

REQUEST FOR ACTION REPORT

File Number:	2019-0385
Orig. Department:	Development Services Department
File Name:	Bluff Pointe Subdivision REVISED

BACKGROUND:

Project

Bluff Pointe Subdivision REVISED, Legistar file # 2019-0385

Petitioner

McNaughton Development

Purpose

The petitioner proposes to revise the 2017 approved and partially constructed Bluff Pointe Subdivision by removing 18 of the single family lots from the approved 49 lot subdivision and replacing them with 9 lots with 9 town home buildings for a total of 38 town home units.

Quick Facts

Address: 16900 - 17000 Wolf Road

Size: 26.26 acres

Current Zoning: (LSPD Large Scaled Planned Development District)

Comprehensive Plan designation: Single family residential (R- 3) in the Grasslands Planning District.

Surrounding land use and zoning:

North: Undeveloped, future single family, LSPD Large Scale Planned Development District

South: Brook Hill Town Homes and single family subdivision, zoned R-4 Residential

East: (Across Wolf Road) Unincorporated Cook County

West: The Grasslands Subdivision and Brook Hill Subdivision, zoned R-3 and R-4 Residential

Requested Approvals: Site Plan, Subdivision, Elevations, preliminary landscape plan, Special

use permit with modifications.

Note: Preliminary engineering consent has been granted for this petition.

Project Background and History

In 2017, McNaughton Development petitioned and received Board of Trustees approval to construct a 49 lot single family subdivision located on a 26 acre site along the west side of Wolf Road adjacent to the existing Grasslands Subdivision. Per Board and engineering approvals, the subdivision was graded, the floodplain re-shaped, and the streets and detention ponds constructed, the floodplain re-shaped, and the 49 single family lots laid out. However, sales of the lots have been very slow, and have not met developer expectations. According to the petitioner, three model homes have been constructed, two lots have closed, and three additional homes are currently under construction (by another developer) on Monarch Drive. Therefore, the petitioner now proposes to revise the subdivision by removing 18 of the single family lots and replacing them with 38 town home units. The petitioner contends that based on market research and customer feedback, the addition of this product will diversify options for buyers and improve the subdivision's sales.

The petitioner requests the conversion of a little over 1/3 of the 2017 approved lots to town homes. The proposed 38 two-story town homes units will be constructed in 9 buildings that have 4 to 5 units in each building. There will be no change to the recently constructed street network, detention pond or floodplain. The new town homes do not directly abut any of the existing single family homes in the surrounding neighborhoods, but instead are located north of 171st Street, and east of Foxtail Drive, along Clover Drive, backing up to the re-shaped flood plain area, which allows 280' between the rear of the town home lots and the Wolf Road right of way. Current site access to the subdivision will continue, from either the 171st Street stub to the west or from a curb cut on Wolf Road, which will also continue as primary construction access point.

In summary, construction status of the 2017 approved plan is as follows:

- Site has been fully graded and utilities installed
 - Streets and curbs have been constructed per approved Site Plan. (final asphalt pending)
 - 3 single family model homes have been constructed on 171st Street
 - 3 single family homes are under construction on Monarch Drive
 - Detention ponds have been constructed
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- Floodplain has been re-shaped
 - Drainage culvert has been installed under Wolf Road

Surrounding Area:

The surrounding area is mostly residential, with Brook Hill Subdivision and Town Homes abutting to the south and the existing Grasslands single family subdivision abutting to the west. The new Villas of Tallgrass ranch condominiums have been constructed north of the project site. The land to the east, across Wolf Road, is unincorporated Cook County and mostly in the Marley Creek floodplain. It includes undeveloped land as well as some light industrial users. Marley Creek crosses Wolf Road to the north of the subject site and continues along the east side of Wolf Road.

