

**Title/Name/Summary**

The Pointe - Development Petition for Site Plan, Landscape Plan, Elevations, Subdivision, Special Use Permit with Modifications

**..History**

**Project**

The Pointe - 14250 Southwest Highway  
2019-0519

**Petitioner**

Robert Hansen - City View Development of Orland Park, LLC

**Purpose**

The petitioner seeks approval to construct a 108,093 square foot multi-family residential building with sixty-four (64) attached dwelling units on a 1.13-acre site located at the northwest corner of 143<sup>rd</sup> Street and Southwest Highway.

**Requested Actions:** Site Plan, Landscape Plan, Elevations, Subdivision, Special Use Permit with Modifications

**Address:** 14352 Southwest Highway, 14240 Southwest Highway, and 14231 Union Avenue  
**P.I.N.:** 27-04-416-009-0000, 27-04-416-010-0000, 27-04-416-011-0000, 27-04-416-012-0000, 27-04-416-013-0000, 27-04-416-032-0000, 27-04-416-033-0000

**Lot Size (Pre-Dedication):** 49,014 square feet (1.13 acres)

**Lot Size (Post-Dedication):** 40,492 square feet (0.93 acres)

**Comprehensive Plan Planning District & Designation:** Downtown Planning District with Downtown Mixed-Use Designation (Development Opportunity Site)

**Existing Zoning:** VCD Village Center Zoning District

**Existing Land Use:** Vacant

**Proposed Land Use:** Single-family attached duplex homes (Residential Planned Development)

**Surrounding Land Uses & Zoning:**

North: VCD Village Center Zoning District – Single-family detached residential; R-3 Residential District – Single-family detached residential

South: OOH Old Orland Historic District – (across 143<sup>rd</sup> Street) Mixed-Use (Restaurants, Apartments)

East: VCD Village Center Zoning District – (across Southwest Highway) Metra Parking Lot, Railroad, Vacant Land

West: VCD Village Center Zoning District – (across Union Avenue) Funeral Home / Park School; R-3 Residential District – (across Union Avenue) Single-family detached residential

**BACKGROUND**

The subject property is a triangular-shaped 1.13-acre site comprised of seven (7) individual parcels within the Village's downtown area at the northwest corner of the intersection of 143<sup>rd</sup> Street and Southwest Highway. The subject property has been vacant for approximately twelve (12) years and was previously occupied by Wild Boar restaurant, Nagel's Repair Shop, and a single-family home. The site currently includes existing overhead utility lines, sections of concrete sidewalk and driveway, and minimal landscaping.

On October 1, 2007, the Petitioner was approved to construct a four-story mixed-use building consisting of 4,944 square feet of retail space and twenty-two (22) residential dwelling units (Legistar File ID 2007-0266). Variances were approved to reduce the parking lot setback from Union Avenue from ten (10) feet to five (5) feet and to reduce the rear yard setback from thirty (30) feet to ten (10) feet. The previously approved project was not constructed.

On July 16, 2018, the Village Board of Trustees approved a Site Plan, Landscape Plan, Elevations, Subdivision, and Special Use Permit for attached dwellings and for a building larger than 50,000 square feet with Modifications from the Land Development Code for The Pointe (Legistar File ID 2017-0387). The approved plans allowed for the construction of a 103,164 square foot multi-family residential development with sixty-four (64) attached dwelling units, two (2) underground parking garage levels accessible from Union Avenue, a guest parking and loading area accessible from Southwest Highway, and landscape improvements. As part of the project, approximately 0.19 acres of land was to be dedicated to the Village of Orland Park for future roadway improvements and widening at the intersection of 143<sup>rd</sup> Street and Southwest Highway. Several Modifications were previously approved for the project:

1. Building Height. A two (2) story modification to allow a maximum of five (5) stories (Section 6-212.D.3.c.):
2. Building Setback. A 2' 9 3/4" modification to allow a 2' 2 1/4" setback at the southwest corner of the building after a dedication of land at the south portion of the site (Section 6-212.D.6.c.)
3. Rear Yard Setback. A 20' modification to allow the underground parking to be set back 10' from the rear (north) property line (Section 6-212.D.6.d.)
4. Parking Setback Landscape Buffer. An 8-10' modification for the east and west parking landscape setback to allow 0-2' of landscaping between the parking lot and right-of-way (Section 6-212.D.6.e. and Section 6-305.D.4.b.1.)
5. Parking Lot and Loading Area Location. A modification to allow the trash enclosure and loading area to be located between the building and the street (Section 6-212.E.2.)
6. Drop-Off/Drive Aisle Setback. A modification to allow drop-off and drive aisles between the building and the street (Section 6-212.E.2.)
7. Drop-Off/Drive Aisle Screening. A modification to allow less than 36" of screening adjacent to drop-off and drive aisles at certain locations (Section 6-212.E.2.g.)
8. Street Level Transparency. An 11% modification to allow 24% transparency at street level (Section 6-212.E.3.):
9. Retaining Wall Height, Spacing, and Setback. A modification to allow height, spacing, and setback differences for retaining walls at certain locations on the site (Section 6-302.C.31)
10. Foundation Planting. A 10' modification to allow 0' of foundation planting along the east and west facades (Section 6-305.D.5.a.)

Final engineering and other post-Board approval items were never finalized for the previously approved project and the building was not constructed.

Since the original approval in 2018, the petitioner has selected a new engineering firm and has proposed changes to the Site Plan, Landscape Plan, and Building Elevations that have resulted in new Modifications to the Land Development Code. Site grading has been modified and the building has been raised resulting in the parking garage levels to be further exposed above grade and no longer fully underground. Proposed changes also include the relocation of the lower level parking garage entrance and ramp on the west elevation off of Union Avenue to the east elevation off of Southwest Highway, removal of the guest parking spaces along Southwest Highway, minor alterations to the building height, minor increase to the building's floor area, changes to building setbacks, modifications to retaining walls, the addition of a pedestrian ramp along the south of the building, and changes to the landscape plan and building elevations.

In accordance with Section 5-101.K and Section 5-105.K of the Land Development Code, substantial alterations to the final plan include items such as changes that result in variances/modifications to Village Board-approved plans, modifications to Village Board-approved special use regulations, changes to Village Board-approved parking configurations, changes to the approved lot coverage, alterations to retaining walls, and changes to the number of units, building area, or building stories. As a result of the proposed changes, the project is required to proceed back through the Village's development review process.

### **PROJECT DESCRIPTION**

The petitioner is requesting approval of a Site Plan, Landscape Plan, Elevations, Subdivision, and Special Use Permit with Modifications to the Land Development Code to allow for a building with a floor area greater than 50,000 square feet and to allow for attached dwellings in the VCD Village Center District for The Pointe, a multi-family residential development on a 1.13-acre site located at the northwest corner of 143<sup>rd</sup> Street and Southwest Highway.

The proposed site plan consists of a five (5) story tall building with two (2) levels of garage parking located within the building, new landscaped areas, and residential amenities such as a lounge, community room, fitness center, and rooftop terrace. The building will contain a mixture of one-bedroom and two-bedroom dwelling units in the uppermost four (4) floors of the building. A total of sixty-four (64) residential units are proposed with forty (40) one-bedroom units and twenty-four (24) two-bedroom units. As part of the project, the existing seven (7) parcels will be consolidated into one (1) lot. Approximately 8,522 square feet (0.19 acres) of land located at the southwest corner of the site will be dedicated to the Village of Orland Park for future roadway and intersection improvements.

