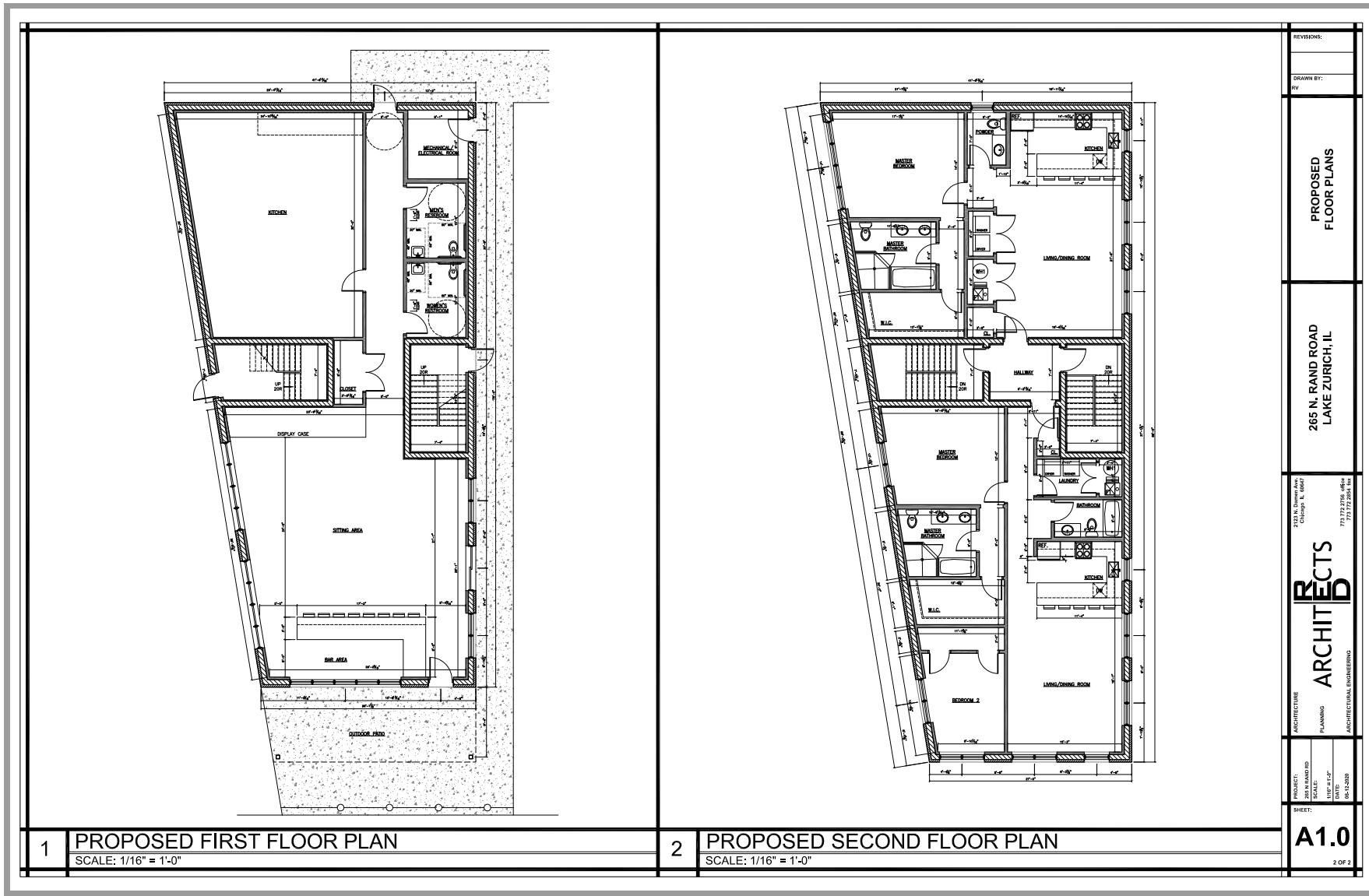


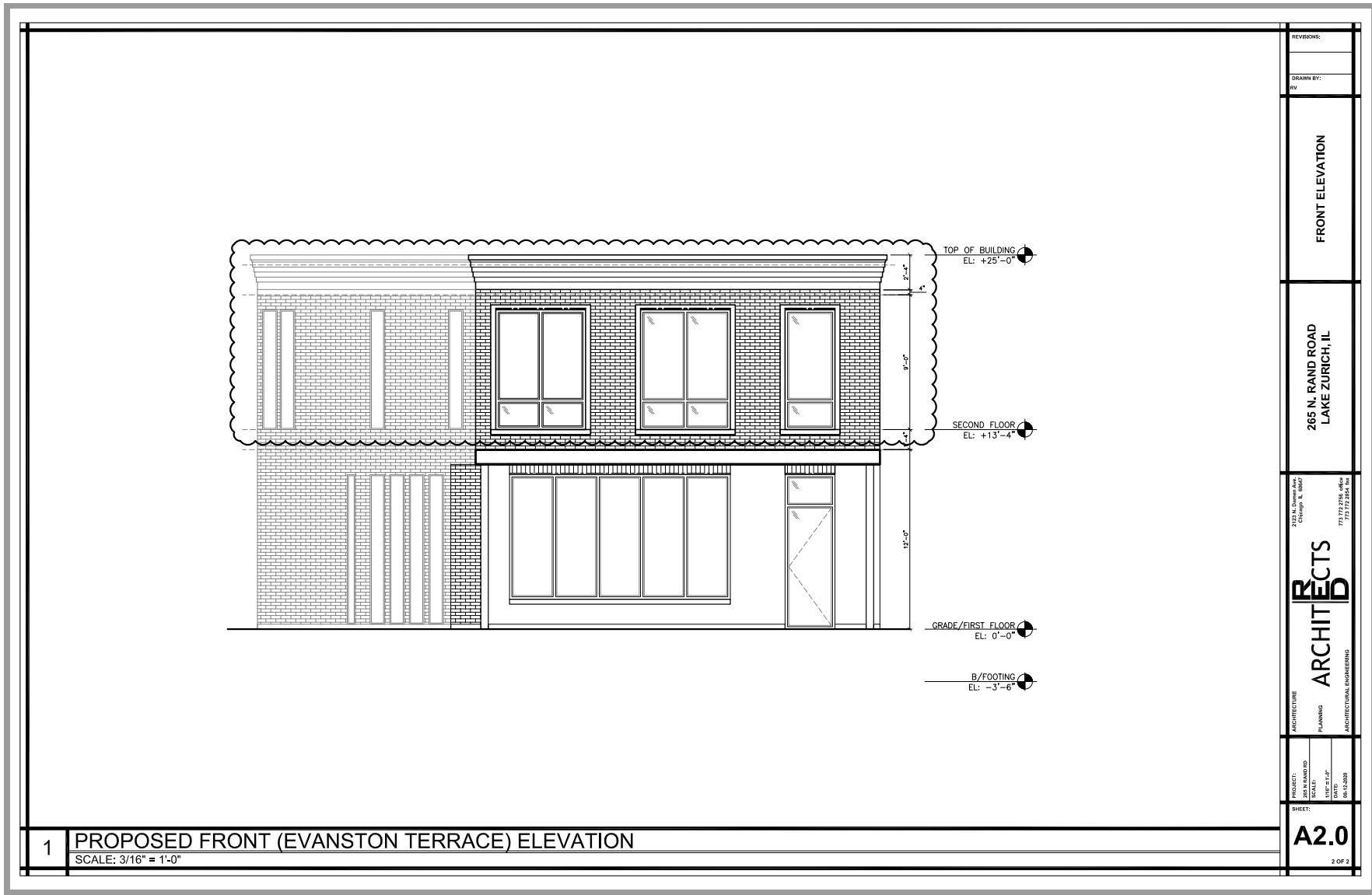


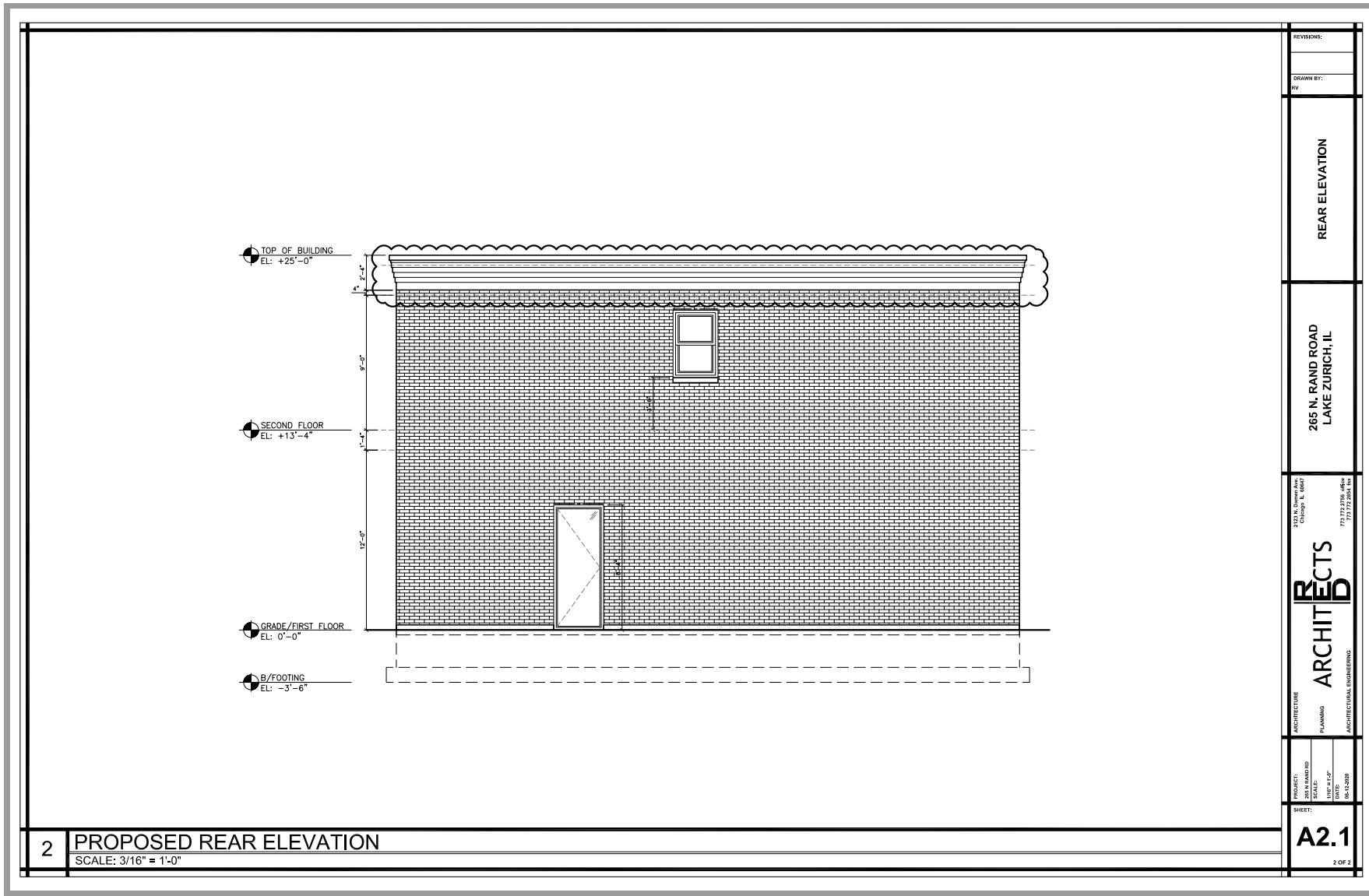














<b>WATERSHED DEVELOPMENT PERMIT APPLICATION</b>					<b>Revised 10/2012</b>																																																																																						
Office Use	1. COMMUNITY AND STATUS <input type="checkbox"/> Standard <input type="checkbox"/> Isolated Wetlands <input type="checkbox"/> Conditional <input type="checkbox"/> Conditional <input type="checkbox"/> Certified <input type="checkbox"/> Certified <input type="checkbox"/> Non-Certified <input type="checkbox"/> Non-Certified		2. Map Number (office use only)	3. STORMWATER APP. PERMIT #	4. COMMUNITY APP. NO. (to be assigned by Community)																																																																																						
5. NAME & ADDRESS OF PROPERTY OWNER Andrzej Kolasa 4021 W Kinzie St Chicago, IL 60624  Daytime Phone: 773-491-1957 Fax: _____ Email: jack@andysdeli.com		6. NAME & ADDRESS OF ENGINEER/AGENT Sotiel (Sam) Polena Land Technology 980 East Oak Street #3 Lake In The Hills, IL 60156  Daytime Phone: 815-363-9200 Fax: _____ Email: spolena@lt-pe.com		7. NAME & ADDRESS OF CERT. WETLAND SPECIALIST N/A  Daytime Phone: _____ Fax: _____ Email: _____																																																																																							
<b>8A. CHECK THE ONE CONDITION THAT APPLIES:</b> <input type="checkbox"/> Exempt, Watershed Development Permit Not Required (IV.A.2) <input checked="" type="checkbox"/> Minor Development (IV.A., IV.B.) <input type="checkbox"/> Major Development Outside the Floodplain (IV.A., IV.B., IV.D., IV.G.) <input type="checkbox"/> Major Development Inside the Floodplain (IV.A., IV.B., IV.C., IV.D., IV.G.) <input type="checkbox"/> Public Road Development (IV.A., IV.F.) <input type="checkbox"/> Public Development in the Floodplain (Appendix E.J.2.) <input type="checkbox"/> Existing Conditions BFE Only (no development) <input type="checkbox"/> Soil Erosion and Sediment Control Review Only			<b>8B. CHECK ALL CONDITIONS THAT APPLY:</b> <input type="checkbox"/> Isolated Wetland Impact (IV.E.) <input type="checkbox"/> Request Letter of No Wetland Impact (LONI) (IV.E.) <input type="checkbox"/> Development in a Floodway (IV.C.3.) <input type="checkbox"/> Floodplain Map Revision or Amendment (IV.C.2.g.; IV.C.3.d.