



Legislation Details (With Text)

File #: 2018-0470 **Version:** 2 **Name:** Rock & Brews
Type: MOTION **Status:** PASSED
File created: 7/9/2018 **In control:** Board of Trustees
On agenda: 10/1/2018 **Final action:** 10/1/2018
Title: Rock & Brews - Special Use Amendment, Site Plan, Elevations, Landscape Plan
Code sections:
Attachments: 1. Building Elevations, 2. Site Plan, 3. Landscape Plan, 4. Special Use Standards

Date	Ver.	Action By	Action	Result
10/1/2018	2	Board of Trustees		
10/1/2018	2	Development Services Department	INTRODUCED TO BOARD	
9/17/2018	1	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
9/17/2018	1	Development Services Department	INTRODUCED TO COMMITTEE	
9/11/2018	0	Plan Commission		
9/11/2018	0	Development Services Department	INTRODUCED TO COMMISSION	

Title/Name/Summary
Rock & Brews - Special Use Amendment, Site Plan, Elevations, Landscape Plan

History
QUICKFACTS

Project
Rock and Brews - 9520 143rd Street

Petitioner
Ramzi Hassan, Edwards Realty Company

Purpose
The petitioner intends to construct a new 6,500 square foot restaurant on Lot 7 of the Orland Crossing Planned Development

Requested Actions: Special Use Permit Amendment with Modifications, Site Plan, Elevations, Landscape Plan

Project Attributes
Address: 9520 143rd Street

P.I.N.(s): 27-03-300-021

Size: 1.39 AC (60,575 SF)

Comprehensive Plan Planning District:
Downtown Planning District

Comprehensive Land Designation:
Downtown Mixed Use

Existing Zoning:
VCD Village Center District

Proposed Zoning:
VCD Village Center District

Existing Land Use:
Vacant

Proposed Land Use:
Restaurant

Surrounding Land Use:
North: Orland Crossing Shopping Center
South: Financial Institution
East: Orland Crossing Shopping Center
West: Motor Vehicle Fueling Station

Preliminary Engineering: Preliminary engineering has been confirmed.

PROJECT DESCRIPTION & CONTEXT

The petitioner proposes to construct a 6,500 square foot restaurant on Lot 7 of the Orland Crossing Shopping Center. In 2007, the Village Board of Trustees approved this lot for an 18,200 square foot Ethan Allen Furniture Gallery (Legistar File Number 2007-0513). Lot 7 is the last developable parcel available in Orland Crossing. Restaurants are listed as appropriate uses in the Downtown Mixed Use land use designation from the Comprehensive Plan.

The site is located directly to the west of the auto fueling station located on the northeast corner of 143rd Street and LaGrange Road. The primary building material for the restaurant will be masonry. The design will imitate the branding and theme of existing Rock and Brews restaurants, built in other parts of the USA. The petitioner intends on maximizing the parking on site and providing for an enhanced outdoor seating area. The petitioner will be seeking an amendment to the existing special use permit for a planned development for Orland Crossing with five modifications listed below.

- 1) Parking between the building and the street on the north side setback and east front setback.
- 2) Increase in the number of parking spaces from 65 to 85 spaces.
- 3) Increase in front yard setback from 15 feet to approximately 195 feet.
- 4) Increase in north side yard setback from 15 feet to 82 feet.
- 5) Reduce the required building façade transparency on the north elevation from 35% to 0%. This only applies to building façade between 4 and 8 feet from adjacent grade.

The recommendation motion includes the following conditions:

- 1) Meet all final engineering and building code related items;
- 2) All parking lot lighting must meet Village Center District Standards;
- 3) Guitar feature must meet all applicable provisions of the Land Development Code.

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

SITE PLAN

The building will be located on the southwest corner of the site. The outdoor seating area for the restaurant will be adjacent to the south and west sides of the building. The outdoor seating will almost reach the southern property line. The seating area on the west will encroach into the required setback but will leave a 10-foot buffer. The outdoor seating area is an allowable encroachment in the required setback. The site plan meets the requirements of the Land Development Code but has requested 5 modifications. Four are explained below and one will be analyzed in the elevations section.

The first requested modification is to locate parking between the building and the street on the north side setback and the east front setback. The site is unique in that it is bordered by roadways on the north by an internal access road, on the east by 95th Avenue and on the south by 143rd Street. Due to its unique position in the existing planned development, it is difficult for the petitioner to create a functional site plan that does not allow parking anywhere between the building and one of the three streets that the site borders. The petitioner is attempting to meet the intent of the code by pushing the building/outdoor seating as close to 143rd Street as possible. Given the unique circumstances, staff supports the proposed modification.