Proposed Modifications to the Land Development Code include:

1. Building Height. Increase the allowable building height from four (4) stories tall to five (5) stories tall, and to allow for a building height more than two (2) stories taller than adjacent single-family homes (Section 6-212.D.3)
2. Building Setback. Reduce the building setback between the southwest corner of the building and Union Avenue from five (5) feet to as little as two and a half (2.5) feet, after the right-of-way dedication of land at the south portion of the site to the Village (Section 6-212.D.6.c.)
3. Rear Yard Setback. Reduce the rear yard setback along the north property line from thirty (30) feet to as little as nine (9) feet ten (10) inches (9.9 feet) (Section 6-212.D.6.d.)
4. Permitted Uses Between the Building and the Street. Allow for a drive aisle, drop-off area, and loading area to be located within the setback area between the building façade and Southwest Highway, and to allow for a trash enclosure and two parking spaces to be located within the setback area between the building façade and Union Avenue (Section 6-212.E.2)
5. Parking Space Size. Reduce the required parking space size from nine (9) feet by eighteen (18) feet to as little as nine (9) feet by sixteen (16) feet to allow for compact car parking spaces at certain locations on site (Section 6-306.C.1)
6. Parking Space Access. Allow for double-stacked parking spaces without direct and unrestricted access to an aisle at certain locations on site (Section 6-306.C.2)
7. Retaining Wall Setback, Height, and Spacing. Allow for retaining walls at certain locations on site to be constructed within three (3) feet from the property line, exceed a height of three (3) feet, and exceed spacing requirements (Section 6-302.C.31)
8. Balcony Setbacks. Increase the allowable projection of the balconies into the required rear yard setback from three (3) feet to four (4) feet (Section 6-302.C.4)
9. Parking Lot Setbacks and Landscaping. Reduce the parking lot setback and landscape area from ten (10) feet to as little as four (4) feet along the west property line (Union Avenue) and along the southeast property line (Southwest Highway) (Section 6-305.D.6.a.1)

10. Foundation Landscaping. Reduce the building foundation planting area along the southeast and west façades from ten (10) feet to as little as two and a half (2.5) feet (Section 6-305.D.5.)
11. Landscape Corridor. Allow for shrubs and ornamental grasses as a plant material substitution for a portion of the required Landscape Corridor plantings and for the relocation of the required Landscape Corridor landscaping into a different Landscape Zone on site (Section 6-305.D.3)

With the exception of the requested modifications, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

### **SITE PLAN**

The proposed site plan consists of a five (5) story tall, 108,093 square foot multi-family residential building with sixty-four (64) dwelling units and a two-level parking garage within the building. Building access will be provided from both Southwest Highway and Union Avenue.

The main building entrance, drop-off area, drive aisle, and garage entrance to the upper level parking garage located on the southeast and east sides of the building will be accessible via a curb cut from Southwest Highway. The southeast portion of the building includes a circle drive below a two-story building projection that will house amenities for residents. An emergency access point will be located to the south of the circle drive to provide access to Southwest Highway for only emergency vehicles. The emergency access point will be constructed of brick pavers, includes hazard striping and "Do Not Enter" pavement signage, and will have access blocked with flexible bollards so that general traffic does not utilize the access point.

On the west side of the building, access is provided to the lower level parking garage via Union Avenue. A dumpster enclosure and two (2) exterior parking spaces will be located adjacent to the parking garage driveway entrance.

A total of one hundred and one (101) parking spaces are proposed on site, primarily within the two parking garage levels inside the building. The upper and lower level parking levels will not be internally connected. The upper level parking garage will be accessible via a driveway off of Southwest Highway on the east side of the building. The lower level parking garage will be accessible via a driveway off of Union Avenue along the west side of the building.

New landscaping will be installed throughout the site. Tiered retaining walls located at the northeast corner of the site as well as around the south and southwest corner of the building will also include landscaping.

The petitioner is proposing several changes to the July 16, 2018 Board-approved plans. In general, the building is located in the same location as the previously approved plans and there are no changes to the overall number of residential dwelling units. A minor increase to the building floor area is proposed from 103,164 square feet to 108,093 square feet. A summary of the proposed major changes is included below:

- Access to the Site and Parking Garage Levels. On the Board-approved plans, both the upper and lower level parking garages were previously located on the west elevation and were accessible via a driveway off of Union Avenue. The entrance to the lower level parking garage included a steep access ramp bordered by a retaining wall measuring over six (6) feet in height. Under the proposed plans, the upper level parking garage entrance has been relocated to the east side of the building off of Southwest Highway. The driveway entrance off of Union Avenue has been shifted slightly to the south and will only provide access to the lower level parking

garage. In place of the previously steep access ramp, a tiered retaining wall with landscaping will wrap around the southwestern portion of the building.

- Building Height. To reduce construction costs associated with excavation and shoring, the entire building has been raised above grade by approximately four (4) to five (5) feet. The upper and lower level parking garages were primarily located underground below grade in the July 16, 2018 Board-approved plans. With the raising of the building, the parking garage walls are now further exposed above grade. A modification was previously approved to allow for a maximum building height of five (5) stories. The project requires the same modification to be approved to allow for an increase to the building height from four (4) stories to five (5) stories, and to allow for a building height more than two (2) stories taller than adjacent single-family homes. Refer to the “Building Elevations” section of this report for additional discussion on the building height and proposed elevations.

- Building Setbacks. Similar to the July 16, 2018 Board-approved plans, the petitioner is requesting a reduction to the rear setback from the north property line and the setback from Union Avenue at the southwest corner of the building after the dedication of land to the Village. Modifications were previously approved to allow for a 2.1-foot setback at the southwest corner of the building and a 10-foot setback for underground parking from the rear (north) property line. Under the current proposed plans, the petitioner is requesting a reduction to building setback between the southwest corner of the building and Union Avenue from 5 feet to 2.5 feet after the right-of-way dedication of land to the Village. A modification has been requested to reduce the rear setback from 30 feet to 9.9 feet. With the building being raised, the upper level parking is no longer located entirely below grade and will be setback 9.9 feet from the north property line.

- Guest Parking / Exterior Parking. Five (5) parallel parking spaces to be used for guest parking were previously proposed between the building and the access drive along Southwest Highway. Under the proposed plans, these guest parking spaces have been removed to accommodate the new entrance to the upper level parking garage. Six (6) guest parking spaces are now provided within an open area inside the building at the entrance of the upper level parking garage. The garage doors, which will provide restricted access to residents to the parking garage levels, have been relocated further inside the building. Two (2) exterior parking spaces will be located to the west of the building, adjacent to the entrance to the lower level parking garage off of Union Avenue.

- Retaining Walls. Retaining walls were previously proposed at the northeast corner of the site and along the parking garage access drive on the west side of the building. To accommodate the proposed changes to site grading and raising of the building, the tiered wall system at the northeast corner of the site has been modified and a tiered retaining wall system with a pedestrian ramp is now proposed around the southwest corner of the building. Landscaping has also been modified to reflect the new retaining walls and changes to the site plan. Modifications to the code were previously approved and are currently requested to retaining wall setbacks, wall height, and spacing. Please refer to the “Retaining Wall” and “Modifications” section for additional information on the proposed changes.