(8)) <input type="checkbox"/> Watercourse w/Drainage Area >20 Acres and <100 Acres (IV.A., IV.D.) <input type="checkbox"/> Watercourse w/Drainage Area >100 Acres and <640 Acres (IV.A., IV.D.) <input type="checkbox"/> Earth Change Approval (ECA) (IV.A.4.b.) <input type="checkbox"/> Variance Request (V.) <input type="checkbox"/> BFE or Floodway Determination (IV.C.) <input type="checkbox"/> Designated Erosion Control Inspector (DECI Required) <input type="checkbox"/> Pre-application Meeting Held _____ <input checked="" type="checkbox"/> Hydrologically Disturbs 5000 sq. ft. or More																																																																																								
<b>9A. STORMWATER DATA SUMMARY</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Total Property Ownership</td><td>=</td><td>0.274</td><td>Acres</td></tr> <tr><td>Hydrologic Disturbance</td><td>=</td><td>0.25</td><td>Acres</td></tr> <tr><td>Watershed Area Tributary to Development</td><td>=</td><td></td><td>Acres</td></tr> <tr><td>Proposed Impervious Area</td><td>=</td><td>0.213</td><td>Acres</td></tr> <tr><td>Existing Impervious Area Pre-1992</td><td>=</td><td></td><td>Acres</td></tr> <tr><td>Existing Impervious Area Post-1992</td><td>=</td><td>0.129</td><td>Acres</td></tr> <tr><td>Detention Volume Required</td><td>=</td><td></td><td>Acre-ft.</td></tr> <tr><td>Compensatory Storage Required</td><td>=</td><td></td><td>Acre-ft.</td></tr> <tr><td>Depressional</td><td>=</td><td></td><td>Acre-ft.</td></tr> <tr><td>Riverine 0- to 10-Year</td><td>=</td><td></td><td>Acre-ft.</td></tr> <tr><td>Riverine 10- to 100-Year</td><td>=</td><td></td><td>Acre-ft.