

**THE POINTE DEVELOPMENT  
PETITIONER'S RESPONSE TO THE VARIANCE STANDARDS APPLICABLE TO  
THE MODIFICATIONS RELATING TO THE PROPERTY**

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A number of Modifications to the Land Development Code are required by the current plans for The Pointe Development located at Southwest Highway and 143<sup>rd</sup> Street. In general, the variances are substantially as a result of a dedication of a substantial portion of the property to the Village of Orland Park to improve the 143<sup>rd</sup> Street and Southwest Highway intersection by the Village and State. A second major source of the requested Modifications is the result of planning for adherence to the vision and spirit of the downtown plan of the Village of Orland Park.

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)
  - ***Response.*** The property is located on the border of the downtown zoning district with a number of houses adjacent. The downtown district contemplates larger buildings and densities. Petitioner believes that the houses will be replaced in the future with uses envisioned in the downtown plan. The Pointe property is located on the corner of two major streets and takes its character from the intersection of those streets. With the development of the train station and the “Triangle” development the Pointe, we will continue that trend of development in the downtown area and provide essential population to the area.
  
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.)
  - ***Response.*** The Petitioner has been working with the Village staff for ten years to provide an improved intersection at Southwest Highway and 143<sup>rd</sup> Street. It is the very substantial dedication by the Developer that makes this important intersection possible, with no compensation, but substantial cost to the developer. And it is the dedication that results in the need for the requested Modification on setbacks in most cases. That the conditions upon which the petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to the other property.

Petitioner is unaware of any property with a combination of its location, topography, need for dedications to satisfy Village traffic planning, and its triangular configuration caused by the direction of Southwest Highway.

The development of a state of the art multi-occupant property is entirely consistent with the Downtown vision and will add further vitality to the Triangle area and attract more development.

3. Rear Yard Setback. Reduce the rear yard setback along the north property line from thirty (30) feet to nine (9) and 9/10ths feet (Section 6-212.D.6.d.)
  - Response. Same as above.
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)
  - Response. The Land Development Code requires that drop-off areas and drive aisles not be located between the building and the street. Due to the unique shape and geometry of the site, the Petitioner requests the ability to locate drive aisles on the east and west sides of the building. The east drive aisle also includes a drop-off area.
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)
  - Response. Given the unique configuration of the property after the dedication of the intersection property to the Village. The Petitioner's design seeks to maximize parking, utilizing modern planning techniques which are particularly appropriate in a building adjacent to the commuter railway station and all of the restaurants, shopping and amenities developing in triangle development.
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)
  - Response. Double stacked parking stalls will strictly be used for 2-Bedroom units that have two cars. Double stacked parking allows the Developer to maximize parking quantities.
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)
  - Response: The Land Development Code requires retaining walls to be a maximum height of thirty-six inches (36") and requires seventy-two inch (72") spacing between retaining walls. The code also states that retaining walls shall be set back at least three feet (3') from property lines. The plans indicate that the southwest retaining walls are proposed to be spaced sixty inches (60") apart and are set very close to the property line but do not go over.
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)

- Response. Due to the land dedication, the building cannot shift South or East. Therefore, the 48” deep balconies will be overhanging the rear yard building setback by 48” (12” over max allowable). Please note, the face of the balconies will be 26’-0” from the rear yard 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 along Union Avenue and to as little as four (4) feet along the southeast property line along Southwest Highway (Section 6-305.D.6.a.1)
- Response. The Land Development Code requires a ten foot (10’) wide landscape buffer between a parking lot and the right-of-way. Due to the unique shape of the site and the geometry of the main entry circle, the Petitioner is providing eight feet two and three quarter inches (8.22’) of buffer in some areas that tapers down to zero feet (0’). Parking Lot and Loading Area Location (Section 6-212.E.2.): A modification to allow the trash enclosure and loading area to be located between the building and the street.
10. Foundation Landscaping. Reduce the building foundation planting along the east façade from ten (10) feet to as little as three and a half (3.5) feet (Section 6-305.D.5).
- Response. The Land Development Code requires a ten foot (10’) wide planting bed along all sides of the foundation of the building. The plans provide this on the north and south sides of the building but not on the east and west sides due to the location of the drive aisles.
11. Landscape Corridor. Allow for shrubs and ornamental grasses as a plant material substitution for a portion of the required Landscape Corridor plant and relocation of the required Landscape Corridor landscaping into a difference Landscape Zone on site (Section 6-305.D.3)
- Response. Due to the limited soil depth behind the proposed retaining walls (SW corner of the building), shrubs with smaller root balls and ornamental grasses are being proposed since they tend to have less soil depth required for growth.

Dated: November 25, 2020

Sosin, Arnold & Schoenbeck, Ltd.

By:   
David B. Sosin Petitioner