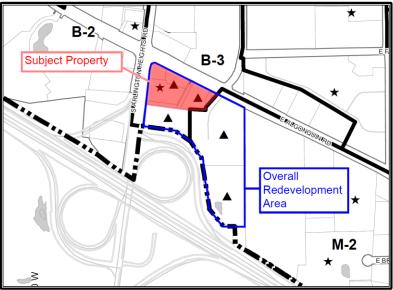


<u>village of arlington heights</u> STAFF DEVELOPMENT COMMITTEE REPORT Project Number: PC 23-012 Project Title: Arlington Gateway Dev. – Phase I Address: 1, 15, 111 E. Algonquin Road, 2355 S. Arlington Heights Road PIN's: 08-16-401-018, -030, -036, -039, -043, -045, and -046

To: Plan Commission Prepared By: Sam Hubbard, Development Planner Meeting Date: November 29, 2023 Date Prepared: November 20, 2023

Petitioner: Mike Moceri, Thomas RoszakMoceri+RoszakAddress:145 S. Wells Street, Suite 700Chicago, IL 60606

*Existing Zoning*: B-3 General Service, Wholesaling and Motor Vehicles District, South Arlington Heights Road Overlay District *Comprehensive Plan*: Mixed-Use



# SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-3: General Service, Wholesale, and Motor Vehicles District	Vacant Land, Mitsuwa Shopping Center	Mixed Use
South	B-3: General Service, Wholesale, and Motor Vehicles District; South Arlington Heights Road Overlay District	Parking Lot, Retail Store (Guitar Center)	Mixed Use
East	M-2: Limited Heavy Manufacturing District; South Arlington Heights Road Overlay District	Multi-tenant Light Industrial Building	Mixed Use
West	B-2, General Business District	Gas Station, Office Building	Commercial, Offices Only

## Requested Action:

- 1. Planned Unit Development (PUD) to allow an 8-story mixed use development with 24,972 square feet of ground floor commercial floor area and 301 multi-family residential units above.
- 2. Rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2, General Business District.
- 3. Preliminary Plat of Subdivision approval to consolidate the subject property into one lot.

## Variations Required:

- Chapter 28, Section 5.1-21.1d, to allow the northeast corner of the 1<sup>st</sup> floor to be setback 2 feet from a property line where code requires a minimum setback of 15 feet for structures 3 floors and less in height.
- Chapter 28, Section 5.1-21.1d, to allow the eastern side of floors 4 through 8 to be setback 21.1 feet from a property line, and to allow the southern side of floors 4 through 8 to be setback 19.2 feet from a property line, where code requires a minimum setback of 50 feet for structures over 3 floors in height.
- Chapter 28, Section 6.6-5.1, to allow balconies on the north side of the building to encroach 0.8 feet into the required 50-foot building setback and on the east and south sides of the building to encroach 16.5 feet into the required 50-foot building setback.
- Chapter 28, Section 10.2-12.3b, to allow 4.0 foot candles along a property line adjacent to a Business District where code restricts maximum foot candles to 2.0.

#### Project Background:

The overall redevelopment area consists of several parcels of land located in the southeast corner of Arlington Heights Road and Algonquin Road, which totals approximately 16.4 acres in size and would be redeveloped in several phases. Phase I, which is the subject of this application, is situated at the corner of Arlington Heights Road and Algonquin Road and is located on a parcel of land approximately 3.65 acres in size. This site is currently occupied by three single-story commercial buildings and a five-story office building, all of which are vacant. Existing access to the Phase 1 site comes from four curb cuts along Algonquin Road, three curb cuts along Arlington Heights Road, and an internal connection to Tonne Road which provides signalized full access to Algonquin Road.

The petitioner, TR Management & Consulting, as agent for the owner, has recently been approved for a demolition permit to allow removal of all existing buildings on the Phase 1 site. In their place, an eight-story mixed-use building has been proposed, including 301 multi-family luxury rental units and 24,972 square feet of ground floor commercial space intended for a mix of restaurant and retail/commercial tenants. The overall master redevelopment plan is conceptual at this stage and subject to change as this project moves forward (see **Exhibit I** at the end of this report). The ownership entity responsible for this proposal is also the owner of the Phase 2 site, has under contract the Phase 3 site, and is partial owners of the Phase 4 site. Future phases of redevelopment could include a mix of additional multi-family units with ground floor commercial spaces, rehabilitation of the former Daily Herald building for reuse as a medical office building, and other possible uses. The entire redevelopment area is located within the South Arlington Heights Road Tax Increment Financing (TIF) District.

