



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
www.orland-park.il.us

## Department Requested Action

File Number: 2014-0270

**Agenda Date:** 4/14/2015

**Version:** 1

**Status:** IN COMMITTEE  
/COMMISSION

**In Control:** Plan Commission

**File Type:** MOTION

**Agenda Number:**

**Title/Name/Summary**

Hampton Court - Subdivision

**History**

**QUICKFACTS**

**Project**

Hampton Court - 2014-0270

**Petitioner**

Mr. Ben Fieten

**Purpose**

To establish and maintain a six (6) lot single family attached subdivision on five (5) acres and to rezone from E-1 Estate Residential District to R-4 Residential District.

*Requested Actions:* Rezoning, Subdivision, Site Plan, Variance, and Landscape Plan

**Project Attributes**

*Address:* 15760 108th Avenue

*P.I.N.(s):* 27-17-301-018

*Size:* 4.9984 acres

*Comprehensive Plan Planning District:* Centennial Planning District

*Comprehensive Land Designation:* Mixed Residential

*Existing Zoning:* E-1 Estate Residential District

*Proposed Zoning:* R-4 Residential District

*Existing Land Use:* Vacant (formerly single family home)

*Proposed Land Use:* 10 unit Single Family Attached

*Surrounding Land Use:*

North: R-3 Residential District - Single Family Detached (Somerglen South subdivision)

South: E-1 Estate Residential - Single Family Detached and Vacant

East: R-3 Residential District - (across 108th Avenue) Vacant then Single Family Attached (Collette Highlands subdivision)  
West: BIZ General Business District - (west of the wetlands) BMW Car Dealership

*Preliminary Engineering:* Preliminary engineering has been granted. Please refer to the Detailed Planning Discussion section for more details.

### **OVERVIEW AND BACKGROUND**

Hampton Court was originally heard at a public hearing by the Plan Commission on January 27, 2015. The Plan Commission moved unanimously to recommend this project to the Board of Trustees. However, since then, details concerning the site plan have changed that required republication of the project and a new hearing scheduled for April 14, 2015. The detail changes necessitated the addition of three more variances.

These changes come by way of re-engineering the grading around the duplexes in relation to the wetland at the middle of the site. Cooperation and permission was not obtained by the petitioner from the property owners to the south prior to republication of the project for the April 14, 2015 Plan Commission. As a result, the petitioner has elected to re-engineer the plan, trigger the new variance requests, and seek a second hearing before the Plan Commission.

The subject site is identified by the Comprehensive Plan as a transitional property located between the Somerglen South subdivision and future non-residential properties along 159th Street. It is identified for higher density than neighboring single family detached (designated by the R-4) and listed as a Mixed Residential area.

### **PROJECT DESCRIPTION & CONTEXT**

The petitioner is proposing to establish and maintain a six (6) lot single family attached subdivision. Five (5) lots will each contain one (1) duplex (ranch style) building for a total of ten (10) single family attached units. The sixth lot is reserved for detention, which is proposed to be combined with the Somerglen South detention pond for efficiency.

There are two wetlands located on the subject property. At the far west end, the larger wetland is jurisdictional to the US Army Corps of Engineers and will not be impacted. Toward the midsection of the site and east of the large wetland (approximately where the P-shaped street stub is located on the proposed site plan) is a second non-jurisdictional wetland that will be eliminated and mitigated.

The proposed project is generally compatible with the Comprehensive Plan and the Village's goals and policies for buffering single family detached residential from non-residential properties/ development (through an incremental transition to higher density).

To do this, however, the petition requests the following variances:

- 1) Reduce the wetland setback from 50 feet to zero (0) feet;
- 2) Reduce the width of the future public right-of-way for partial construction from 60

feet to 45 feet;

- 3) Reduce the diameter of the cul-de-sac bulb from 120 feet to 112 feet;
- 4) Reduce the pond maintenance area from 25 feet to not less than fifteen (15) feet;
- 5) Reduce the detention pond setback from 25 feet to not less than eighteen (18) feet.
- 6) Reduce the side setback of Lot 1 from 25 feet to twenty (20) feet.
- 7) Reduce the front yard setbacks from twenty (20) feet to eighteen (18) feet.
- 8) Reduce the minimum driveway length from twenty (20) feet to eighteen (18) feet.