</td></tr> </table>			Total Property Ownership	=	0.274	Acres	Hydrologic Disturbance	=	0.25	Acres	Watershed Area Tributary to Development	=		Acres	Proposed Impervious Area	=	0.213	Acres	Existing Impervious Area Pre-1992	=		Acres	Existing Impervious Area Post-1992	=	0.129	Acres	Detention Volume Required	=		Acre-ft.	Compensatory Storage Required	=		Acre-ft.	Depressional	=		Acre-ft.	Riverine 0- to 10-Year	=		Acre-ft.	Riverine 10- to 100-Year	=		Acre-ft.	<b>9B. WETLAND DATA SUMMARY</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Existing Wetland Acreage</td><td>=</td><td>=</td></tr> <tr><td>Waters of the U.S.</td><td>=</td><td></td></tr> <tr><td>Isolated Waters of Lake County</td><td>=</td><td></td></tr> <tr><td>Impacted Wetland Acreage</td><td></td><td>=</td></tr> <tr><td>Waters of the U.S.</td><td>=</td><td></td></tr> <tr><td>Isolated Waters of Lake County</td><td>=</td><td></td></tr> <tr><td>Mitigation Replacement Ratio</td><td></td><td>=</td></tr> <tr><td>Mitigation Acreage Required</td><td></td><td>=</td></tr> <tr><td>Waters of the U.S.</td><td>=</td><td></td></tr> <tr><td>Isolated Waters of Lake County</td><td>=</td><td></td></tr> <tr><td>On-Site</td><td></td><td>=</td></tr> <tr><td>Off-Site</td><td></td><td>=</td></tr> <tr><td>Mitigation Bank</td><td></td><td>=</td></tr> <tr><td>SMC Wetland Restoration Fund</td><td></td><td>=</td></tr> </table>			Existing Wetland Acreage	=	=	Waters of the U.S.	=		Isolated Waters of Lake County	=		Impacted Wetland Acreage		=	Waters of the U.S.	=		Isolated Waters of Lake County	=		Mitigation Replacement Ratio		=	Mitigation Acreage Required		=	Waters of the U.S.	=		Isolated Waters of Lake County	=		On-Site		=	Off-Site		=	Mitigation Bank		=	SMC Wetland Restoration Fund		=
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9C. Check box if State (IL) funds are being used for this development. <input type="checkbox"/>			9D. Check box if this is a project being funded in part/in whole by an SMC grant? <input type="checkbox"/>																																																																																								