- Building Elevations. The proposed building elevations utilize the same overall building design, building materials, and colors that were previously approved by the Board of Trustees on July 16, 2018. With the raising of the building, the petitioner has added an interior, open guest parking area on the southeast elevation inside the upper level garage parking. Additional faux windows have been added to the exposed parking garage elevations. On the north elevation, the upper level parking garage is now exposed above grade and is no longer primarily

underground. Residential patios will be located on top of the upper level parking garage and the exposed exterior walls will be constructed of pre-cast walls with thin brick to match the brick used elsewhere on the building. Changes have also been made to the west elevation to accommodate the access to the lower level parking. The exterior walls for the lower level parking will be constructed of sandblasted concrete to look like limestone and a tiered retaining wall will wrap around the south and west corner of the building. Minor changes are also proposed to the balconies and windows.

## **MOBILITY**

### **Vehicular/Traffic**

The subject property is located at the northwest corner of 143<sup>rd</sup> Street, a major arterial under IDOT jurisdiction, and Southwest Highway, a minor arterial street under IDOT jurisdiction. Union Avenue, a local road under the Village's jurisdiction, is located along the west side of the property. Access will be provided from Southwest Highway and Union Avenue. The property will not have direct access to 143<sup>rd</sup> Street.

A circle drive, drive aisle, emergency access drive, and the entrance to the upper level parking garage will be accessible via Southwest Highway. The entrance to the lower level parking garage will be located off of Union Avenue.

As previously noted, approximately 0.19 acres of land located at the southwest corner of the site will be dedicated to the Village of Orland Park for future roadway improvements. The petitioner has worked with staff and the Village's engineering consultant to design the proposed site plan to work within the constraints of the future roadway design and dedicate property for the right-of-way. Due to the dedication of land and the existing unique shape of the site, several modifications are requested for the proposed project. Refer to the "Modifications" section of this staff report for additional details.

### **Parking**

Required - Ninety-six (96) spaces, including four (4) accessible spaces

Provided - One-hundred and one (101) spaces, including four (4) accessible spaces

Per Section 6-306.B, multi-family dwellings are required to provide two (2) parking spaces for every dwelling unit. In the VCD Village Center District, per Section 6-212.D.5, developments are allowed to reduce on-site parking requirements by up to 25% in order to promote shared and alternative parking options.

In this case, a total of one hundred and twenty-eight (128) parking spaces would be required on site for the proposed sixty-four (64) dwelling units. With the 25% reduction to parking allowed in the VCD Village Center District, a total of ninety-six (96) parking spaces is required.

One hundred and one (101) spaces are proposed on site, which meets code requirements. Fifty-three (53) spaces will be located within the upper level parking garage, which will be accessible from a driveway off of Southwest Highway from the east side of the building. Six (6) of the spaces in the upper level parking garage will be utilized for guest parking. Forty-eight (48) spaces will be located within the lower level parking garage, which will be accessible via a driveway off of Union Avenue on the west side of the building. Two (2) parking spaces are proposed to the south of the driveway entrance to the lower level parking garage off of Union Avenue. According to the petitioner, these spaces will be used for short term or temporary parking for tenants. With the exception of the guest spaces and the two (2) exterior spaces, residents will be assigned parking spaces inside the garage levels.

Per the July 16, 2018 Board-approved Site Plan, a total of ninety-six (96) parking spaces were previously proposed for the overall development and both the upper and lower level parking garages were accessible via Union Avenue. The parking garage levels included several parking stalls for compact cars and double-stacked parking.

Five (5) parallel parking spaces for guest parking were previously proposed on the east of the building along the drive aisle off of Southwest Highway. With the proposed changes to the site plan, the exterior guest parking spaces have been removed. In order to accommodate guest parking elsewhere on site, the petitioner is proposing six (6) spaces to be located within an open area inside the building's upper level parking garage off of Southwest Highway. The remaining parking spaces within the upper level parking garage will be sectioned off by a garage door that provides access only to residents. Per the petitioner, and as previously discussed at the previous public hearing at Plan Commission on June 12, 2018, if additional guest parking is needed, guests can park at the Metra parking lot across Southwest Highway to the east.

A total of twenty (20) spaces within the parking garage levels will be double-stacked spaces without direct and unrestricted access to an adjacent drive aisle. Double-stacked spaces will be dedicated only to residential units that request two (2) parking spaces and will not be rented to separate units. Additionally, five (5) parking spaces will be reserved for compact cars and will measure nine (9) feet wide and sixteen (16) feet long. Bicycle parking is also proposed in both the upper and lower level parking garages. A total of fifty-three (53) bicycles parking stalls will be installed, which exceeds the requirements of Section 6-306.H.

Approval of several modifications is required to allow for reduced standard parking space sizes for compact car stalls, double-stacked parking spaces without direct and unrestricted access to a drive aisle, reduced parking lot and landscape setback areas along Southwest Highway and Union Avenue, and to allow for the drive aisle, drop-off area, loading area, and parking within the setback area between the building and streets. Additional details on each requested modification related to parking is included in the "Modifications" section of this report.

### **Pedestrian Access**

New public sidewalks will be installed along Union Avenue, 143<sup>rd</sup> Street, and Southwest Highway. As shown in the pre-dedication and post-dedication site plan drawings, the petitioner will construct an interim sidewalk along the perimeter of the site until such time that the roadway improvements for 143<sup>rd</sup> Street are completed and a new sidewalk is installed to match the future intersection alignment.

### **BUILDING ELEVATIONS**

As shown on the proposed elevations, the exterior of the building incorporates a modern architectural style with a mixture of brick, fiber cement paneling, aluminum coping, and windows. Two contrasting brick colors are used, including a cream-colored smooth brick with small, dark spots and a dark gray textured brick with a slight sheen and ironspotting. The walls of the top (fifth) floor will consist of smooth gray fiber cement paneling and the exterior sides of the stairways utilize a textured fiber cement paneling with grooved vertical lines. A white aluminum sunscreen will be installed below the top of the parapet wall on portions of the south, east, and west elevations to provide a unique, accent feature.

A modern two-story building projection will extend over the main entrance and circle drive on the south elevation. The building projection will be constructed with textured fiber cement paneling with grooved vertical lines and will be supported by modern, angled support columns constructed of concrete with an architectural finish. The interior of the building projection will

include amenity spaces for residents, including a community room on the third floor, a fitness room on the fourth floor, and a large exterior rooftop terrace with a green roof on the fifth floor.

Overall, the proposed elevations utilize the same building materials, colors, and design as previously approved. The petitioner is proposing several changes to the July 16, 2018 Board-approved Elevations, including alterations to building height and amount of the building exposed above grade, the exterior facades of the parking garage levels and entrances, windows, balconies, and patio areas.