Comprehensive Plan

Bluff Pointe is in the Grasslands Planning District which recommends R-3 single family residential development for this area. However, the Village is bound by the Spring Creek Agreement, which allows development in the current LSPD Zoning District that is less restrictive and denser than typical R-3 Zoning District.-

Spring Creek Annexation Agreement

One unique aspect of this project is that it is bound by the 1994 Spring Creek Annexation Agreement, which was a part of a court ordered settlement between the Village and Gallagher and Henry, the land owners. The agreement addressed the annexation of approximately 1,500 undeveloped acres in the western portion of Orland Park that was anticipated for mostly future residential development. The agreement is valid until 2024. Although some portions of the agreement have already expired, some of the land has already developed under the Spring Creek Agreement, including Long Run Creek Subdivision, Creekside Unit 5 Subdivision, Deer Point III Subdivision, and a commercial strip area located at the southwest corner of 143rd Street and Wolf Road. Among other things, the Spring Creek Agreement outlined permitted locations for various land uses, densities permitted and bulk requirements for the lots and buildings. The Agreement does not allow town homes to be located adjacent to existing single family homes. Park land and school land requirements are set under the Agreement. Other provisions of the Spring Creek Agreement include time limits for processing petitions, fee schedules and exaction fees. Residential lot bulk requirements were relaxed under the agreement, which in the case of Bluff Point allows 8,000 square foot residential lots with reduced building setbacks, rather than 10,000 minimum residential lots that are typical in this area and that are recommended in the Village's Comprehensive Plan. The Land Development Code's LSPD (Large Scale Planned Development Zoning District) was created to accommodate the provisions of the Spring Creek Agreement. It allows a wide range of land uses including

single family, multi-family, and commercial.

The Calvert Parcel

The petitioned site is known in the agreement as a part of the 'Calvert' parcel, which also includes the 29 acres to the north of the petitioned site, and under the agreement is allowed up to 166 units including multi-family at the northernmost end of the site as shown on the Spring Creek Agreement Concept Plan. However, the Agreement also emphasizes the conceptual nature of the Concept Plans and the need for flexibility in the final design. The Agreement also notes that physical constraints such as floodplain may limit the final number of units achieved.

2017 Bluff Pointe Development Agreement

The 2017 Bluff Pointe petition approvals included a signed Development Agreement between the Village and the petitioner stating that the subdivision would be developed as 49 single family lots. Under the current proposal, the execution of a new development agreement between McNaughton and the Village will be required to accommodate the proposed changes.

PROPOSAL DESCRIPTION AND ANALYSIS:

Zoning

LSPD (Large Scaled Planned Development) District:

The current LSPD (Large Scaled Planned Development) for the site allows multi-family land uses. A 29 acre undeveloped parcel directly abuts the subject property to the north, that is also zoned LSPD and is anticipated for future residential development, which will tie into the street stubs that have been constructed for Bluff Pointe. The recently constructed 'Addition to Grasslands' attached ranch condominiums abut to the north of the 29 acre property.

Although this Zoning District was created as a vehicle for the Spring Creek Agreement land development, there is a concern that the mixed uses that it allows may not adequately protect the residential character of the neighborhood. One issue that may arise is home operated businesses. Although the Village permits a wide range of home offices, some uses such as those that generate traffic and other nuisances are not permitted to operate out of a home. These will be much more difficult to regulate under the LSPD District. A future rezoning of this subdivision, as well as other subdivisions developed in the LSPD District, may be needed, either when the agreement expires in 2024, or sooner if possible.

Open Lands Zoning District Parcel:

Although the history is unclear, there is a .4 acre parcel, 50' +/- wide parcel that runs along the lower southwestern site boundary that is zoned Open Lands District. The petitioner owns this parcel and has re-graded it to be a part of the proposed detention pond, which is a permitted use in the Open Lands Zoning District. The parcel must be dedicated to the Village along with the rest of the detention ponds land, and will therefore obtain exempt status that will protect it from tax delinquency.

Site Plan

Bluff Pointe Subdivision has been laid out in a grid pattern that connects to the 171st Street stub and to Wolf Road. Three new stubs extend to the north property line of the site for future connection to the vacant land north of the site that is anticipated for future residential uses. The subdivision has been extensively re-graded to level out the site and bring the eastern most lots well above the floodplain limits. The floodplain line has been shifted further eastward but apparently meets FEMA requirements for a required storm water capacity that exceeds that of the existing floodplain.

The proposed town homes are accommodated within the layout of the 2017 subdivision plan; the only changes involve the substitution of 18 single family lots/dwelling units with 9 town home lots/buildings for a total of 38 dwelling units. Each town home building will have 4 or 5 dwelling units. The Site Plan shows a 10' X 10' patio in the rear yard, accessed by French doors. Some patios encroach 5' into rear setback, which is permitted by the LDC Accessory Structures and Uses Section.

