



## Legislation Details (With Text)

**File #:** 2015-0520    **Version:** 0    **Name:** Addition to Grasslands - Rezoning Ordinance  
**Type:** ORDINANCE    **Status:** PASSED  
**File created:** 12/8/2015    **In control:** Board of Trustees  
**On agenda:** 8/15/2016    **Final action:** 8/15/2016  
**Title:** ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT AND GRANTING CERTAIN VARIANCES (ADDITION TO GRASSLANDS - 11249 WEST 167TH STREET AND 16740 WOLF ROAD)

### Code sections:

**Attachments:** 1. Ordinance, 2. APPROVED LANDSCAPE PLAN, 3. FINAL PLAT RECORDED

Date	Ver.	Action By	Action	Result
8/17/2016	4	Village Clerk	PUBLISHED	
8/15/2016	3	Board of Trustees		
8/8/2016	3	Development Services Department	INTRODUCED TO BOARD	
1/18/2016	2	Board of Trustees		
12/22/2015	2	Development Services Department	INTRODUCED TO BOARD	
12/21/2015	1	Development Services, Planning and Engineering Committee		
12/16/2015	1	Development Services Department	INTRODUCED TO COMMITTEE	
12/8/2015	0	Plan Commission		
12/3/2015	0	Development Services Department	INTRODUCED TO COMMISSION	

### Title/Name/Summary

Addition to Grasslands

### History

### Project

Addition to Grasslands

### Petitioner

Marth Construction Company

### Purpose

The petitioner proposes to construct an 8 residential lot subdivision with 16 duplex units at the southwest corner of 167<sup>th</sup> Street and Wolf Road.

### Project Attributes

Address: 11249 167<sup>th</sup> Street and 16740 Wolf Road

P.I.N.: 27-30-201-007

27-30-201-019

Size: 7.35 acres

Comprehensive Plan designation: Single family residential (R- 4) in the **Grasslands Planning District**.

Surrounding Land Use:

North: (Across 167<sup>th</sup> Street) currently undeveloped/agricultural

South: estate lot residence and detention pond

East: unincorporated estate lot residential

West: Single family residential

### **PROJECT DESCRIPTION & CONTEXT**

The proposed Addition to Grasslands Subdivision is located on an approximately seven acre parcel adjacent to the existing Grasslands Subdivision that was constructed in the 1990's. This small residential infill project is typical of many small remaining parcels in Orland Park, in that it has multiple development constraints. Approximately 40% of the development area consists of Marley Creek and associated wetland, floodway, and floodplain, areas which are all to be mostly preserved in their current state under the current proposal.

The surrounding area is mostly residential; however the land to the north across 167<sup>th</sup> Street (currently utilized for agriculture) is shown in the Spring Creek agreement as future commercial and multi-family uses, the latter which is supported by the Comprehensive Plan.

The development site is currently located in unincorporated Cook County, and all approvals are subject to annexation into the Village of Orland Park. The annexation of the land will be considered at the Board level.

### **Site Plan/Subdivision**

The proposed subdivision includes 8 residential lots and buildings for a total 16 duplex units, all of which will be accessed by a publicly dedicated street. A detention pond out-lot is located at the south end of the site, and will also include the Marley Creek and associated wetland, floodplain, and floodway, with the entire out-lot dedicated to the Village.

The petitioner has requested that a small piece (.06 acres) of Village-owned land that is sandwiched between Steeplechase Parkway and proposed Lot 1 be vacated and transferred to the developer to complete consistent ownership to the parkway. Typically the Village is compensated at market rate for the land when surplus land is transferred to a private owner.

### **Mobility**

Vehicular:

Circulation patterns in and around the site exist and are well established. The proposed cul de sac will stub off of Steeplechase Parkway will align with the existing Pinecrest Circle. The cul de sac will be approximately 350 feet long, with a 110' diameter bulb. The Code requires a 120' diameter bulb; therefore a variance has been requested to allow the 110' bulb. The new street will be a typical 30' width which accommodates parking on both sides of the street.