To reduce construction costs associated with excavation and shoring, the entire building has been raised above grade by approximately four (4) to five (5) feet. The upper and lower level parking garages were primarily located underground below grade in the July 16, 2018 Board-approved plans. With the raising of the building, the garage levels are now further exposed above grade. The lower level parking still remains primarily below grade except on the west and south elevations, and a minor portion of the north elevation. On the west elevation, the exposed walls around the entrance to the lower level parking garage will be constructed of sandblasted concrete to look like limestone. Tiered landscaped retaining walls will also line the lower level parking garage walls on the west and south elevations. Garage doors and an access door painted in a dark gray color to match the building are also proposed on the west elevation

On the north side of the building, the exterior walls of the upper level parking garage are now partially located above grade and will be constructed of dark gray brick. Black metal railings will be installed around the residential patios and green roof above the upper level parking garage. The petitioner is also proposing an open entrance to the interior guest parking on the southeast elevation, faux windows and brick matching the upper floors on the south and west elevations.

Approval of a modification is required to allow for five (5) stories and for the building to be more than two (2) stories taller than the adjacent single-family homes. In the VCD Village Center District, corner buildings located at street intersections, may be constructed up to four (4) stories tall with a maximum height of fifty-five (55) feet. Buildings cannot be more than two (2) stories taller than adjacent existing single family homes. Building footprints within 600 feet of the 143<sup>rd</sup> Street Metra train station may be up to six (6) stories with a maximum height of seventy (70) feet. Because the proposed building will be roughly 750 feet from the Metra station, approval of a modification to allow for an additional building story is required.

Of note, per the Land Development code, building height is calculated as the vertical distance from grade plane to the average height of the highest roof surface. Chimneys, towers, spires, elevator penthouses, cooling towers and similar customary accessory structures and equipment, other than signs, shall not be including in calculating building height. Grade plane is the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building. Area having part of its ceiling height below grade is not considered a building story. Therefore, the lower level parking garage is not considered a story and the upper level parking garage is considered a story.

Per the June 12, 2018 Board-approved Elevations, the overall building height is shown at fifty-four (54) feet tall as measured from the average grade (elevation of 706') to the top of the building parapet. On the north side of the building, the parking garage levels were located below

grade underneath a berm and the building measured four (4) stories tall. The building measured five (5) stories tall on the elevations facing Southwest Highway, 143<sup>rd</sup> Street, and Union Avenue.

Under the current plans, a building height of fifty-four (54) feet ten (10) inches (54' 10") is proposed, as measured from the average grade plane (elevation of 703'4") to the average roof height. The proposed parapet walls range in height from about two (2) feet eight (8) inches to four (4) feet ten (10) inches. With the height of the parapet walls included, the building will measure approximately fifty-nine (59) feet eight (8) inches (59' 8") from the average grade plane. The parapet wall height is not included in the overall building height calculation, therefore the proposed building height of fifty-four (54) feet ten (10) inches (54' 10") is under the maximum allowed height of fifty-five (55) feet per code.

Additionally, projecting metal balconies are provided for the majority of the residential units and add to the articulation of the building. Matching black metal railing will be used on the rooftop terrace above the building projection over the circle drive, projecting balconies, private patios for the residential units on the north side of the building, and guardrail along the retaining wall and sidewalk on the south side of the building. Minor changes are proposed to the balconies at the northeast corner of the building, which were previously integrated into the building façade and designed with fiber cement paneling. Under the proposed plans, the triangular shaped balconies will match the other projecting black metal balconies used on the building facades. Additionally, patios are now provided on top of the upper level parking garage for the seven (7) residential units on the north side of the second floor. A green roof will be installed along the outer edges of the patio area and each of the residential units will have an individual patio separated by a privacy screening wall.

### **LANDSCAPE PLAN**

A preliminary landscape plan has been reviewed by the Village's landscape consultant, Hey & Associates. The petitioner must submit a final landscape plan for separate review in conjunction with final engineering. All current and future comments must be addressed during final landscape plan review. It is imperative that the landscape design professional and project engineer coordinate their work to provide grading required for landscape compliance. Landscape Parkway, Landscape Bufferyards, Building Foundation, and Interior Lot Landscaping requirements have been met and will be confirmed during final landscape plan review.

As shown on the submitted landscape plan, parkway trees will be provided along Union Avenue, 143<sup>rd</sup> Street, and Southwest Highway. Due to space limitations in the narrow parkway around the site, trees will be located between the sidewalk and the building. Bufferyard landscaping is provided along the north property line between the proposed building and the existing single-family residential lots. Landscaping is proposed in the tiered retaining walls around the south and west sides of the building and the northeast corner of the site. A mix of shrubs, ornamental grasses, perennials, and groundcovers will be planted in the tiered retaining walls. Shade trees, ornamental trees, shrubs, ornamental grasses, and perennials will be planted at the three-way intersection of Union Avenue, 143<sup>rd</sup> Street, and Southwest Highway to the south of the building. The center of the circle drive on the east side of the building also features a planting bed.

Because of the unique shape of the property, need for retaining walls, and right-of-way dedication to the Village for future roadway improvements, landscaping areas on site are limited or restricted. As a result, the petitioner is unable to meet certain landscaping requirements. A modification has been requested to allow for shrubs and ornamental grasses as a plant material substitution for a portion of the required Landscape Corridor plantings and relocation of

the required Landscape Corridor landscaping into a different Landscape Zones on site. A Typical Landscape Corridor is required along Union Street and Arterial Landscape Corridors are required along Southwest Highway and 143rd Street. The landscape requirements cannot be met within the retaining wall areas. Trees and certain types of plants cannot be located within the tiered planting beds due to conflicts with the design of the retaining wall system, such as soil depth and aggregate backfill material, location of geogrid reinforcement, structural design, etc. As a result, the petitioner is proposing to relocate some of the required plantings elsewhere on site, substituting the required shade, ornamental, or evergreen trees with shrubs and ornamental grasses, and providing less than the required number of shade, ornamental, or evergreen trees.

The petitioner shall provide additional details on the retaining wall system design and landscape viability to determine suitable plant material to be installed within the planting beds behind the tiered retaining walls. Refer to the "Retaining Walls" section of this report for additional discussion on the proposed retaining walls and landscaping.

Modifications have been requested to reduce the building foundation planting areas along the southeast and west elevations from ten (10) feet to as little as two and a half (2.5) feet and to reduce the parking lot setback and landscape area from ten (10) feet to as little as four (4) feet along the west property line (Union Avenue) and along the southeast property line (Southwest Highway).

Tree Mitigation – The tree survey submitted by the petitioner indicates twenty (20) trees are to be removed, of which nine (9) require mitigation. A Tree Mitigation Plan has not been submitted to the Village for review. The petitioner will be required to submit a Tree Mitigation Plan during the final landscape plan review. The project will be required to meet all of the tree mitigation and tree preservation requirements per Section 6-305.F of the Land Development Code. In cases where tree replacement or mitigation cannot be accommodated on site, the petitioner will be required to pay cash in lieu for the tree mitigation amount. The required tree mitigation amount will be finalized during the final landscape plan review phase and will be included in the Development Agreement.

Green Roof – The petitioner is proposing a 1,772 square foot green roof along the outer edges of the rooftop terrace on the top floor of the building projection over the circle drive and a 304 square foot green roof on the second story along the outer edges of the residential patios located above the parking garage levels on the north side of the building. In total, both green roof areas measure 2,076 square feet in size.