The location of this lot within the development serves to justify two of the other proposed modifications. The Village Center District requires a minimum 15 feet setback from 143rd Street. For all other streets, the maximum setback is 15 feet. A modification is being requested to increase the maximum setback from 15 feet to 82 feet on the north side yard and 195 feet on the east front yard. Again due to the site having frontage on three different streets it would be difficult to layout a building that did not trigger a modification on at least one of these streets. As such, staff is in support of the proposed modifications.

The next modification requested is to increase the number of parking spaces from 65 to 85 spaces. The tenant has indicated that based on how the other Rock and Brews locations function that parking above the maximum allowed by the Land Development Code is necessary. This increase in parking also brings the lot coverage over 75%.

The Land Development code allows up to 80% lot coverage for developments in the Village Center District as long as the developer provides a storm water best management practice. To mitigate any negative effects of the increase in parking and impervious surface the petitioner is proposing a bio-swale on the northwest corner of the site. Bio-swales qualify as a best management practice and will help manage storm water on the site. Staff supports the proposed increase in parking based on the addition of the bio-swale.

Aside from the proposed site modifications the site plan meets Land Development Code requirements.

MOBILITY

The petitioner is proposing a single full access curb cut on the north end of the site as the primary vehicular access to the site. The curb cut opens on to the private access road directly north of the subject property.

Pedestrian and Bicycle

The petitioner is proposing sidewalk that will connect from the north side of the site to the existing sidewalk on 95th Avenue. The petitioner also proposes to add a sidewalk connection to east of the building entrance that will start on the northern limit of the site and extends south to connect to the sidewalk on 143rd Street.

Parking/Loading

Parking Required - 65

Parking Provided - 85 (Modification Requested; Analysis in Site Plan Section)

Accessible Spaces Required - 4

Accessible Spaces Provided - 4

Bike Parking Required - 9

Bike Parking Provided - 9

Loading Space Required - 1 (Min - 12 feet x 25 feet)

Loading Space Provided - 1 (12 feet x 92 feet)

BUILDING ELEVATIONS

The proposed building architecture is unique to the Rock and Brews brand. The primary building material pre-cast concrete masonry that is being designed to look the same as a brick façade the material is known as Harvard Brik. The building will incorporate a significant amount of storefront glazing and has provided corrugated metal siding as an architectural accent. The corrugated metal is a feature important to the Rock and Brews branding.

The most unique architectural feature being proposed is a 55 foot tall neck of a guitar that will be located in the outdoor seating area. This architectural feature is present in most the existing Rock and Brews locations. The guitar feature will be attached to the building. The Village has approved architectural features in the past that contribute to a tenant's brand. Examples include the monument of a horse at P.F. Changs, the stills at Rock Bottom and the statue of a buck at Twin Peaks. The height of the guitar feature meets the Land Development Code requirements.

The petitioner is proposing artwork that will be added to specific areas on the building elevations. The location has been indicated, however the specific artwork has not been added to the elevations. The petitioner will be required to submit for an appearance review for approval of the proposed artwork.

East Elevation

The east elevation will serve as the primary entrance to the building. Moving from north to south along this elevation, the building material will be Harvard Brik in the Slate color with red metal coping. The primary wall material along this elevation will be Harvard Brik in the Charleston color. The wall around the outdoor seating will remain the same as proposed for the south elevation. The petitioner proposes storefront windows and doors for the entrance. The doors will be bordered by two concrete

walls with a smooth red stucco finish. The petitioner has indicated that the red color is important to their brand and has requested that this application be allowed as an accent. The roof will be constructed using a dark bronze standing seam metal roof. The red corrugated metal siding roof dormer will also be visible along this elevation.

North Elevation

The north elevation will serve as the back of house operations for the restaurant. The garbage dumpster, walk-in cooler and freezer will be located in an enclosure along this elevation. The enclosure for the garbage and the cooler/freezer will be constructed with Harvard Brik using the Slate, a dark gray color. This is the same material proposed as for the primary wall along this façade. Both the enclosure and parapet wall will be finished with a red metal coping. Corrugated metal siding will be installed above this parapet wall. The petitioner also proposes to add a corrugated metal roof dormer at this location.

Per the Land Development Code, building façade transparency is required at 35% between four and eight feet in height. The petitioner has requested a modification to reduce the transparency requirement to 0%. The justification is that this area is intended to be used for mechanical equipment and garbage. Requiring windows at this location would expose these undesirable elements to public view. To help further justify the modification the petitioner has added windows to the proposed roof dormer. Based on this information staff supports the proposed modification.

South Elevation

The south elevation fronts on 143rd Street. The primary building material at this location is storefront windows. The petitioner is also proposing Harvard Brik for the remainder of the façade in Charleston, a brown color. Storefront windows are proposed for the roof dormer similar to the north elevation. The outdoor seating area will be enclosed with a four foot tall Harvard Brik wall in Slate color with red metal coping.