The recommendation motion includes the following conditions:

- 1) Submit a Record Plat of Subdivision to the Village for recording.
- 2) Avoid color monotony on the proposed single family attached duplex buildings (keeping within the same color palette).
- 3) Add a guard rail at the south property line where Southview Drive turns west to Hampton Court;
- 4) Install off-site landscaping on the south side of Hampton Court and generally plant the new trees in the location of the future parkway trees;
- 5) Appropriately grade the area adjacent to the southwest corner of Lot 1 (in the public right-of-way) to manage storm water and direct it west to the detention pond;
- 6) Add crosswalks at both corners of Hampton Lane and Southview Drive to connect the east and west sides of the Southview Drive sidewalk network;
- 7) Submit a final landscape plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval;
- 8) Work with the Village to determine appropriate offsite wetland mitigation via the Development Agreement;
- 9) Shift the building on Lot 1 north five (5) feet to meet the south 25 foot side setback requirement; and
- 10) Meet all final engineering and building code related items.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

### **SITE PLAN**

The proposed site plan shows five (5) single family attached lots and a single detention pond at the west end of the site connected to the Somerglen South subdivision dry bottom detention pond.

Lots 1-5 will host a single duplex building each for a total of ten (10) units. Lot 1 is located along the south property line, while Lots 2-5 are aligned along the north property line. A single road will serve the subdivision off 108th Avenue.

There are eight (8) variances that are required for this development, three more since the last petition presented to the Plan Commission on January 27, 2015. As it exists as a long and narrow lot, the subject site is considered a legacy lot, subdivided during a different time with different priorities. It is also a challenged site from a topographical perspective, since grades significantly dictate the placement of lot lines, buildings and the roadway. Given these circumstances, the number of Code variances indicates the challenges for planning even for comparatively low density

development, transitional as it is, on this particular property.

For more information on each particular variance see the Detailed Planning Discussion section of this report.

## **MOBILITY**

### *Road Network*

Access to the proposed subdivision will be via right-in/right-out from 108th Avenue, a major collector road under Cook County Highway jurisdiction. It will also connect with and stub to neighboring properties to the north and south.

Southview Drive, a local street, in Somerglen South is currently stubbed to the subject site. The road will be extended south to intersect with Hampton Lane. It will then proceed south and turn west, near the south property line, where it will become Hampton Court. Hampton Court will temporarily be a partial 45 foot wide right-of-way and terminate in a partial P-shaped cul-de-sac/ stub for possible future extension south.

A variance is requested for Hampton Court to allow for a temporary partial 45 foot wide right-of-way. Such a variance as a temporary condition has been supported in other subdivision projects in the past (e.g. Ashford Estates, Persimmon Meadows and Doyle) when rights-of-way are planned along shared property lines. Additionally, some subdivisions were approved with permanently reduced rights-of-way (e.g. Deer Haven at 50 feet). Future developments to the south of the subject site will be required to complete the Hampton Court right-of-way by building the road extension and the full southern parkway. Hampton Court is planned ultimately to be a typical 60 foot wide right-of-way.

A variance is not required for the length of the Hampton Court dead-end. The length of Hampton Court is 500 feet, which meets maximum dead-end/ cul-de-sac length requirements per Section 6-405.A.5. However, the diameter of the cul-de-sac bulb is reduced from 120 feet to 112 feet to accommodate the constrained site. This variance is supportable since the road will eventually be extended south. The P-shaped cul-de-sac is envisioned to convert to the so-called "eyebrow", for which there is no minimum radius.

### *Safety Concept*

In pre-Plan Commission meetings with the developer and neighboring residents to the south, the petitioner agreed to take the existing guard rail at the Southview Drive stub and relocate it to the south and southeast side of the corner of Hampton Court and Southview Drive (at the curve by the south property line). The neighbors to the south have expressed concern about the potential of a vehicle missing the turn (icy conditions, parties etc.) and crashing into their rear yard. As a safety precaution, since the temporary condition of the right-of-way places the roadway so close to their back yard, a guard rail is seen as an appropriate means of protection from vehicular accidents.

### *Future Parkway & Landscaping*

In addition to this, the petitioner has agreed to install off-site landscaping to help screen headlights etc. from the rear windows of the residence to the south and add an additional layer of landscaped protection to the rear yard to the south. This offsite landscaping on the south side of Hampton Court may be in the form of trees, which can be planted in the location of the future parkway trees when the full right-of-way is assembled.