Eighteen of the remaining proposed single family lots exceed 10,000 square feet, and are similar to the abutting Grasslands lots, as supported by the Villages Comprehensive Plan. Thirteen of the proposed lots are 8,500 square feet, even though 8,000 square foot minimum lots are allowed by the Spring Creek Agreement, which suggests the potential for 166 units on the entire Calvert parcel. The 2019 proposed Bluff Pointe Subdivision covers approximately half of the Calvert parcel, and is comprised of 31 single family units and 38 town home units, for a total of 69 dwelling units. The Spring Creek Agreement limits the Calvert parcel to a total of 94 single family units plus 72 town homes, for a total of 166 dwelling units. The total number of proposed units, prorated for half of the Calvert Parcel, is less than what would be permitted by the Spring Creek Agreement.

The proposed subdivision also includes two floodplain/detention pond out-lots, and public streets which will not be changed. The previously approved bike path along Wolf Road is also still included in the revised 2019 Plans.

Mobility

The subdivision's grid street pattern has already been constructed, and ties into other existing established residential and arterial streets. Primary access to the new subdivision is from a new curb cut on Wolf Road, and also from 171st Street, which connects to the stub in the Grasslands. Additional Wolf Road right of way will be dedicated to IDOT for a total of 60' from the centerline. This will align the Bluff Pointe right of way with the Brook Hill Wolf Road right of way. Three streets are stubbed to the north anticipating further residential development. Orland Fire has requested that parking be restricted to one side of the stubbed streets, including Clover Drive, Foxtail Drive, and Monarch Drive, until they are extended, to better accommodate service and emergency and other vehicle turn arounds.

Pedestrian and Bicycle:

A multi-purpose asphalt trail, which has not yet been constructed, is proposed to tie into the existing path that is stubbed on the northern Brook Hill boundary, and will extend northward along Wolf Road. Due to physical challenges with the existing conditions along Wolf Road, portions of the path will shift westward out of the public right of way and into the Bluff Pointe floodplain. Recreational trails are permitted in floodplains, but will be subject to occasional flooding.

Preliminary Engineering

This petition has received preliminary engineering consent, and final engineering approval is required prior to construction. Final Engineering was approved under the 2017 petition. Below are a summary of some engineering updates.

Lot coverage: The town home lots are showing lot coverages that exceed 45%, but are less than 50%. BMPS (best management practices) will be required to allow up to 50%, including pervious paver drives, bio-swales, etc. Note that lot coverage also will be impacted by any accessory structures built after the overall project's construction, such as patios, which should be considered in calculations wherever possible.

Fire Access: Orland Fire has requested that the stubbed streets either have a hammerhead turn around that meets their specifications, or that parking be restricted to one side of the respective streets until the stubs are extended and connected to a street network. McNaughton has expressed preference for the restrictive signage.

Floodplain: FEMA maps indicate that the eastern portion of the subject site is in the floodplain and a small portion in the floodway, and per the 2017 Special use permit approvals, the floodplain was re-sculpted per FEMA requirements. Wolf Road continues to be located within the floodplain and floods regularly. The proposed subdivision, with the 2017 constructed detention basin and other improvements will not worsen the existing flooding condition, but also will not solve it.

Wolf Road improvements: A drainage Culvert has been installed across/under Wolf Road, and the petitioner is completing other improvements required per the IDOT permit and Village inspections. Wolf Road improvements including new left turn lanes are currently under construction. The flooding of Wolf Road is anticipated to continue until Wolf Road is improved. The Village is not aware of any planned improvements to this IDOT road in the near future, but regularly advocate for such improvements to this state owned road.

Updated Traffic Study: The petitioner provided an updated traffic study that reflects the addition of town homes, and finds the difference in trip generation to be minimal. The revised study concluded that the findings of the June 12, 2017 Bluff Pointe traffic study are still valid and no additional geometric improvements will be necessary to accommodate the new plan.