There will also be two unique features visible from this elevation. The petitioner is proposing to convert two storage containers into seating and a bar. One container will be converted into seating and located on the west side of the south elevation. The other container will serve as the base of the guitar feature and the interior will be converted into a bar for the outdoor seating area. The exterior of these containers will be visible from the street however, the design and color are similar to the red corrugated metal siding present on other sides of the building.

West Elevation

The west elevation will feature a view into the outdoor seating area. The primary wall material will be Harvard Brik in the Charleston color and storefront windows. The petitioner is proposing one section of corrugated metal siding on the north side of this elevation to further their brand and accent the proposed Harvard Brik. Other than this proposed accent wall the design of the west elevation will match the others that have been described previously.

LANDSCAPING/TREE MITIGATION

Preliminary landscape plan has been approved. The petitioner will continue to work with staff to develop the final landscape plan.

DETAILED PLANNING DISCUSSION

Natural Features

There are no natural features on site; the petitioner will be required to meet final landscape plan requirements.

Preliminary Engineering

Preliminary engineering has been granted for this project.

Utilities - There are some utility connection modifications required to service the new building. Utilities are present at or near the site and available for redevelopment.

Detention/Retention - The site is within the service area of an existing detention pond previously approved by the MWRD through the Marquette Bank Subdivision. The storm water volume necessary to accommodate the subject property's proposed development was already accounted for under the previous approval.

Traffic Study - A traffic study was not required for this project because the size of the building is less than 40,000 square feet and the restaurant is not proposing a drive through.

Subdivision

A subdivision is not required for this petition.

Special Use Permit

Special Use Permit Amendment to Ordinance Number 3981, for the Orland Crossing Planned Development

Rezoning

No rezoning is proposed with this petition.

Modification(s)

- 1) Parking between the building and the street on the north side setback and east front setback.
- 2) Increase in the number of parking spaces from 65 to 85 spaces.
- 3) Increase in front yard setback from 15 feet to approximately 195 feet.
- 4) Increase in north side yard setback from 15 feet to 82 feet.
- 5) Reduce the required building façade transparency on the north elevation from 35% to 0%. This only applies to building façade between 4 and 8 feet from adjacent grade.

Land Use/Compatibility

Lot Coverage

Maximum - 80% w/ BMP

Proposed - 78%

Lot Size

Minimum- 10,000 SF

Provided - 60,575 SF

Density/Floor Area Ratio (F.A.R)

Maximum - 1.0
Proposed - 0.11

Setbacks

143rd Street

Required - 15'

Provided - 28.4'

North Side Yard

Required - 15' (Max)

Proposed - 82', Modification Requested (analysis in Site Plan section)

East Front Yard:

Required - 15' (Max)

Proposed - 195' Modification Requested (analysis in Site Plan section)

Rear Yard:

Required - 30'

Proposed - 30'

Building Height

Maximum - 55'

Proposed - 55'

Parking and Loading

Required - 65

Proposed - 85 Modification Requested (analysis in Site Plan section)

Accessory Structures

Garbage Enclosure- The garbage enclosure is being proposed on the north side of the site. The material for the garbage enclosure matches the primary building material.

Mechanicals/Utility Conduits

All mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roofline. Exterior roof ladders are not permitted and must be located interior to the building.

Signage

Signage is not part of this petition and should be submitted for separate review to the Building Division.

This is now before Plan Commission for consideration.

PLAN COMMISSION DISCUSSION

On September 11, 2018 Plan Commission held a public hearing for the Rock and Brews petition. There was no public in attendance however the Plan Commissioners did bring up several issues and the petitioner and staff responded.

Summary of plan commissioner concerns:

1) Do they expect to have loud music on the outdoor patio and will that affect any adjacent residential uses? *The petitioner responded by stating that there would be live music on the patio. Staff followed that this business would be held to the same noise ordinance as all other businesses. In addition, there are currently outdoor seating areas throughout the Village that have live music and staff has not fielded any recent complaints.*

2) The commissioners were also worried that the outdoor seating would not be functional because it is so close to 143rd Street. *The CEO of Rock and Brews responded by stating that they provide a barrier between 143rd Street and the outdoor seating with a barrier wall. He mentioned that typically it is around 8 feet in height but the Village required 4 feet in height. Staff followed up by stating that the max height of a fence (or wall) around outdoor seating is 4 feet.*

3) Commissioner Murphy asked if there was any way they could break up the north elevation as opposed to the large blank single color wall. *Staff clarified that they are proposing artwork at that location and they will be reviewed via appearance review at a later date.*

PLAN COMMISSION MOTION

On September 11, 2018, the Plan Commission, by a vote of 7-0 moved to recommend to the Village Board approved preliminary site plan submitted by the petitioner, prepared by Woolpert, titled "Site Improvement Plans Rock and Brews," and dated August 20, 2018, subject to the following conditions:

- 1) Meet all final engineering and building code related items;
- 2) All parking lot lighting must meet Village Center District standards.