Finally, the petitioner and the residents to the south have come to terms to ensure that the roadway is used beneficially for storm water management away from the residential property to the south. This includes berming or swaling the water from the right-of-way (at the east side corner of Hampton Court and Southview Drive) and Lot 1 and channeling it west toward the detention pond.

A traffic study is not required for this development.

### *Pedestrian and Bicycle*

Sidewalks are proposed throughout the subdivision except for the south side of Hampton Court. As a partial right-of-way, the southern sidewalks for Hampton Court will be constructed when the properties to the south are developed and their share of the right-of-way is added and completed. At both corners of the intersection of Southview Drive and Hampton Lane crosswalks shall be added west across Southview Drive to connect the public sidewalk network.

The site plan indicates a five (5) foot wide walking path around the detention pond, which is an extension of the walking path system around the Somerglen South detention pond. The Hampton Court sidewalks and the detention walking path are proposed for connection.

### *Public Transit*

The proposed subdivision is located within ¾ mile walking distance of the 153rd Street Metra station (about a 15 minute walk). Pedestrian or bicycle travel to the train station is likely to meander through the Somerglen and Somerglen South street network across 108th Avenue at Somerglen Lane and onto Park Station Boulevard.

### *Parking*

Table 6-306.B of the Land Development Code does not explicitly prescribe parking requirements for single family attached dwelling units. However, it does prescribe parking requirements for townhouses and rowhouses, which have traditionally been interpreted as single family attached dwelling units. The proposed residential product is neither a townhouse nor a rowhouse unit, which are buildings with more than two (2) single family units. The proposed product is a duplex, two units, the simplest form of single family attached dwelling units.

Table 6-306.B requires two (2) parking spaces per dwelling unit and 0.5 spaces per bedroom over two bedrooms.

Parking Required - 20 parking spaces

Parking Provided - 40 parking spaces (2 cars in garage and 2 cars in driveway)

### **BUILDING ELEVATIONS**

The petitioner has submitted a rendering of the proposed duplex product. The rendering depicts a ranch style duplex constructed to appear as a single family detached home. The appearance of the proposed duplexes will blend with the single family detached products in Somerglen South and transition the built environment from residential to non-residential development further to the south.

Garage doors may either face the side or the front as indicated by the site plan drive-way layouts. A possible loft may be included as a product option, which would enable functional, rather than ornamental, dormers.

The buildings are proposed to follow the same material pattern. They will be all masonry buildings. No siding is proposed. A building material schedule has been provided by the petitioner identifying colors (beige) and the type of materials and elements that are standard and optional. The petitioner has agreed to avoid color monotony by using different shades/ tones of beige for at least two out of the five buildings (but keeping within the color palette).

The petitioner estimates that the average height of the buildings will be 20 to 25 feet tall, which is well below the maximum height in R-4 zoning (50 feet).

### **LANDSCAPING/TREE MITIGATION**

The proposed project must submit a landscape plan indicating the following bufferyard requirements per Section 6-305.J:

North Bufferyard: Type B (10 foot minimum)  
South Bufferyard: Type C (15 foot minimum)  
East Bufferyard: Type B (10 foot minimum)  
West Bufferyard: Type C (15 foot minimum)

A variance is not required for the South Bufferyard. The site plan indicates a three (3) foot wide separation between the Hampton Court south back-of-curb and the property line. The area fifteen (15) feet south from the back-of-curb will become parkway when the properties to the south develop and therefore become part of the right-of-way. Bufferyards, however, are located on the same side of the right-of-way as their development, not within the right-of-way. Thus, the South Bufferyard along Hampton Court's length is actually the front yards/ setback areas of the Lots 2-5, which meet the requirement. Lot 1 meets the South Bufferyard requirement in the side yard/ setback area along the property line.

In addition to the required bufferyards, the proposed landscape plan shall also include any offsite landscaping for the residential property to the south (see Future Parkway and Landscaping discussion above) as a result of the neighbors to the south having requested screening from the close proximity of Hampton Court.

The petitioner will submit a final landscape plan, for separate review and approval

within 60 days of final engineering approval.

## **DETAILED PLANNING DISCUSSION**

### **Natural Features**

There are two wetlands located on the subject site. The wetland west and south of the proposed detention pond is jurisdictional to the Army Corps of Engineers and will not be impacted by this development. However, the proposed detention pond will encroach on the 50 foot setback area required by the Land Development Code by up to 30 feet. This will leave a 20 foot setback rather than the required 50 foot at the closest point between the jurisdictional wetland and the pond. As a result of this, two additional variances are requested to decrease the pond setback and pond maintenance area from 25 feet to 18 feet and 15 feet respectively.