Architectural Elevations

The proposed town homes will be two stories and the end units will have first floor master bedrooms. The proposed town homes appear to meet the Village's masonry requirements per the Village's Building Code and Land Development Code Section 6-308, with masonry on 90% of the front façade masonry and well over 50% of the total building façade, subject to Building Division confirmation. Each unit will have a two car garage with a decorative garage door and two coach lights, and a two car driveway. The end unit tenants will access their units via a side sidewalk and covered porch. Some side porches encroach 5' into the side setback which requires a Code modification. The building side elevations include a mix of gables and dormers on the second floor facades. Most center units will be accessed from a shared front sidewalk. The two car garages will be quite prominent in the streetscape vista, however the second story facades will include gables and dormers to add some variety and break up the roof line. The building materials will include dark rust brick on the base of the buildings, gray siding, white trim, and decorative white garage doors with windows, and charcoal shingles. The bottom of all windows and doors will include a 2" stone sill.

Park Land Dedication

The Code typically requires park land dedication or cash in lieu for residential subdivisions. However the Spring Creek Agreement establishes required park land in the Agreement area, and no land or park cash was required for the Calvert parcel. The Village's 3.18 acre Grasslands Park, located just west of the new subdivision, includes a playground and basketball court, and will be accessible to new residents from 171st Street.

Other exactions

Any additional exaction fees associated with the revised subdivision, including but not limited to transportation, parks and schools, are to be paid to the Village per Code and per Spring Creek Agreement requirements, and will be finalized at the time of Development Agreement and

Building Permits.

Land Development Code bulk requirements for LSPD residential

Lot Coverage 45%, 50% with BMPS (Best Management Practices)

Setbacks

Front Yard:

-Required - 25'

-Proposed - 25'

Side or Corner Side Yard:

-Required - 15% or 15'

-Proposed -15% not met, 15' met, Code modification required

Rear Yard:

-Required - 25'

-Proposed - 30'

Lot Size Minimums per LSPD

-Required - 8,000 square feet

-Proposed - 8,750 minimum single family

-Proposed - 20,871 square feet minimum town homes

-Required - 70' width minimum

-Proposed - 70' width minimum single family

-Proposed - 155' width minimum town homes

-Required - 114' length minimum

-Proposed - 125' length minimum (No change in lot depth for town homes)

Landscape Plan

The Preliminary Landscape Plan for the 2017 Bluff Pointe petition was approved, but now has been revised just to accommodate the 2019 town home development. The Landscape Plan

remains unchanged in the areas outside of the town homes. The Preliminary Landscape Plan for this revised petition is currently in the review process, and must obtain Village consultant approvals prior to the Board meeting. Note that the planting of the 15' landscape buffer on the rear of lots 37-49, is to be installed by the home builder and protected by a landscape easement shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.

PROJECT ANALYSIS

Overall, the project conforms to the Village's Comprehensive Plan, Spring Creek Agreement, Land Development Code requirements, and land development policies with the exception of the requested Land Development Code modifications and special provisions granted by the Spring Creek Agreement.

The 2017 Bluff Pointe petition approvals included a signed Development Agreement between the Village and the petitioner stating that the subdivision would be developed as single family lots. Although the Village could opt to hold McNaughton to the original agreement, it appears the single family homes as envisioned for this subdivision may not be viable. A partially developed single family subdivision for the long term is not in the Village's or the neighborhood's best interest. The Spring Creek Agreement allows multi-family in this area, and encourages flexibility of residential types in the Spring Creek area. There are already multi-family units in the area: Brookhill Town Homes to the south, and to the Villas of Grasslands to the north. Per the Spring Creek Agreement, none of the town homes are located adjacent to existing homes.

1. Site Plan and Subdivision approval

The site plan/subdivision layout has not changed from the initially approved one, with the exception of the 18 single family lots that are being swapped out with 9 town home lots with 9 town home buildings that contain a total of 38 town home units.