And

Voted 7-0 recommend to the Village Board approval of the Elevations titled "Rendered Elevations," shown on Sheet A2.4, prepared by Group Z Design and dated August 20, 2018, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline;
- 2) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness;
- 3) Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
- 4) Guitar feature must meet all Land Development Code requirements.
- 5) Exterior roof ladder shown on north elevation must be relocated to the interior of the building.
- 6) Submit for appearance review for approval of artwork proposed on elevations.

And

Voted 7-0 to recommend to the Village Board approval of an amendment to the special use permit for planned development, for Orland Crossing to allow the construction of a Rock and Brews Restaurant, on lot 7 in Orland Crossing as depicted on the preliminary site plan of the following variances as

depicted on the preliminary site plan titled the preliminary site plan submitted by the petitioner, prepared by Woolpert, titled "Site Improvement Plans Rock and Brews," and dated August 20, 2018, with the following modifications:

- 1) Parking between the building and the street on the north side setback and east front setback.
- 2) Increase in the number of parking spaces from 65 to 85 spaces.
- 3) Increase in front yard setback from 15 feet to approximately 195 feet.
- 4) Increase in north side yard setback from 15 feet to 82 feet.
- 5) Reduce the required building façade transparency on the north elevation from 35% to 0%. This only applies to building façade between 4 and 8 feet from adjacent grade.

DEVELOPMENT SERVICES PLANNING AND ENGINEERING COMMITTEE DISCUSSION

On September 17, 2018, this item was reviewed by the Development Services Planning and Engineering Committee, recommended for approval and referred to the Village Board of Trustees for consideration.

DEVELOPMENT SERVICES PLANNING AND ENGINEERING COMMITTEE MOTION

Voted 3-0 to recommend approval preliminary site plan submitted by the petitioner, prepared by Woolpert, titled "Site Improvement Plans Rock and Brews," and dated August 20, 2018, subject to the following conditions:

- 1) Meet all final engineering and building code related items;
- 2) All parking lot lighting must meet Village Center District standards.

And

Voted 3-0 to recommend approval of the Elevations titled "Rendered Elevations," shown on Sheet A2.4, prepared by Group Z Design and dated August 20, 2018, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline;
- 2) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness;
- 3) Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
- 4) Guitar feature must meet all Land Development Code requirements.
- 5) Exterior roof ladder shown on north elevation must be relocated to the interior of the building.
- 6) Submit for appearance review for approval of artwork proposed on elevations.

And

Voted 3-0 to recommend approval of an amendment to the special use permit for planned development, for Orland Crossing to allow the construction of a Rock and Brews Restaurant, on lot 7 in Orland Crossing as depicted on the preliminary site plan of the following variances as depicted on the preliminary site plan titled the preliminary site plan submitted by the petitioner, prepared by Woolpert, titled "Site Improvement Plans Rock and Brews," and dated August 20, 2018, with the following modifications:

- 1) Parking between the building and the street on the north side setback and east front setback.

- 2) Increase in the number of parking spaces from 65 to 85 spaces.
- 3) Increase in front yard setback from 15 feet to approximately 195 feet.
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- 5) Reduce the required building façade transparency on the north elevation from 35% to 0%. This only applies to building façade between 4 and 8 feet from adjacent grade.

Recommended Action/Motion

I move to approve the preliminary site plan, elevations, preliminary landscape plan and an amendment to the special use permit for planned development for Orland Crossing to allow the construction of a Rock and Brews Restaurant, on lot 7 in Orland Crossing, with modifications for parking between the building and the street on the north side setback and east front setback, increase in the number of parking spaces from 65 to 85 spaces, increase in front yard setback from 15 feet to 195 feet, increase in north side yard setback from 15 feet to 82 feet, and reduce the required building façade transparency on the north elevation from 35% to 0%, as fully referenced below.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to approve the preliminary site plan submitted by the petitioner, prepared by Woolpert, titled “Site Improvement Plans Rock and Brews,” and dated August 20, 2018, subject to the following conditions:

- 1) Meet all final engineering and building code related items;
- 2) All parking lot lighting must meet Village Center District standards.

And

I move to approve the Elevations titled “Rendered Elevations,” shown on Sheet A2.4, prepared by Group Z Design and dated August 20, 2018, subject to the following conditions. All changes must be made prior to the Board meeting.

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