Steeplechase Parkway terminates to the north at 167<sup>th</sup> Street, a Cook County minor arterial. The

nearest major intersection is Wolf Road and 167<sup>th</sup> Street which is signalized. Wolf Road, which runs along the eastern boundary of the site, is an IDOT major arterial. There will be no new curbs off of Wolf Road or 167<sup>th</sup> Street to access the site. Steeplechase Parkway continues southward approximately ½ mile through the Grasslands Subdivision where it terminates near the 3 acre “Grasslands Park”. Long term plans support the extension of the Grasslands Subdivision roads and sidewalks to connect with the Brook Hills Subdivision streets.

#### **Pedestrian and Bicycle:**

The proposed subdivision will have sidewalks around the entire cul de sac. Full sidewalks exist throughout the adjacent Grasslands Subdivision. Sidewalks and bike paths on the nearby arterials nearby are spotty at best. Long term plans for regional connections will be enhanced when Wolf Road is widened in the future with a planned bike path along the west side of Wolf Road. The petitioner has requested to pay cash in lieu for future utilization in lieu of sidewalks construction, since the physical site constraints that include Marley Creek would make construction costs exorbitant, only to be torn out when the Wolf Road is widened.

#### **Building elevations**

The proposed duplexes will be brick one story condominium duplexes with a hipped roofline. The front home facades will align with the garage doors, rather than the garage protruding forward as is often the case with ranch condominiums.

In order to introduce variety to the building architecture, the builder will offer three options for the front building façade, allowing some individualization of the units. Varied feature options include stone accents, roof window dormers of different styles, arched front windows with a gabled roof, or bay windows with a hipped roofline. The unit purchaser will select the features which could then be combined in multiple ways, for a ‘mix and match’ kind of approach.

The rear and side elevations are the same for all buildings, constructed of brick with minor siding accents, and with a hipped roofline with gabled roof peak accents. All elevations have windows of varying sizes; including arched, bayed, and rear double slider/French doors that exit to a patio. Some of the lots backing to the creek can be walk outs, as shown on the ‘Elevation Option 2’.

#### **Landscaping/tree mitigation**

The petitioner must submit a final landscape plan, for separate review and approval within 60 days of final engineering approval. Tree mitigation for trees removed in construction of the subdivision will be required per Land Development Code Tree Preservation Section 6-305.1. Required tree mitigation should be met on site wherever possible; trees that cannot be accommodated on site will require a cash payment into the Tree Mitigation fund.

Land Development Code Landscape requirements include parkway trees, spaced 40’ on center along all streets interior and exterior to the site. 167<sup>th</sup> Street can accommodate street trees; however Wolf Road is already wooded. A 15’ landscape buffer is required along the property line of the residential lots abutting both Steeplechase parkway and 167<sup>th</sup>. The plant material in that buffer will need to be distributed in a way to accommodate drainage along the rear of the lots. The preliminary Landscape Plan shows a landscape buffer and ornamental iron fence along 167<sup>th</sup> Street and Steeplechase Parkway property lines.

#### **Preliminary engineering approval has been granted for this petition.**

Storm water detention - Will be accommodated through the extension of the existing Village-owned

detention pond that is currently located on the abutting lot to the south of the proposed development.

Utilities - Nearby tie-ins are existing and available.

Grading - Walls are shown along the rear of Lots 3, 4, and 5. The Code allows retaining walls with a maximum 3' height unless tiered per Code.

## **Exactions**

### Park land dedication

The Code requires park land dedication or cash in lieu for residential subdivisions. Eight residential duplex lots, per Code requirements, require park land dedication of approximately .23 acres. Since under the current proposal there is no open space suitable as park land, cash in lieu per the Land Development Code will be required. Final acreage and cash amounts will be determined at time of Annexation Agreement and permitting. The existing Grasslands Park is easily accessible and within ½ mile of the proposed subdivision.

### Other exactions

All exaction fees, including but not limited to transportation, parks and schools, are to be paid to the Village per current Code requirements, and will be established at the time of Development Agreement and Building Permits.

## **Bulk requirements for attached residential units in the R-4 District**

### Lot size minimum

Required - 8,500 square feet

Proposed - smallest duplex lot 13,358 sf; average lot size 15,933 sf

### Lot dimension minimum

Required - 70' wide, 77' corner lot

Proposed - irregular dimensions, narrowest lot 80' wide at front setback line.