The Phase 1 multi-family apartments would be located within floors 2-8, and building amenities would be located on the ground floor and on the 4<sup>th</sup> floor, which would consist of an outdoor pool, fitness room, game room, and lounge/kitchen. The commercial units would also be located on the ground floor, occupying approximately 25,000 square feet. Parking would be located within one partial level within the basement and on floors 1-3. A surface parking lot would include 85 parking stalls for the commercial units. The residential mix is projected at 49 studio units (16%), 159 one-bedroom units (53%), 83 two-bedroom units (28%), and 10 three-bedroom units (3%). There would be a total of 480 parking stalls provided for the residential tenants within the structured podium-style parking garage, which translates to 1.6 parking stalls per unit and 1.19 parking stalls per bedroom.

Access to the site would come from a curb cut on Arlington Heights Road which would serve both the subject property and the Guitar Center to the south, as well as a right-in/right-out curb cut along Algonquin Road. The existing east/west shared access road along the southern side of the site would be maintained, which connects to Tonne Road at the east. Tonne Road is a privately owned road that connects to Algonquin Road at a signalized intersection. The subject property has an easement for access to and along Tonne Road.

## Zoning and Comprehensive Plan

The subject property is located within the B-3, General Service, Wholesale, and Motor Vehicles District, as well as the South Arlington Heights Road Overlay zoning district. The overlay district requires that all developments obtain Planned Unit Development (PUD) approval, for which the petitioner has applied. At the request of the Village, the petitioner has agreed to rezone the property from the B-3 District, which district allows auto repair uses that are not appropriate for this location, to the B-2, General Business District. To consolidate the site into one lot for this redevelopment, the petitioner has requested Preliminary Plat of Subdivision approval, along with approval of a separate Plat of Abrogation and Grant of New Easements to vacate and establish various easements for the site. Certain variations are required, which will be discussed

through-out this report. Any restaurants within this building will require a special use permit, and parking for any such restaurant will need to be vetted as part of any future approvals.

On June 20<sup>th</sup>, 2023, the petitioner appeared for the Village Board for a preliminary review. The meeting minutes from that evening are included in the Plan Commission packet. The petitioner held a neighborhood meeting introduce the project to the surrounding property owners at a nearby hotel on August 29, 2023, however, there were no attendees.

The Comprehensive Plan designates the subject property as Mixed-Use and the proposed development is compatible with this designation. The subject property is also part of the South Arlington Heights Corridor Plan, which will be discussed below.

## South Arlington Heights Road Corridor Plan:

The Village of Arlington Heights established the South Arlington Height Corridor Plan in 2018, which set forth a vision and strategies for improvements within the corridor planning area given its important location at the southern gateway into Arlington Heights. The primary goals of the plan were to improve upon the existing assets within the corridor through beautification, redevelopment, walkability, and placemaking. The subject property is specifically identified as a key development site within the Plan, which calls for a mix of commercial, restaurants, retail, hotel, residential, and entertainment uses within the 16.4-acre redevelopment area. The Plan recommends high density development of up to 12 floors, consolidation of access points, improvements to the streetscape, and the introduction of focal points at the corners of the site. The proposed redevelopment concept is compatible with several of these standards.

## **Overlay Zoning District:**

Pursuant to the South Arlington Heights Road Corridor Plan, in May of 2019 the Village adopted the South Arlington Heights Road Overlay District, which sets forth development guidelines for future redevelopment at the southeast corner of Algonquin Road and Arlington Heights Road. The purpose of this overlay district is to establish specific regulations for redevelopment within the overlay zone as necessary to facilitate the goals of the South Arlington Heights Road Corridor Plan. The overlay zone allows for buildings up to 20 floors in height (200 feet), and dense, mixed-use, pedestrian-friendly redevelopment. The Phase 1 redevelopment is compatible with many of the regulations within the overlay zone, however, the following variations are required:

- 1. Section 5.1-21.1d, to allow the northeast corner of the 1st floor to be setback 2' from a property line where code requires a minimum 15-foot setback for structures 3 floors and less in height.
- 2. Section 5.1-21.1d, to allow the eastern side of floors 4 through 8 to be setback 21.1' from a property line, and to allow the southern side of floors 4 through 8 to be setback 19.2' from a property line, where code requires a minimum setback of 50' for structures over 3 floors in height.

