

June 26, 2019

Ms. Jane Turley
Senior Planner
Village of Orland Park
14700 Ravinia Avenue
Orland Park, IL 60462

RE: Bluff Pointe Subdivision
Special Use Standards: Large Scale Planned Development, Flood Plain Buffer, and
Wetland Buffer

Dear Ms. Turley:

Introduction

The Bluff Pointe Subdivision petition requires a special use permit for a Large Scale Planned Development, Flood Plain Buffer Impact, and Wetland Buffer Impact.

1. Large Scale Planned Development & Modifications

A special use permit for a Large Scale Planned Development is permissible in the underlying LSPD district. “A Large Scale Planned Development may be established as a special use only in the LSPD District, in accordance with the terms and conditions set forth in Section [5-105.I.](#)” (Amd. Ord. 5167 – 2/20/17). Because of the Bluff Pointe subdivision’s size and scope (a mix of product consisting of 31 single family lots and 38 proposed townhome units on 9 lots), a special use permit for a Large Scale Planned Development is appropriate, especially in context of the code modifications requested, which are: (a) allow a building side yard setback of less than 15%, (b) reduce floodplain and wetland buffer setbacks, (c) reduce the 25’ detention pond buffer and maintenance access strip, (d) increase the pond side slopes from 4:1 to 3:1, and (e) allow covered porches to encroach 5’ into the required setback.

2. Floodplain Buffer Impact

The original petition for the Bluff Pointe subdivision required a special use permit for a reduction to the floodplain buffer for lots 31-34 (because the lot lines were within 50’ of the existing floodplain limitations). Since the approval of the original Bluff Pointe subdivision petition, the subdivision has been developed, and a Letter of Map Amendment has issued, and the lot lines are no longer within 50’ of the floodplain limitations. The proposed townhome lots likewise do not impede the 50’ buffer requirement. This petition for special use permit is re-raised here for consistency and continuity between the original petition and this petition, but is otherwise moot.

3. Wetland Buffer Impact

The original petition for the Bluff Pointe subdivision required a special use permit for a reduction to the wetland buffer for proposed grading and bike path improvements in the open space area of the subdivision. Since the approval of the original Bluff Pointe subdivision petition, the Army Corps. of Engineers has issued a letter of no objection with respect to this wetland. The wetland is now MWRD jurisdiction, and the MWRD does not enforce any wetland buffer requirements when the Army Corps. of Engineers has issued a letter of no objection. The Village of Orland Park's wetland ordinance allows naturalized swales and paths within a wetland buffer. The improvements do not directly impact the wetland. This petition for special use permit is re-raised here for consistency and continuity between the original petition and this petition, but is otherwise moot.

Special Use Standards

1. The special use will be consistent with the purposes, goals and objectives and standards of the Comprehensive Plan, any adopted overlay plan and these regulations.

The special uses do not alter any of the purposes, goals and objectives and standards of the Comprehensive Plan, any adopted overlay plan or Village Codes. The Large Scale Planned Development is consistent with the Comprehensive Plan, the LSPD zoning District, and the Spring Creek Annexation Agreement (of which the Subject Property is a part), which specifically allows 72 townhome units on the site comprising the Calvert property (of which the Subject Property is a part). Petitioner proposes 38 townhome units. The only new modifications that petitioner proposes from the original petition are modifications (a), (e), and (f) identified above. Modification (a) to the sideyard setbacks is a modification to a code the strict application of which would be inconsistent with sideyard requirements for other residential districts in Orland Park. The sideyard requirement is 15% of the lot width, which, in the case of this petition, would result in sideyards of up to 27.5' and building separation of up to 55', which is not consistent with the code requirements in other residential districts in town, would result in odd looking massing juxtaposed with neighboring residential structures, and is just a waste of space. By comparison, the R-4 zoning district (which permits townhomes) requires building separation of 25', and this petition has a minimum building separation of 30', so despite the modification from the code, the spacing of the buildings is consistent with the typical residential setback requirements in Orland, and with the existing housing stock. Modification (e) is required to allow side entrances to the end units. The end units are designed with side entrances as an architectural feature, and to introduce some variety into the architecture and the floor plan design. The side porch represents such a small portion of the side façade of the building, that it does not meaningfully impact the spacing between the buildings. Regarding modifications (b), (c), and (d) identified above, these were part of the original approved petition for the Bluff Pointe subdivision, and the justification for these modifications has not changed. Likewise, the petitions for special use permits for the floodplain and buffer wetland impacts are moot because the conditions requiring them have been satisfied.