<b>10A. DESCRIPTION OF DEVELOPMENT</b> Construction of residences/delicatessen & associated infrastructure																																																																																											
<b>10B. NAME OF DEVELOPMENT</b> ANDYS DELI		<b>10C. SINGLE FAMILY HOME ONLY</b> Estimated future home value:																																																																																									
<b>10D. LOCATION OF DEVELOPMENT</b> Street Address 265 RAND RD		<b>11. LEGAL DESCRIPTION</b> SE      18      43N      10E 1/4 Section      Section      Township      Range PIN      14-18-400-014 (If more than three PIN exists for the project, please include on a separate attachment)																																																																																									
Municipality LAKE ZURICH		42d 11' 55" N      88d 06' 39" Latitude      Longitude																																																																																									
Fox River Watershed		Sub-Watershed																																																																																									
<b>12. LIST ALL LOCAL, STATE, AND FEDERAL PERMIT APPLICATION, OR APPROVAL LETTERS REQUIRED FOR DEVELOPMENT</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Permit Type</td><td>Issuing Agency</td><td>Permit Number</td><td>Application Filing Date</td><td>Permit Issue Date</td></tr> <tr><td>Building Permit</td><td>Village of Lake Zurich</td><td>Pending</td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> </table>						Permit Type	Issuing Agency	Permit Number	Application Filing Date	Permit Issue Date	Building Permit	Village of Lake Zurich	Pending																																																																														
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<b>13A. UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I declare that I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to construct said development in compliance with the permitted documents. I realize that the information that I have affirmed herein forms a basis for the issuance of the Watershed Development Permit(s) herein applied for and approval of plans in connection therewith shall not be construed to permit any construction upon said premises or use thereof in violation of any provision of any applicable ordinance or to excuse the owner or his successors in title from complying therewith.