**Exhibit II**, at the end of this report, depicts the location of these variations. The Staff Development Committee is supportive of variation #1 as the setback encroachment is a product of the irregular lot configuration at the northeast corner, which cuts into the property but is used as open space/parkway. The Staff Development Committee is supportive of variation #2 and notes that the 50' required setback for floors 4 and above was established in consideration of the maximum allowed building heights (20 floors) within the Overlay District. As the proposed building would be only 8 floors tall, is part of a master planned redevelopment area, and maintains all code required setbacks along the primary viewing corridors (Arlington Heights Road and Algonquin Road), the proposed setback variations are acceptable.

#### **<u>TIF Redevelopment Plan</u>**

In June of 2020, the Village established a Tax Increment Financing District (TIF) for approximately 65 acres of land within the South Arlington Height Road Corridor. The primary goal of the TIF was to facilitate redevelopment along this important gateway into the Village and the proposed site plan is consistent with several of the objectives approved in the TIF Redevelopment Plan such as: eliminating blighted conditions; improvement to the existing rights-of-way and infrastructure; and promotion of the redevelopment of underutilized property, among others. The Village will evaluate potential TIF assistance for the mixed-use development and adjacent public infrastructure needs.

#### Impact Fees & Affordable Housing

Impact fees (school, park, library) shall be required for all residential units. As the proposed development will be requesting public funding (TIF assistance) it must provide 10% of the overall number of units as onsite affordable units compliant with the Inclusionary Housing Ordinance. As required, the petitioner has agreed to provide 30 onsite units to be rented at or below 60% of the Area Median Income (AMI) in compliance with Village Code. The affordable housing proposal received unanimous support from the Housing Commission.

#### Building, Site, Landscaping:

The development team has worked with staff to refine the building architecture and site layout to address a number of preliminary concerns identified by the SDC. The site has been well designed to comply with both code requirements and conform to the objectives of the South Arlington Height Road Corridor Plan. The commercial spaces are proposed in appropriate locations to take advantage of the site visibility and location at the corner of two major arterial streets. Internal circulation flows well through the site and is enhanced with a central drive aisle that bisects and traverses through the building, providing dedicated areas for parcel/package delivery, resident pick-up/drop-off, and adjacent loading berths for both the commercial spaces and residential tenants. Curb cuts along Algonquin Road and Arlington Heights Road have been consolidated and the building massing has been creatively designed to generate visual interest and primary focal points for the structure.

Because the building does not conform to the required setbacks along the south and east of the site, the balcony projections in this area also encroach further into the code required setback. As such, the following variation is required:

• Section 6.6-5.1, to allow balconies on the north side of the building to encroach 0.8 feet into the required 50-foot building setback and on the east and south sides of the building to encroach 16.5 feet into the required 50-foot building setback.

The Staff Development Committee is also supportive of this variation as the balconies are still well contained within the subject property boundaries and do not encroach beyond the property lines. The balconies will provide access to air and sunlight for the building residents and the need for this variation is primarily a result of the building setback variation.

The existing site does not have much tree cover; however, the petitioner is working with the Village to preserve as many existing trees as possible around the perimeter of the site. 55 new trees will be planted throughout the site upon completion of the project, and the development will include two butterfly gardens with native planting on the north and south sides of the building. There are a number of landscape and streetscape details that are still being finalized, and the Village has outlined certain conditions of approval

relative to these elements. Finally, if Phase 3 is not under construction within 5 years of approval of this PUD, the petitioner shall prepare and implement interim curbing and landscaping along the south side of the east/west access road, which will enhance this area until redevelopment actually occurs.

Given that the east/west access road is a private street located on land within both the subject property and the Guitar Center lot to the south, the light poles that illuminate this private drive trigger the need for the following variation:

• Chapter 28, Section 10.2-12.3b, to allow 4.0-foot candles along a property line adjacent to a Business District where code restricts maximum foot candles to 2.0.

The Staff Development Committee does not take issue with this request and believes it reasonable to provide sufficient light along the private access drive. The petitioner will need to work with staff on the final design for this fixture, which may further reduce the extent of this variation.