2.Special Use Permits with modifications:

Per Section 5-105.E. of the Land Development Code, when considering an application for special use permit, the decision making body shall consider the eight special use standards listed in the Code. The petitioner has provided comprehensive and detailed responses to the Special Use Standards. (SEE ATTACHED STANDARDS)

Special Use Permit

The following Special Use Permits are required for the Bluff Pointe Subdivision:

1. To allow a large scale planned mixed residential development in the LSPD Zoning District.
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2. To allow disturbance of a wetland. (previously approved in 2017)
 3. To allow disturbance of a flood plain. (previously approved in 2017)

1. **The Special Use will be consistent with the purposes, goals, objectives, and standards of the Comprehensive Plan, any adopted overlay plan, and these regulations.** The Comprehensive Plan's Grasslands District designates this area for single family residential. However the Land Use Section also encourages the provision of an increased variety of housing options to accommodate lifecycle housing.
2. **The Special Use will be consistent with the community character of the immediate vicinity of the parcel proposed for development.** There are existing multi-family units nearby.
3. **The design of the proposed use will minimize adverse effects, including visual impacts, on adjacent properties.** The town homes do not abut any existing single family homes. They are set back over 300' from Wolf Road, and will be heavily landscaped.
4. **The proposed use will not have an adverse effect on the value of the adjacent property.** Staff does not have expert opinion on this matter.
5. **The applicant has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, and schools will be capable of serving the special use at an adequate level of service.** Services are available.
6. **The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.** Park Land dedication was already addressed as a part of the Spring Creek Agreement. Private open space is provided with each unit.
7. **The development will not adversely affect a known archaeological, historical, or cultural resource.** No known impacts.
8. **The proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other requirements of the ordinances of the Village.** All Village conditions of approval must be met.

Modifications

The Petitioner requests the following modifications from the Land Development Code in conjunction with the requested Special Use Permits, and has supplied petitioner responses to the special use standards. Below are staff observations on the requested Land Development Code modifications.

1) Allow a building side setback of at least 15' but less than 15% of the lot width.

The Land Development Code requires a minimum of 15' or 15% of the lot width on each side of a building, which might make sense in some applications. However, for the Bluff Pointe Town Homes, each building is set on a large lot ranging from 155' to 184' wide. This would require up

to 28' on the side of each town home, or up to 52' spacing between buildings, which is far greater than the spacing typically required between town homes, which is more in the 20-25' range. The Code is unreasonable in this unique application.

2) Allow covered porches to encroach 5 feet into the required side setback.

The side entries on the town homes allow for more architectural variety and more spaced out entryways, and more variety in unit floor plans. A 5' porch encroachment, with the generous 30' building to building spacing, is reasonable.

(The remaining modifications listed below were approved as a part of the 2017 petition, and construction of the detention ponds and re-shaped floodplains has already been completed. Minimal changes to this infrastructure are anticipated in relation to the town home construction. These items are included in this 2019 petition for clarity on the overall subdivision components and requirements)

3) Watercourse (floodplain) modification and setback:

The Land Development Code requires a special use permit to modify a watercourse. The watercourse definition in the Land Development Code includes "a channel into storm water flows regularly or intermittently", so in this case it applies to the floodplain. Section 6-412 'Local Stream and Waterbody Protection' seeks to prevent flood damage and to maintain natural run-off conveyance systems. The petitioner has maintained the existing floodplain capacity, but has reshaped the limits of the natural floodplain to accommodate the easternmost row of lots. In general, the intent of this Code section is to maintain and protect existing streams and associated floodplains. However, in this case Marley Creek was severely disturbed at the time of the Wolf road construction, with Marley Creek remnants crossing Wolf Road just north of this site; leaving this portion of the floodplain on the west side of Wolf Road. The Code also requires a floodplain setback of 50' from the existing floodplain line, which has been disturbed by the new construction. However as a part of the 2017 approvals, the floodplain has been re-graded, and a 50' setback from the newly established 100 year floodplain has been established.

4) Reduce wetland setback

The Land Development Code requires a special use permit to modify a wetland. Section 6-314 'Wetlands Protection' seeks to protect and preserve wetlands in the Village. Although the wetland in question is a small .053 acre wetland adjacent to Wolf Road that has been preserved, re-grading occurred within the existing 50' wetland setback, which has spurred a setback modification.

5) Reduce pond buffer access strip modification

The Code establishes a minimum 15' maintenance strip and landscape buffer for purposes of maintenance and recreational access. However in this case it could not be fully provided and a modification is therefore requested to reduce the 15' maintenance strip around the top of the pond. Partial access to and from the critical pond maintenance areas such as inlets, outlets, and overflows will be maintained.