A second non-jurisdictional wetland is located in the middle area of the site and will be eliminated to accommodate the future right-of-way. This is accommodated by the variance requesting a zero foot setback. This wetland straddles the south property line. The petitioner has acquired the cooperation and permission from the one residential property owner to the south of Hampton Court to do offsite grading that will completely eliminate the wetland on that property. However, the petitioner did not acquire permission from the property owner to the south of the P-shaped eyebrow at the time this project was republished. As a result, the petitioner is required to provide offsite mitigation for impacting/ eliminating the non-jurisdictional wetland only for the residential property. The offsite mitigation will be used to enhance another Village of Orland Park owned wetland, which will be negotiated via the Development Agreement drafting process.

### **Preliminary Engineering**

Preliminary engineering is approved for this project. Even so, the residential property owners to the south have indicated to the Village and to the petitioner an interest in ensuring that storm water be managed appropriately (see comments from the Mobility section above regarding improvements in the right-of-way at the curve).

According to State and local storm water management statutes and codes, the proposed subdivision grading cannot make matters worse for the neighboring southern properties. The site is graded such that the storm water is pitched west toward the detention pond beginning with Lot 1. In addition, the Hampton Court roadway curb and storm drains will redirect storm water west as it flows south from Southview Drive.

Lastly, the proposed detention pond will be combined with the Somerglen South detention pond to maximize volume. This will also make it easier for the Village to maintain a consolidated pond, instead of two separate ponds so close together.

### **Subdivision**

Six lots are proposed for Hampton Court. One lot will be used for detention. The other five (5) will each have a single duplex building.

The petitioner will need to submit a Plat of Subdivision to the Village for recording.

### **Rezoning**

The proposed single family attached land use is a transitional housing product, escalating the intensity from single family detached to the north to the future non-residential properties to the south. The Orland Park Comprehensive Plan indicates that this parcel is designated for higher R-4 type density.

R-4 Zoning is appropriate for the proposed single family attached product. No variances are requested regarding any of the bulk standards for the R-4 zoning district. (This project would require variances if it was proposed for an R-3 zoning district).

When considering an application for rezoning, the decision making body shall consider the rezoning standards listed in the Code. The petitioner has provided responses to the rezoning standards.

### **Variance(s)**

The following is a summary of requested variances that were discussed above:

- 1) Reduce the wetland setback from 50 feet to zero (0) feet;
- 2) Reduce the width of the future public right-of-way for partial construction from 60 feet to 45 feet;
- 3) Reduce the diameter of the cul-de-sac bulb from 120 feet to 112 feet;
- 4) Reduce the pond maintenance area from 25 feet to not less than fifteen (15) feet;
- 5) Reduce the detention pond setback from 25 feet to not less than eighteen (18) feet.
- 6) Reduce the side setback of Lot 1 from 25 feet to twenty (20) feet.
- 7) Reduce the front yard setbacks from twenty (20) feet to eighteen (18) feet.
- 8) Reduce the minimum driveway length from twenty (20) feet to eighteen (18) feet.

When considering an application for a variance, the decision making body shall consider the variance standards listed in the Code. The petitioner has provided responses to the variance standards.

### **Land Use/Compatibility**

The proposed land use follows and is compatible with the Comprehensive Plan and the R-4 Residential District.

### **Lot Coverage**

Maximum: 45%

Proposed: 33% at build-out

### **Lot Size**

Minimum: 8,500 square feet

Provided: approximately 16,900 square feet to 25,500 square feet

### **Setbacks**



The following setback analysis is per Section 6-205.E.2 for Single Family Attached.

*Lots 2-5 on Hampton Court:*

Required - 20 feet

Provided -- 18 feet

A variance is requested to reduce the required front setback in order to push the buildings closer to the street and gain more rear yard to re-grade the transition from Somerglen South subdivision to the north. Moving the buildings closer to Hampton Court will avoid having retaining walls greater than three (3) feet in height at the property line with the single family homes to the north (two retaining wall variances).

The site plan does indicate that a retaining wall may be located in the rear yard; however the project engineers show it as less than two (2) feet in height and more than three (3) feet setback from the rear lot lines. Both conditions meet Code requirements and provide significant relief to single family homeowners to the north (their backyards will not be propped up by retaining walls). The project engineers believe that the retaining walls can be eliminated completely during final engineering review, but have elected to conservatively show the possibility.