A condition of approval has been added to the recommended motion that additional design details for the proposed green roof areas must be submitted to the Village for review and approval during the final landscape plan review. Additionally, because the green roof around the residential patios above the parking garage levels on the north side of the building will only be accessible through individual residential units rather than a common, shared access point, the petitioner will be required to provide a green roof maintenance plan for approval during final landscaping review to ensure proper maintenance of the green roof in the future.

## **DETAILED PLANNING DISCUSSION**

### **Preliminary Engineering**

Preliminary engineering approval has not been granted for this project by the Village's engineering consultant due to the request for modifications / variances. This is standard practice for any project requesting a variance or modification. All other preliminary engineering items

have been met. Final engineering submittal must address all previous review letter comments as well as any future engineering comments.

Utilities – Per the July 16, 2018 Board-approved plans, the petitioner previously agreed to bury the existing overhead utility lines on the north, east, and west sides of the site. The Village agreed to work with the Petitioner to assist with the burial costs on the southernmost portion of the west utility lines (50% cost match up to a maximum of \$25,000) and the Village will cover the costs of burial of the service lines that cross Union Avenue and 143<sup>rd</sup> Street.

The petitioner will be responsible for the burial of the overhead utility lines at the time of development, as shown on the previously agreed upon and included in the draft Development Agreement, which is attached for review. As shown on the attached exhibit, the overhead utility lines shown in red will be rerouted underground at the owner's expense. The Village will pay 50% of the cost of the utility burial depicted in yellow, up to a maximum of \$25,000, with the remainder of the cost for the utility burial paid at the owner's expense. The Village will pay for the utility burial depicted in green on the diagram. This requirement will be included in the future Development Agreement.

Lighting - Similar to the July 16, 2018 Board-approved plans, the petitioner will be responsible for purchasing installing ornamental light poles along Union Avenue. Per Section 6-212 and 6-407, ornamental light poles are required in the VCD Village Center District. Currently, four (4) ornamental light poles are proposed in the right-of-way along the west property line that will match the decorative poles found throughout the downtown Orland Park area. The total number of light poles will be determined at the time of final engineering review and photometric plan review. Seven (7) light bollards are also proposed in the landscaped area along Southwest Highway. A photometric plan will be reviewed during final engineering and shall meet the requirements of Section 6-315.

Retaining Walls – Per Section 6-302.C.31, retaining walls must be located at least three (3) feet inside the lot lines, are limited to a maximum height of three (3) feet, and may not obstruct storm water flow or vehicle sight lines. When the consequence of grading land results in the necessity for a total retaining wall height to be greater than three (3) feet, the retaining wall must be tiered and each wall on the tiered retaining wall system shall be limited to three (3) feet in height. The formula for determining the tiered wall setback shall be two (2) times the lower wall height, which equates to six (6) foot spacing between three (3) foot tall walls.

The petitioner is proposing to construct tiered retaining walls at the northeast corner of the site and around the southwest corner of the building. At the northeast corner of the site, prior to the 143<sup>rd</sup> Street roadway improvements, retaining walls will be constructed to temporarily tie into the existing retaining wall located in the Southwest Highway right-of-way, which is under IDOT's jurisdiction. The existing retaining wall ranges in height between approximately 1.8 feet and 7.5 feet. The majority of the proposed walls will have a height of approximately 3 feet, with the tallest wall measuring 6 feet. The walls will be spaced 8 feet to 9.5 feet apart, with the northern most retaining wall located approximately 4 feet from the north property line. Several walls are proposed within 1 foot of the eastern property lines. As part of the 143<sup>rd</sup> Street roadway improvement project, the area will be re-graded and a new retaining wall will be constructed within the Southwest Highway right-of-way. As a result, the retaining walls along the Southwest Highway right-of-way will be modified and the tallest wall will measure about 8 feet in height.

Retaining walls are also proposed to wrap around the southwestern corner of the building. In general, the retaining walls will have a height of 3 feet and will be spaced approximately 5 feet

apart. The outer wall closest to Union Avenue and 143<sup>rd</sup> Street will have a height of about 1 foot. At the north end of the wall system, the walls will be spaced about 3 feet apart and the outer wall will have a height of about 1.9 feet to 2.4 feet. A guardrail will also be constructed along the retaining wall system adjacent to the sidewalk connecting to the building exit on the south elevation to meet code requirements.

Approval of a modification is required to allow for the proposed retaining walls to be constructed within 3 feet from the property line, exceed a height of 3 feet, and exceed spacing requirements. All retaining walls must be located inside the private property limits. Modifications for retaining wall height, spacing, and setbacks were previously approved in the July 16, 2018 Board-approved plans. The petitioner previously proposed a retaining wall exceeding 6 feet in height adjacent to the ramp for the lower level parking garage entrance on the west side of the property. Tiered retaining walls were also proposed at the northeast corner of the site. Several of the proposed walls were located less than 3 feet from adjacent property lines.

The petitioner will be required to provide final retaining wall plans to the Village for review and approval as part of the final engineering and landscaping review process. The retaining wall plans shall be designed, signed, and sealed by an Illinois licensed structural engineer. All retaining walls shall be located inside the lot lines and may not encroach into the right-of-way.

The final plans must provide additional design details showing the soil and backfill areas behind the retaining walls to confirm the viability of the proposed plant material within the landscaped areas. The proposed wall system, geogrid reinforcement, and aggregate fill material behind the walls must be designed so that the growth of the proposed landscaping is not prohibited or limited. Further coordination between the structural engineer and the landscape architect is needed to determine the proposed soil depth and if the proposed plantings are feasible. A condition of approval has been added to the recommended motion for the project requiring final design plans for the retaining wall system and verification if proposed plantings are viable within the tiered landscaped beds. Changes to the retaining wall system design, height, setbacks, landscaping, or tiered walls could require the project to go back through the development review process if new variances are proposed as a result of these changes, in accordance with Section 5-101.K.4.

Off-Site Grading – If during final engineering it is determined that off-site grading is required or if the geogrid for the retaining walls at the northeast corner of the site will encroach into the neighboring property to the north, the petitioner shall be required to provide a letter of authorization from the adjacent property owner allowing any off-site work or encroachments.

### **Comprehensive Plan**

According to the Village's Comprehensive Plan, the subject property is located in the Downtown Planning District and is designated Downtown Mixed Use. The property is also labeled as a Development Opportunity site. Multi-family residential is considered an appropriate land use within this designation.

Per the Comprehensive Plan, the Downtown Planning District "is envisioned to become the heart of Orland Park, with a unique sense of place and an emphasis on walkability and pedestrian scale." The subject property is also located in the Main Street District, a sub-area within the Downtown Planning District, which "serves as the core of the Downtown and encourages higher densities and use intensities that transition outwards from the Metra station." The proposed plan incorporate several design considerations and elements discussed within the Village's Comprehensive Plan for Downtown Mixed Use areas, such as minimum setbacks

from the right-of-way, minimized parking visibility and structured parking, three to six story tall buildings, articulated corner and entry features, screening of utility equipment, integrating loading/service into architecture, streetscape and decorative lighting as an integral element, construction of new sidewalk connections, and promoting walking, biking, and transit.