### Setbacks

Front Yard:

Required - 20'

Proposed - 20'

Side Yard:

Required - 25' minimum building to building

Proposed - 25' minimum building to building

Corner Side Yard:

Required - 20'

Proposed - 20'

Rear Yard:

Required - 30'

Proposed - 30'

### Landscape Buffer-yards

Required - 15' minimum along all streets

Proposed - 15' provided

### Street right of way

Required - 30'

Proposed - 30'

## **ANALYSIS**

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area, with the exception of the listed variances. However the property is currently in unincorporated Cook County, so all approvals are subject to annexation. The annexation public hearing will be held at the board level.

### ***Actions requested:***

#### **Rezoning**

A rezoning to R-4 Residential is requested, which conforms to the recommended zoning in the Comprehensive Plan. The abutting Grasslands Subdivision is zoned R-3 residential; however the Comprehensive plan typically recommends denser housing near major intersections, including this intersection.

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.

#### **Subdivision/Site Plan**

The proposed subdivision includes eight residential duplex lots for a total of 16 units lots, a detention pond out-lot that will include Marley Creek and environs, and a publicly dedicated street. The duplex lot sizes meet minimum size requirements of the R-4 Residential District. All lot bulk requirements including lot dimensions, building envelopes and locations, setbacks, lot coverage, etc., are conceptual only and must meet all Land Development Code, Engineering, and Building Department/Code requirements at the time of permits.

The proposed subdivision layout is a reasonable solution for a site with multiple challenges. The site is furthered constrained by a 5' strip of land of uncertain ownership that runs along the east side of Steeplechase Parkway from Pinecrest Court to 167<sup>th</sup> Street.

Village Engineers have recommended that efforts be made to eliminate retaining walls along the rear of the lots if possible due to maintenance concerns.

#### **Landscape Plan**

The Tree Survey should be submitted as soon as possible. It is noted that no site work site work will be permitted until Tree Survey, per Code requirements, has been submitted.

The Final Landscape Plan should include an evaluation and recommendations, for the Marley Creek wetland and floodplain plant material, including invasive species, dead and dying plant material. The recommendations must be consistent with outside agency regulations, This area will be transferred to Village ownership when the development has been completed.

#### **Variances**

Typical of small residential infill lots, options for the development of this area are limited, and often some variances are needed. The petitioner requests the following five variances. When considering an application for variances, the decision making body shall consider the variance standards listed in the Code. The petitioner has provided responses to the variance standards.

- 1) Reduce the required detention pond setback from 25'to as little as 15'.
- 2) Reduce the required flat maintenance strip from 15' to as little as 0'.

*At village request, instead of a separate pond that extends into the wetland setback, the project detention needs will be met by extending the existing Village pond that abuts the site. The existing pond is older and non-conforming for detention setback requirements. Since the new pond connects into the old pond, it also does not meet setback minimums in some places. However, the new portion of the pond meets all minimum setback and access requirements along the rear of Lots 1 & 2, and the high water line is setback 20' from the existing home to the west.*

3) Reduce the required cul de sac diameter from 120' diameter to 110'.

*A double row of lots with an access street is needed in order to fully develop the upland portion of the site. However a full cul de sac bulb cannot fit while still maintaining lot size minimums. Impact of the narrower bulb will be minimal due to the limited number of units served.*

4) Reduce the required 50' wetland setback.

*Under the current proposal, this variance will only be needed if the retaining walls are removed and the ground sloped slightly into the wetland setback zone. Impact on the wetland would be minimal, and retaining wall maintenance has proven to be a long term issue in the village.*

5) Substitute cash in lieu for sidewalks along 167th Street and Wolf Road.

*This site is unique in that Marley Creek runs through the site in the eastern portion of the site, crossing from the eastern side of Wolf road to the west at the intersection of 167<sup>th</sup> Street and Wolf Road, and returning again to the east side of Wolf Road off site further south on Wolf Road. Sidewalks would be very expensive to construct along both roads since they would have to bridge the creek, wetlands, and flood way. IDOT has plans to widen Wolf Road in the future, with engineering plans underway, although construction has not yet been funded. If sidewalks are constructed now, the large investment in sidewalk construction is likely to be lost when the road is widened. Cash in lieu can help cover future expenses for sidewalks in this area.*

**Incremental improvements beyond Code requirements**, in consideration of annexation into the Village and requested variances, incremental improvements to the plan include:

1) Combined detention pond with existing Village pond.