</b>																																																																																											
Signature of Property Owner, or Authorized Agent      Date 13B. I CERTIFY that the plans/documents submitted for the above-referenced development have been prepared under the supervision of a professional engineer or certified wetland specialist as appropriate. <i>Sam Polena</i>																																																																																											
Signature of Professional Engineer Sotiel (Sam) Polena Print Name of Engineer		P.E. # 062-062638 Date 09/19/20		Signature of Certified Wetland Specialist CWS# Print Name Of Certified Wetland Specialist																																																																																							

<b>FOR OFFICE USE ONLY</b>	<b>14. PERMIT REVIEW FEES (separate checks)</b> Stormwater Review Amount: \$ _____ Isolated Wetland Review Amount: \$ _____		
	<b>15. VARIANCE REQUEST</b> Date Requested: _____ Date Advertised: _____ Date Approved/Denied: _____		
	<b>16. SECURITIES (if required) AMOUNT</b> Pre Construction \$ _____ Inspection Deposit \$ _____ 5 Year Mitigation \$ _____ Surety\$ _____ Wetland Credit held by _____ TOTAL SECURITY \$ _____		
	<b>17. FINAL APPROVAL FOR PLANS ENTITLED AND DATED:</b>		
	Date of Signature Community Professional Engineer _____ Certified Wetland Specialist _____ Lake Co. Stormwater Management Commission _____ Enforcement Officer _____	Approved By/Title _____	P.E.# / CWS# _____
	This permit is subject to the following conditions:		
	(a) This permit does not convey title to the permittee or recognize title of the permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to the permittee any right or interest in or to the property, whether the property is owned or possessed by the County of Lake or by any private or public party or parties.		