### **Land Use/Compatibility**

The proposed multi-family building is compatible with the VCD Village Center District, the surrounding land uses and zoning districts, and the Comprehensive Plan designation for this area. The subject site is bordered by single-family residential to the north and mixed-use buildings across 143<sup>rd</sup> Street to the south. Park School, a funeral home, and a single-family home is located across Union Avenue to the west. Norfolk Southern Railroad runs parallel to the site on the east side of Southwest Highway. This railroad line includes the Metra Southwest Service Line, which runs commuter trains from Manhattan to Union Station in downtown Chicago. The site is within a quarter mile (5-minute walk) of the 143<sup>rd</sup> Street Metra Station. The Metra Station parking lot and vacant land in the Main Street Triangle are located across Southwest Highway to the east.

### **Subdivision**

A preliminary plat and plat of vacation for existing easements on site have been received and reviewed by the Village. The petitioner will need to submit a final Plat of Subdivision to the Village for execution and recording.

The proposed project will entail consolidating the existing seven (7) parcels into one (1) lot. The two (2) existing easements (utility and a portion of the sanitary sewer easement) on site will be vacated and new utility easements will be established. A portion of the site at the southwest corner, which measures 8,522 square feet (0.19 acres), will be dedicated to the Village of Orland Park for future roadway and intersection improvements.

### **Special Use Permit**

In the VCD Village Center District, approval of a Special Use Permit is required for buildings greater than 50,000 square feet in size and for attached dwellings. Per Section 5-105.E. of the Land Development Code, the Plan Commission shall consider the extent to which the proposed project will meet the eight Special Use Standards listed in the Code. The petitioner has provided responses to the Special Use Standards, which are attached for review.

### **Modifications**

As part of the Special Use Permit, the petitioner is requesting the following modifications to the Land Development Code:

1. Building Height. Increase the allowable building height from four (4) stories tall to five (5) stories tall, and to allow for a building height more than two (2) stories taller than adjacent single-family homes (Section 6-212.D.3)

The proposed building is permitted to be up to four (4) stories tall with a maximum height of fifty-five (55) feet measured from average grade to the average roof height. Buildings cannot be more than two (2) stories taller than adjacent existing single family homes. The adjacent single family homes to the north and northeast of the site are one (1) to two (2) stories tall.

The proposed building is five (5) stories tall and will measure 54 feet 10 inches in height. The lower level parking garage is located below the average grade plane and therefore is included in the number of stories. The proposed building height is similar to the previously plans

and a modification was approved by the Board of Trustees on July 16, 2018 to allow for five (5) stories.

The proposed project meets the vision of Downtown Mixed Use land designation per the Village's Comprehensive Plan by providing a pedestrian and transit-oriented multi-family residential development. The proposed multi-family building is not consistent with the existing character of the single-family homes immediately to the north and west along Union Avenue. However, the Comprehensive Plan identifies the adjacent properties to the north and west of the site as Downtown Mixed Use. Large lot single-family is not considered an appropriate use within this classification according to the Comprehensive Plan. Additionally, construction of the Sertoma Centre Multi-Family Residences (Case Number 2017-0671) located at 14205 Union Avenue recently began. The project entails a three (3) story multi-family building with sixteen (16) dwelling units and is located approximately 200 feet to the north of the site.

The proposed project and building height is also consistent with adjacent development located in the Downtown Main Street Triangle to the east of Southwest Highway. For comparison, Ninety7Fifty on the Park located further to the east of the subject property at 9750 Crescent Park Circle includes 295 residential units, structured parking, and retail. The building ranges from three (3) to five (5) stories tall and has a maximum height of 59 feet measured from average grade plane. The University of Chicago Center for Advanced Care, located at 14290 LaGrange Road, is a 108,200 square foot medical office center containing first floor commercial space (CVS Pharmacy) with a drive-through facility. The building measures four (4) stories tall and has a height of 57 feet over the majority of the structure, with a 70-foot tall tower feature at the intersection of LaGrange Road and 143<sup>rd</sup> Street.

2. Building Setback. Reduce the building setback between the southwest corner of the building and Union Avenue from five (5) feet to as little as two and a half (2.5) feet, after the right-of-way dedication of land at the south portion of the site to the Village (Section 6-212.D.6.c.)

On July 16, 2018, the Board previously approved a modification to allow for a 2.1-foot setback at the southwest corner of the building after a dedication of land at the south portion of the site. The petitioner is dedicating a portion of the site to the Village for roadway improvements at the intersection of 143<sup>rd</sup> Street, Union Avenue, and Southwest Highway. Approval of a modification would not be required if the land at is not dedicated to the Village. Without right-of-way dedication, the building would be setback 27.14 feet from Union Avenue. Post-dedication of the right-of-way the building will be setback 2.5 feet from the property line.

3. Rear Yard Setback. Reduce the rear yard setback along the north property line from thirty (30) feet to as little as nine (9) feet ten (10) inches (9.9 feet) (Section 6-212.D.6.d.)

Similar to the July 16, 2018 Board-approved plans, the petitioner is requesting a reduction to the rear setback from the north property line. A modification was previously approved to allow for a 10-foot setback for underground parking from the rear (north) property line. The underground parking levels were previously covered with landscaping and a berm. Under the current proposal, the upper level parking is no longer located entirely underground below grade on the north elevation. As a result, the exterior walls for the parking garage will be setback 9.9 feet from the north property line. It should be noted that the upper floors of the north elevation (four stories) will be setback 29 feet from the north property line and is more closely aligned to the 30-foot rear setback requirement. The proposed modification will allow for the construction of the building on triangular shaped site and accommodates the land dedication to the Village for future roadway and intersection improvements.

4. Permitted Uses Between the Building and the Street. Allow for a drive aisle, drop-off area, and loading area to be located within the setback area between the building façade and Southwest Highway, and to allow for a trash enclosure and two parking spaces to be located within the setback area between the building façade and Union Avenue (Section 6-212.E.2)

Parking lots, drop-off areas, drive-aisles, loading facilities and trash enclosures are not allowed within the setback area between the building facade and the street. In order to qualify for a Special Use Modification, proposed drive aisle, drop-off area, loading area, and parking lot must meet all of the conditions listed in Section 6-212.E.2. These proposed areas must be constructed with pervious pavers or decorative pavement, must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36 inches, cannot obstruct direct connections between the sidewalk along the street and the entrances to the building, and shall include crosswalks connection pedestrian routes. As proposed, the parking spaces, circle drive, drive aisle, driveways, and loading areas will be constructed of permeable pavement and brick pavers to meet code requirements. Landscaping is provided between the streets and the garage enclosure, parking spaces, and drive aisle where possible to provide screening for these areas. Appropriate plant material will need to provide a solid buffer at a minimum height of 36 inches.

In July 16, 2018, the project was previously approved for a modification to allow the drop-off, drive aisles, trash enclosure, and loading area to be located between the building and the street. The uniquely-shaped, triangular site is bordered by streets along three (3) sides. Due to the unique shape and geometry of the site, it is difficult to provide these site features elsewhere to meet code requirements.

5. Parking Space Size. Reduce the required parking space size from nine (9) feet by eighteen (18) feet to as little as nine (9) feet by sixteen (16) feet to allow for compact car parking spaces at certain locations on site (Section 6-306.C.1)

Each parking space must be at least nine (9) feet wide and eighteen (18) feet long per code requirements. A total of five (5) parking spaces for compact cars are proposed in the interior parking garage levels that measure nine (9) feet wide and sixteen (16) long. Parking spaces for compact cars were previously approved in July 16, 2018 Board-approved plans and will allow the petitioner to maximize the number of parking spaces on site.