As a result of the proposed re-grading scheme causing reduced front yard setbacks, half the driveways of the duplex units have been repositioned to be front loading. Moving the driveways to the front for half the units allows the new grading to channel storm water more effectively around the buildings.

The new grading scheme with the reduced front setback means that the front loaded driveways do not meet minimum standards per Land Development Code Section 6-306 Off-Street Parking and Loading. With the setback reduced to eighteen (18) feet, the driveways cannot be the minimum required twenty (20) feet. A second variance is requested to reduce the minimum driveway length to accommodate the rear lot grading.

*Side Yard:*

Required -- 25 feet

Proposed - 40 feet

*Rear Yard:*

Required - 30 feet

Proposed - 30 feet

*Lot 1 on Hampton Court (Front Setback):*

Required - 20 feet

Provided - 30 feet

*Hampton Lane (Corner Side):*

Required - 20 feet

Provided - 15 feet

The variance depicted on the north setback from Hampton Lane is the same front yard setback variance discussed for Hampton Court. The variance is extended to the frontage along Hampton Lane with the same driveway condition.

*Side Yard:*

Required - 25 feet

Provided - 20 feet

A variance is requested to reduce the south setback of Lot 1 from 25 feet to twenty (20) feet. The variance is related to grade adjustments on Lot 1 while still positioning Building 1 as far from the south property line as possible.

*108th Avenue (Rear Yard):*

Required - 30 feet

Provided - 45 feet

**Building Height**

Maximum - 50 feet

Proposed - 20- 25 feet

**Parking and Loading**

Required - 20 spaces

Proposed - 40 spaces

**Exactions and/or Incentives**

All exaction fees, including but not limited to transportation, parks and schools, are to be paid to the Village per Code requirements.

This is now before Plan Commission for consideration.

**Recommended Action/Motion**

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated January 27, 2015

And

I move to recommend to the Village Board to approve the rezoning of 15760 108th Avenue from E-1 Estate Residential District to R-4 Residential District subject to the conditions outlined below;

And

I move to recommend to the Village Board to approve the preliminary site plan titled "Preliminary Site Plan Hampton Court Orland Park, Illinois", prepared by VantagePoint Engineering, dated received January 8, 2015, job number 14-12, subject to the following conditions:

- 1) Add a guard rail at the south property line where Southview Drive turns west to

Hampton Court;

- 2) Install off-site landscaping on the south side of Hampton Court and generally plant the new trees as the future parkway trees;
- 3) Appropriately grade the area adjacent to the southwest corner of Lot 1 (in the public right-of-way) to manage storm water and direct it west to the detention pond;
- 4) Add crosswalks at both corners of Hampton Lane and Southview Drive to connect the east and west sides of the Southview Drive sidewalk network;
- 5) Submit a final landscape plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval;
- 6) Work with the Village to determine appropriate offsite wetland mitigation via the Development Agreement;
- 7) Shift the building on Lot 1 north five (5) feet to meet the south 25 foot side setback requirement; and
- 8) Meet all final engineering and building code related items.

And

I move to recommend to the Village Board to approve the Elevations titled "Hampton Court Concept", dated January 22, 2015, subject to the same above conditions and the following:

- 9) Avoid color monotony on the proposed single family attached duplex buildings while keeping within the same color palette.

And

I move to recommend to the Village Board to approve the Hampton Court subdivision for six (6) lots subject to the same above conditions and the following:

- 10) Submit a Record Plat of Subdivision to the Village for recording.

And

I move to recommend to the Village Board to approve the following Variances for Hampton Court:

- 1) Reduce the wetland setback from 50 feet to zero (0) feet;
- 2) Reduce the width of the future public right-of-way for partial construction from 60 feet to 45 feet;
- 3) Reduce the diameter of the cul-de-sac bulb from 120 feet to 112 feet;
- 4) Reduce the pond maintenance area from 25 feet to not less than fifteen (15) feet;
- 5) Reduce the detention pond setback from 25 feet to not less than eighteen (18) feet.
- 6) Reduce the side setback of Lot 1 from 25 feet to twenty (20) feet.
- 7) Reduce the front yard setbacks from twenty (20) feet to eighteen (18) feet.
- 8) Reduce the minimum driveway length from twenty (20) feet to eighteen (18) feet.

All changes must be made prior to the Board meeting.