	(b) This permit does not release the permittee from liability for damage to persons or property resulting from the work covered by this permit, and does not authorize any injury to private property or invasion of private rights.		
	(c) This permit does not relieve the permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approval from any federal or state agency to do the work, this permit is not effective until those approvals are obtained.		
	(d) The permittee shall, at his own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project, from the floodprone area, river, stream or lake in which the work is done.		
(e) The execution and details of the work authorized shall be subject to the approval of the SMC. SMC representatives shall have right to access to accomplish this purpose.			
(f) Application for permit will be considered full acceptance by the permittee of the terms and conditions of the permit.			
(g) The SMC, in issuing this permit has relied, upon the statements and representations made by the permittee; if any statement or representation made by the permittee is found to be false, the permit may be revoked at the option of the SMC; and when a permit is revoked all rights of the permittee under the permit are voided.			
(h) If the project authorized by this permit is located in or along Lake Michigan or a meandered lake, the permittee and successors shall make no claim whatsoever to any interest in any accretions caused by the project.			
(i) In issuing this permit, the SMC does not approve the adequacy of the design or structural strength or the structure or improvement.			
(j) Noncompliance with the conditions of this permit will be considered grounds for revocation.			
(k) If the work permitted is not completed within three years of the permit issuance date, this permit shall be void.			
This permit is subject to further special conditions as follows:			
<b>PROVIDE PRIOR NOTIFICATION OF THE PRE-CONSTRUCTION MEETING TO SMC (847) 377-7700 INSPECTOR FIVE WORKING DAYS BEFORE START OF CONSTRUCTION TO ENABLE SMC ATTENDANCE.</b>			
<b>PROVIDE AS-BUILT PLANS OF THE STORMWATER MANAGEMENT SYSTEM TO SMC PRIOR TO FINAL SEEDING.</b>			
<img alt="Lake County Watersheds Map showing various numbered and lettered streams and lakes across the county. The map includes a scale bar from 0 to 3 miles and a north arrow. A legend on the right lists numbered and lettered streams and lakes, including: 1. Big Piney River Watershed, 2. Upper Fox River, 3. Rock River, 4. Rock Lake Chain, 5. Superior Creek, 6. Superior River, 7. Middle River, 8. Middle River Chain, 9. Tower Lake Chain, 10. Little Piney River, 11. Piney River, 12. Piney River Watershed, 13. Upper Fox Creek, 14. Middle Fox Creek, 15. Lower Fox Creek, 16. Lower Fox River, 17. Middle Creek, 18. Superior Creek, 19. Superior River, 20. Middle River, 21. Tower Lake, 22. Superior River, 23. Middle River, 24. Lower Fox River, 25. Middle Creek, 26. Superior Creek, 27. Superior River, 28. Middle River, 29. Lower Fox River, 30. Middle Creek, 31. Superior Creek, 32. Superior River, 33. Middle River, 34. Lower Fox River, 35. Middle Creek, 36. Superior Creek, 37. 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