6. Parking Space Access. Allow for double-stacked parking spaces without direct and unrestricted access to an aisle at certain locations on site (Section 6-306.C.2)

The code requires that all parking spaces have direct and unrestricted access to an aisle. A total of twenty (20) double-stacked parking spaces are proposed within the parking garage levels that do not meet this requirement. Double-stacked parking spaces were previously approved in the July 16, 2018 Board-approved plans and will allow the petitioner to maximize the number of parking spaces on site. Per the petitioner, double-stacked spaces will only be dedicated to residents occupying one residential unit .

7. Retaining Wall Setback, Height, and Spacing. Allow for retaining walls at certain locations on site to be constructed within three (3) feet from the property line, exceed a height of three (3) feet, and exceed spacing requirements (Section 6-302.C.31)

A modification was previously granted for retaining wall height, spacing, and setbacks under the July 16, 2018 Board-approved plans. The petitioner is proposing to construct tiered retaining walls at the northeast corner of the site and around the southwest corner of the building. At the northeast corner of the site, the proposed walls generally measure three (3) feet tall. Prior to the completion of the intersection improvements for 143<sup>rd</sup> Street and Southwest Highway, a portion of the wall system will measure approximately (6) feet tall. This area will be re-graded as part of the future roadway improvement project and a new retaining wall will be constructed within the Southwest Highway right-of-way. As a result, the retaining walls along the Southwest Highway right-of-way will be modified, with the tallest wall measuring eight (8) feet in height. Several walls are also located within one (1) foot of the eastern property lines.

Retaining walls are also proposed to wrap around the southwestern corner of the building. In general, the retaining walls will have a height of three (3) feet and will be spaced approximately five (5) feet apart. The outer wall closest to Union Avenue and 143<sup>rd</sup> Street will have a height of about one (1) foot. At the north end of the wall system, the walls will be spaced about 3 feet apart and the outer wall will have a height of about 1.9 feet to 2.4 feet.

8. Balcony Setbacks. Increase the allowable projection of the balconies into the required rear yard setback from three (3) feet to four (4) feet (Section 6-302.C.4)

Per Section 6-302.C.4, balconies may project not more than three (3) feet into a front, side, or rear setback. The balconies on the north side of the building will project four (4) feet into the required thirty (30) foot rear yard setback. As noted above, a modification has been requested to reduce the rear yard setback to nine (9) feet ten (10) inches. The edge of the balconies will be setback approximately twenty-six (26) feet from the rear property line.

9. Parking Lot Setbacks and Landscaping. Reduce the parking lot setback and landscape area from ten (10) feet to as little as four (4) feet along the west property line (Union Avenue) and along the southeast property line (Southwest Highway) (Section 6-305.D.6.a.1)

The Land Development Code requires a ten (10) foot wide landscape area between a parking lot and the right-of-way to screen parking lots from adjacent streets. A modification was previously approved as part of the July 16, 2018 Board-approved plans to reduce the east and west parking landscape setback to allow zero (0) to two (2) feet of landscaping between the parking lot and right-of-way. Under the proposed plans, the two (2) exterior parking spaces on the west side of the building will be setback about four (4) feet from on Union Avenue and the drive aisle on the southeast side of the building will be setback about four (4) to eight (8) feet from Southwest Highway. The proposed modification will allow the petitioner to accommodate the proposed development within to constraints of the unique shape of the site and the geometry of the main entry circle.

10. Foundation Landscaping. Reduce the building foundation planting area along the southeast and west façades from ten (10) feet to as little as two and a half (2.5) feet (Section 6-305.D.5.)

A minimum ten (10) foot wide on average foundation landscape area shall be provided along 100% of all building facades fronting a public street, except where building access walkways / driveways or emergency service connections are necessary. A modification was previously granted as part of the July 16, 2018 Board-approved plans to reduce the width of the foundation plantings bed on the east and west sides to as little as zero (0) feet due to the location of the drive aisles. With the reconfiguration of the parking garage access points and the removal of the parallel parking spaces previously proposed on the east side of the building, building foundation

plant areas are now proposed but do not meet the minimum width requirements. The building foundation landscape area measures approximately three and a half (3.5) feet wide between the drive aisle and the southeast building elevation. A two and a half (2.5) foot wide landscape bed is proposed between the two (2) exterior parking spaces and the building on the west side of the building.

11. Landscape Corridor. Allow for shrubs and ornamental grasses as a plant material substitution for a portion of the required Landscape Corridor plantings and for the relocation of the required Landscape Corridor landscaping into a different Landscape Zone on site (Section 6-305.D.3)

Because of the unique shape of the property, site grading, need for retaining walls, and right-of-way dedication to the Village for future roadway improvements, landscaping areas on site are limited or restricted. Some of the landscape requirements cannot be met within the retaining wall areas. As a result, the petitioner is proposing to relocate some of the required plantings elsewhere on site, substituting the required shade, ornamental, or evergreen trees with shrubs and ornamental grasses, and providing less than the required number of shade, ornamental, or evergreen trees.

### **Garbage Enclosure**

A garbage enclosure is proposed at the northwest corner of the building, to the north of the driveway curb cut off of Union Avenue. As previously noted, a modification has been requested to Section 6-212.E.2 to allow for the garbage enclosure to be located within the setback area between the building façade and Union Avenue. The enclosure will be constructed of walls measuring approximately 7.5 feet tall and of dark gray brick matching the brick used on the building. The gates will be constructed of opaque, corrugated metal panels. As proposed, the garbage enclosure meets the requirements of the Land Development Code.

### **Mechanicals/Utility Conduits**

All mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roofline. Roof-mounted mechanical equipment shall be fully screened from view by parapet walls, the roof structure, architectural elements, or an alternative screening structure. The height of the screening shall be equal to or taller than the height of the tallest point of the mechanical equipment installed on the building. Such screening shall be constructed of building materials that match the principal structure to blend in with and complement the architecture of the building.

As shown on the proposed building elevations and roof plan, the rooftop mechanical units will be located toward the center of the roof and setback from the building edges. A corrugated and perforated aluminum screening wall measuring approximately five (5) feet in height will be installed in two areas with the mechanical units. A similar type of mechanical unit screening was used for the University of Chicago Center for Advanced Care building located at 143<sup>rd</sup> Street and LaGrange Road.

### **Signage**

The proposed building elevations show a conceptual wall sign on the south/southeast elevation. No monument signs are proposed as part of this project. Signage is not included as part of this petition. All signs are subject to a separate sign permit review by the Development Services Department and must comply with Section 6-307 of the Land Development Code.

## **Exactions**

The petitioner will provide cash-in-lieu of park land dedication. The required park cash and cash in lieu of park land dedication will be finalized at the time of Development Agreement. All exaction fees, including but not limited to transportation, parks and schools, are to be paid to the Village per Code requirements, and will be established at the time of the Development Agreement and with Building Permits.