6) Increase pond slopes from 4:1 to 3:1 modification

The Code establishes a 4:1 maximum detention pond slope to facilitate pond access and to enhance the establishment and maintenance of vegetation on the slopes. The vegetation will be naturalized rather than mowed, and a 3:1 slope is still manageable.

This case is now before Plan Commission for consideration. All conditions must be met and changes made prior to the Board meeting.

BUDGET IMPACT:

REQUESTED ACTION:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated July 16, 2019.

I move to recommend to the Village Board of Trustees approval of the **preliminary site plan** titled 'Preliminary Site Plan for Townhome Alternative at Bluff Pointe" by Designtek Engineering, page 1 of 1, dated 06.26.19, subject to the following conditions.(All changes must be made and conditions met where possible prior to the Board meeting)

- 1) Dedicate additional Wolf Road right of way totaling 60' from centerline.
 - 2) Complete Wolf Road improvements as required per IDOT Wolf Road permit and per Village requirements.
 - 3) Continue to utilize the Wolf Road access point for all construction traffic access.
 - 4) Any changes to the offsite grading north of the site may necessitate an updated notarized letter of permission from the property owner to the north, allowing off site grading on their
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property.

- 5) Developer must provide BMPS (best management practices) per Code requirements, to qualify for lot coverages between 455 and 50%.
- 6) Developer must pay for signage to be placed on stubbed streets that limits parking to one side of the street, subject to Public Works and Traffic Advisory Board approvals.
- 7) The petitioner must dedicate the Open Lands zoned property in the southwest corner of the property to the Village along with the rest of the detention pond facilities.
- 8) Site Plan building envelopes, setbacks, and easements are subject to final engineering and building approvals.
- 9) Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements.
- 10) Meet all final engineering and Building Division requirements.

And

I move to recommend to the Village Board of Trustees approval of residential **subdivision** that includes 31 single family lots plus 38 unit town homes on 9 lots, plus two detention pond/floodplain out lots and public street dedication, as shown on the preliminary plat titled 'Preliminary Plat for Townhome Alternative at Bluff Pointe" by Designtek Engineering, dated 06.26.19, subject to the same conditions as the Site Plan.

And

I move to recommend to the Village Board of Trustees approval and authorization to execute the **Final Plat** of Subdivision for Bluff Pointe Subdivision subject to the following conditions:

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

And

I move to recommend to the Village Board of Trustees approval of the **preliminary landscape plan** titled 'Landscape Plan for Bluff Pointe" by Metz and Company Landscape Architecture/Site Planning, pages L-1, L-2, L-3, and L-4, updated 07.03.19, subject to the following conditions.

- 1) Obtain preliminary Landscape Plan approval from Village Landscape Consultant and resolve remaining items listed in their comment letters prior to the Board meeting.
 - 2) Submit a revised final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval.
 - 3) The planting of the 15' landscape buffer on the rear of lots 37-49, is to be installed by the home builder and protected by a landscape easement as shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.
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And

I move to recommend to the Village Board of Trustees approval of the front, rear and left and right side town home elevations, applicable to all town home elevations, including front and rear elevations titled "Bluff Pointe Orland Park Lot A Units 1-4", page 1 of 8, dated 06.24.19; and the side elevations Plan A, B, C, and D, titled "Bluff Pointe Orland Park Lot A Units 1-4", sheets 2 of 8, dated 06.28.19, all by Fergon Architects LLC for McNaughton Development; and per color elevation renderings of the town home front, rear, and left and right sides; and per "Material Legend", all received 07.02.19, subject to requirements and final approval of the Development Services Building Division.

And

I move to recommend to the Village Board approval of a **Special Use Permit for a Large Scale Planned Residential Development** that includes 31 single family units and 38 town home units in 9 buildings; and a **special use permit for a wetland modification and a special use permit for a waterbody (floodplain) modifications** subject to the same conditions as outlined in the preliminary site plan motion. Modifications to the Special Use permits include:

- 1) A building side setback of at least 15' but less than 15% of the lot width.
 - 2) Covered porches that encroach 5 feet into the required side setback.
 - 3) Reduction of existing 50' wetland setback.
 - 4) Reduction of existing 50' floodplain setback.
 - 5) Reduction of the 15' wide detention pond access buffer.
 - 6) Increase in pond side slopes from 4:1 slope to 3:1 slope.
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