2) Provided architectural variety for units.

3) Provided decorative fence along rear of lots.

This case 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 **December 8, 2015**.

And

I move to recommend to the Village Board approval (upon annexation) of the **rezoning** of the property to R-4 Residential District.

And

I move to recommend to the Village Board approval (upon annexation) of the **preliminary site plan** titled "Preliminary Plat, Addition to Grasslands Orland Park", by Designtek Engineering, project 15-0018, dated 8/3/15 and revised 10/28/15, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

- 1) Provide cash in lieu for the 167<sup>th</sup> Street and Wolf Road Code-required sidewalks, for future use when Wolf road is widened.
- 2) Site Plan elements including lot dimensions, building envelopes and locations, setbacks, lot coverage, etc. are conceptual only and must meet all Land Development Code, Engineering, and Building Department/Code requirements at the time of permits.
- 3) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval including the following items:
  - a. Provide a tree survey for all trees exceeding 4" in trunk diameter per Land Development Code.
  - b. Provide tree mitigation, per Code requirements, preferably on site if a healthy spacing can be achieved, otherwise a contribution must be paid per Code into the tree mitigation bank. Tree mitigation requirements will be finalized at the time of Final Landscape Plan and after final engineering of lots.
  - c. Plant the pond expansion area in a natural style with a native edge.
  - d. Include evaluation of wetland plant material and the incorporation of recommended improvements.
  - e. Include parkway trees along all right of ways spaced 40' on center, including 167<sup>th</sup> Street, but excepting Wolf Road.
  - f. Provide 4'-5' height ornamental iron fence and Type C 15' landscape buffer along all lots abutting 167<sup>th</sup> Street and Steeplechase Parkway, arranging plant material to accommodate site drainage.
- 4) Provide cash in lieu to meet park land dedication Code requirements.
- 5) Meet all final engineering and building division requirements and approvals.
- 6) Provide additional road right of way to meet engineering requirements.
- 7) Dedicate Lot 9 to Village. (Detention pond and Marley Creek area)
- 8) Retaining walls cannot exceed 3' in height unless they are designed and tiered per Code requirements.
- 9) Subdivision Signage is not part of this petition and if desired should be submitted for separate review and approval by the Building Division.
- 10) Make the following labeling changes:
  - a. Change title to Site Plan/Preliminary Plat.
  - b. Show and label ornamental fence on the Site plan.
  - c. Show the high water line on the Site Plan.

And

I move to recommend to the Village Board approval (upon annexation) of an eight lot residential duplex **subdivision** with 16 units plus a detention out lot and public street dedication, as shown on

plan titled "Preliminary Plat, Addition to Grasslands Orland Park", by Designtek Engineering, project 15-0018, dated 8/3/15 and revised 10/28/15, subject to the same conditions as outlined in the Site Plan motion plus the following conditions:

- 1) The village agrees to deed to the developer, compensated at market cost, the approximately .06 Acre Village-owned land located between lot 1 and the Steeplechase Parkway right of way. The deeded land is to be consolidated into Lot 1, with the compensation amount detailed through the Development Agreement.
- 2) Preliminary plat is subject to engineering approvals.
- 3) Submit a Record Plat of Subdivision to the Village for final engineering approval and recording.

And

I move to recommend to the Village Board approval (upon annexation) of the **Elevations** titled 'Marth Construction Duplex Homes', by IJM Architects, job # 2015-0138, petitioned elevations dated 8.3.15, submitted 8.17.15, and also as submitted 10.30.15 as Elevation Option and Option 2, dated 8.3.15, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

- 1) Label primary building materials and colors on elevations.
- 2) Provide elevation detail of proposed fence.
- 3) Meet all final engineering and building division requirements.

And

I move to recommend to the Village Board approval (upon annexation) of the following **variances**:

- 1) Reduce the required detention pond setback from 25' to as little as 15'.
- 2) Reduce the required flat maintenance strip from 15' to as little as 0'.
- 3) Reduce the required cul de sac diameter from 120' diameter to 110'.
- 4) Reduce the required 50' wetland setback.
- 5) Substitute cash in lieu for sidewalks along 167th Street and Wolf Road.

**All conditions must be met and changes made prior to the Board meeting.**

JACOBS: Second.