## **Bulk Requirements**

### Floor Area Ratio (FAR)

Maximum - 3.0

Proposed Pre-Dedication - 2.21

Proposed Post-Dedication - 2.67

### Lot Coverage

Maximum - 75%; 80% allowed when Best Management Practices (BMPs) such as permeable pavement and green roofs are used. Up to 40% of the BMPs will be considered pervious, provided that the design standards outlined in the code for BMPs are met.

Proposed Pre-Dedication – 57%

Proposed Post-Dedication – 69%

### Lot Size

Required - Minimum 10,000 square feet

Proposed Pre-Dedication - 49,014 SF (1.13 acres)

Proposed Post-Dedication - 40,492 SF (0.93 acres)

### Setbacks

*Front Yard - Southwest Highway:*

Required - 15 feet

Proposed - 32.03 feet

*Front Yard - 143<sup>rd</sup> Street:*

Required - 15 feet

Proposed Pre-Dedication - 105.9 feet

Proposed Post-Dedication - 18.3 feet

*Front Yard - Union Avenue:*

Required - 5 feet

Proposed Pre-Dedication - 25.4 feet

Proposed Post-Dedication - 2.5 feet (Modification Requested)

*Rear Yard:*

Required - 30 feet

Proposed - 9.9 feet (Modification Requested)

**This case is now before Plan Commission for consideration.**

### **..Recommended Action/Motion**

Regarding Case Number 2019-0519, also known as **The Pointe**, I move to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated December 8, 2020.

And

I move to recommend to the Village Board approval of the **Preliminary Site Plan** titled “Site Plan Pre-Take” (Sheet C6.0), “Site Plan Post-Take” (Sheet C6.1), “Geometry Plan Pre-Take” (Sheet C6.4), and “Geometry Plan Post-Take” (Sheet C6.5), prepared by C.M. Lavoie & Associates, Inc., dated April 18, 2019 and last revised November 20, 2020, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the code requirements listed in Section 6-308.J.
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
4. Provide cash in lieu of park land donation and park cash, as finalized at the time of the Development Agreement.
5. Ornamental light poles required in the VCD Village Center District shall be installed along Union Avenue. The petitioner will be responsible for the costs to purchase and install the required light poles. A photometric plan and lighting specifications shall be submitted to the Village for review during final engineering. The photometric plan shall comply with all lighting requirements per Section 6-315.
6. The petitioner shall be responsible for the burial of the overhead utility lines at the time of development and the Village will assist with the cost of the burial, in accordance with the Existing Utility Burial Diagram, which will be finalized and included in the Development Agreement.
7. Final retaining wall plans shall be submitted to the Village as part of the final engineering and final landscaping plan submittal. The petitioner shall provide additional details on the retaining wall system design and landscape viability to determine suitable plant material to be installed within the planting beds behind the tiered retaining walls. Any substantial changes to the approved plans shall be brought back for consideration to the Plan Commission and Board of Trustees, in accordance with Section 5-101. All retaining walls shall be located inside the lot lines and shall not encroach into the right-of-way.

And

I move to recommend to the Village Board approval of the **Elevations** titled “The Pointe Multi-Family Development”, Sheets A1-A12, prepared by Robert Juris & Associates Architects, Ltd., dated November 21, 2019 and last revised November 6, 2020, subject to the same conditions as outlined in the Preliminary Site Plan motion and following conditions:

1. Meet all building code requirements and final engineering requirements.
2. All masonry must be of anchored veneer type masonry with a 2.625” minimum thickness.

And

I move to recommend to the Village Board approval of the **Preliminary Landscape Plan**, titled “The Pointe Multi-Family Building”, prepared Beary Landscaping, dated April 10, 2018 and last revised November 30, 2020, subject to the same conditions as outlined in the Preliminary Site Plan motion and following conditions:

1. Submit a final landscape plan meeting all Village Codes and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.
2. Submit a Tree Mitigation Plan to the Village as part of the final landscape plan submittal. Provide cash-in-lieu for tree mitigation in accordance with the requirements stated in Section 6-305.F. The required tree mitigation amount will be finalized during the final landscape plan review phase and will be included in the Development Agreement.
3. Provide a landscape plan and design details for the proposed green roof to the Village for review and approval as part of the final landscape plan submittal. The petitioner shall also provide a maintenance agreement to the Village for approval that details future maintenance and access plans, particularly for the green roof located around the outer edges of the private residential patios on the north side of the building.

And

I move to recommend to the Village Board approval of the **Plat of Subdivision** titled “The Pointe”, dated January 16, 2020, and “Plat of Easement Vacation”, dated September 11, 2020, prepared by C.M. Lavoie & Associates, Inc., subject to the following conditions:

1. Submit a Record Plat of Subdivision to the Village for approval, execution, and recording.
- And

I move to recommend to the Village Board approval of a **Special Use Permit** for The Pointe to allow for a building with a floor area greater than 50,000 square feet and to allow for attached dwellings in the VCD Village Center District, subject to the same conditions as outlined in the Preliminary Site Plan motion. **Modifications** to the Special Use permit include:

1. Building Height. Increase the allowable building height from four (4) stories tall to five (5) stories tall, and to allow for a building height more than two (2) stories taller than adjacent single-family homes (Section 6-212.D.3)
2. Building Setback. Reduce the building setback between the southwest corner of the building and Union Avenue from five (5) feet to as little as two and a half (2.5) feet, after the right-of-way dedication of land at the south portion of the site to the Village (Section 6-212.D.6.c.)
3. Rear Yard Setback. Reduce the rear yard setback along the north property line from thirty (30) feet to as little as nine (9) feet ten (10) inches (9.9 feet) (Section 6-212.D.6.d.)
4. Permitted Uses Between the Building and the Street. Allow for a drive aisle, drop-off area, and loading area to be located within the setback area between the building façade and Southwest Highway, and to allow for a trash enclosure and two parking spaces to be located within the setback area between the building façade and Union Avenue (Section 6-212.E.2)
5. Parking Space Size. Reduce the required parking space size from nine (9) feet by eighteen (18) feet to as little as nine (9) feet by sixteen (16) feet to allow for compact car parking spaces at certain locations on site (Section 6-306.C.1)
6. Parking Space Access. Allow for double-stacked parking spaces without direct and unrestricted access to an aisle at certain locations on site (Section 6-306.C.2)
7. Retaining Wall Setback, Height, and Spacing. Allow for retaining walls at certain locations on site to be constructed within three (3) feet from the property line, exceed a height of three (3) feet, and exceed spacing requirements (Section 6-302.C.31)
8. Balcony Setbacks. Increase the allowable projection of the balconies into the required rear yard setback from three (3) feet to four (4) feet (Section 6-302.C.4)
9. Parking Lot Setbacks and Landscaping. Reduce the parking lot setback and landscape area from ten (10) feet to as little as four (4) feet along the west property line (Union Avenue) and along the southeast property line (Southwest Highway) (Section 6-305.D.6.a.1)

10. Foundation Landscaping. Reduce the building foundation planting area along the southeast and west façades from ten (10) feet to as little as two and a half (2.5) feet (Section 6-305.D.5.)
11. Landscape Corridor. Allow for shrubs and ornamental grasses as a plant material substitution for a portion of the required Landscape Corridor plantings and for the relocation of the required Landscape Corridor landscaping into a different Landscape Zone on site (Section 6-305.D.3)