2. The special use will be consistent with the community character of the immediate vicinity of the parcel for development.

The Large Scale Planned Development is consistent with the community character of the immediate vicinity of the parcel for development. Townhomes and detached single-family abuts the Subject property to the south. The property to the north is zoned LSPD, suitable for attached and detached single family use. The properties to the east of the subdivision are unincorporated, and the county zoning is R-4 (urban environment single family) and C-4 (commercial along major thoroughfare). To the west the proposed townhomes blend into Bluff Pointe subdivision detached single family homes, which abut R-3 detached single-family homes. The townhomes within Bluff Pointe subdivision are located at the eastern-most part of the subdivision (closer to Wolf Road), which makes sense given that it is a major arterial. Given the uses of the neighboring parcels, and the proximity to Wolf Road, a Large Scale Planned Development with a mix of lot sizes and detached and attached single family product is the right use for this location, and it is consistent with the community character of the uses in the area. The requested modifications do not alter the community character in the area. Likewise, the petitions for special use permits for the floodplain and buffer wetland impacts are moot because the conditions requiring them have been satisfied.

3. The design of the proposed use will minimize adverse effect, including visual impacts on adjacent properties.

The Large Scale Planned Development is planned and designed so that there are no impacts to adjacent properties. The townhomes abut open spaces, other townhomes, a vacant property to the north, and vacant single family lots to the west. Existing homeowners on adjacent properties are not impacted adversely by the townhomes, visually or otherwise, because the townhomes are self-contained to a pod within the Bluff Pointe subdivision that do not abut other existing residential buildings. All other aspects of the Bluff Pointe subdivision remain the same. The requested modifications do not adversely effect, visually or otherwise, adjacent properties. In fact, the failure to grant modification (a) would have more of an adverse visual impact on the area than granting the modification, because it would result in strangely spaced buildings in contrast with the other housing in the area. The petitions for special use permits for the floodplain and buffer wetland impacts are moot because the conditions requiring them have been satisfied.

4. The proposed use will not have an adverse effect on the value of the adjacent property.

The Large Scale Planned Development will not negatively effect value of the adjacent property because it will continue to consist of high quality, new construction. The townhomes add a much need component to the product mix in the subdivision, and the high quality, visually aesthetic architecture and luxury finishes will be a benefit to values in the area. The requested modifications do not impact value. The petitions for special

use permits for the floodplain and buffer wetland impacts are moot because the conditions requiring them have been satisfied.

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, waters and sewers, and schools will be capable of serving the special use at an adequate level of service.

The Large Scale Planned Development can be adequately served by government and emergency services. There is no material change from the original approved petition in this regard. The roadway configuration has not changed, only the individual lot lines have changed. The applicant is improving its Wolf Road frontage with a left hand turn lane and a right hand deceleration lane. The requested modifications do not impact government or emergency services. The petitions for special use permits for floodplain and buffer impacts do not impact government or emergency services.

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.

The Large Scale Planned Development has not changed from the original approved petition in the context of open space and related improvements. Petitioner has provided for approximately 6 acres of open space improved with seed and blanket and a bike path at the eastern part of the site. The requested modifications do not impact open space and related improvements. The petitions for special use permits for the floodplain and buffer wetland impacts are moot because the conditions requiring them have been satisfied.

7. The development will not adversely affect a known archaeological, historical or cultural resource.

This is not applicable – there are no known archaeological, historical, or cultural resources onsite or on neighboring properties.

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.

Petitioner has listed all modifications needed to accomplish the proposed use, and will comply with all other provisions of the LSPD Residence district, and all other codes of the Village of Orland Park.