## Pedestrian/Bicycle/Sustainability Elements:

The proposed redevelopment is consistent with the South Arlington Heights Road Corridor Plan by replacing the existing carriage-walk sidewalks along Algonquin and Arlington Heights Roads with an 8'-10' parkway and 8' wide sidewalk for use as a multi-use trail. The Village is still evaluating future bikeway improvements in this area, which could connect Busse Woods to the multi-use trail adjacent to the site. The petitioner will be required to work with the Village on enhanced bicycle connections to Busse Woods, where feasible.

As recommended within the Overlay District regulations, the developer has included several sustainable design features on the building, such as solar panels on the roof, electric vehicle charging stations within the garage, and a small green roof on certain portions of the structure.

## Architecture:

The developer has worked with staff to refine the building architecture and has put forth a design concept utilizing modern materials and creative massing. At the October 24, 2023 Design Commission meeting, the petitioner received a unanimous recommendation of approval for the design and appearance of the building. One condition of approval was added to the motion, which relates to the hue/color of the lights on the building and within the covered drop-off area. The minutes from this meeting are included in the materials transmitted to the Plan Commission. The petitioner shall continue to work with staff on the appropriate screen for the mechanical units on the southern side of the building, which must be enclosed by a wall of sufficient height to screen the equipment within.

## Easements:

The existing site is encumbered by several easements that run through the property in various locations. In order to accommodate the proposed building and shared access road along the south of the property, most of these existing easements need to be vacated and the southern access road easement needs to be modified, requiring coordination with some of the neighboring property owners. The petitioner has prepared a separate document to accomplish these vacations/modifications (the Plat of Abrogation and Grant of New Easements), which will need to be signed and recorded prior to recording the Final Plat of Subdivision. Two conditions of approval relative to these easements have been included in the recommendation below.

#### Engineering/Infrastructure:

To address stormwater and MWRD requirements, the petitioner has proposed two underground stormwater vaults within the parking lot. Additionally, as recommended in the South Arlington Heights Corridor Plan, the petitioner will be responsible for burial of the overhead utility lines on the southern side of Algonquin Road between Arlington Heights Road and Tonne Road. The Village is in the process of upgrading a sanitary sewer line along Algonquin Road, which will be necessary to serve the proposed development and surrounding catchment area. The petitioner will be required to submit final engineering plans and a final plat of subdivision at a future date.

The Village has coordinated with Pace on necessary improvements to this bus stop at the northwest corner of the site that will need to be implemented by the petitioner. As part of final plat of subdivision approval, the petitioner shall continue to work with the Village on the final design for this bus stop.

Prior to appearing before the Village Board, the petitioner shall provide a preliminary construction staging plan. At time of application for a building permit, the petitioner shall provide a detailed final construction schedule and logistics plan that identifies staging areas, material storage, lane closures and construction worker parking, for review and approval by the Village. Emergency access must be maintained at all times during each phase of construction

#### Parking and Traffic:

The petitioner has provided a traffic and parking study by a certified traffic engineer that assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, parking, and impacts to public streets. This study has analyzed the traffic and parking impacts of both the Phase 1 development site and the overall master redevelopment scenario. Given that the site abuts two major arterial streets and has excellent access to the I-90 Tollway, the projected traffic impact will be sufficiently accommodated within the existing road network within the vicinity.

The study has identified two improvements needed at the intersection of Tonne Road/Algonquin Road; the first involves minor changes to the timing of the existing traffic signal as part of the first phase of development. The second will be necessary at some point prior to or at full buildout of the overall redevelopment area when traffic warrants will trigger the need for an additional left turn lane along the privately owned section of Tonne Road. The petitioner shall be required to implement these improvements as they become necessary during development. Additionally, if/when they gain the rights or ownership to modify the east/west access road at the eastern end as noted in **Exhibit III** at the end of this report, they shall implement this intersection reconfiguration upon request of the Village.

Parking for the residential uses would be provided within the garage, which was designed to be restricted to residents-only via a roll up door. The developer is anticipating five of these spaces to be dedicated for guest parking (which would be located outside of the garage door) and the remaining 475 parking spaces would be made available for the residential tenants and their guests only. A total of 480 spaces would be dedicated for the residential uses, which exceeds code requirements by six spaces. The exterior surface parking spaces would be dedicated to the commercial tenants with a total of 85 spaces available for employee and customer parking. This results in a two-space parking surplus relative to commercial parking requirements. A summary of the parking is included in the table below:

Parking Required for Residential Uses:	474 spaces
Parking Provided for Residential Uses:	480 spaces
Residential Surplus:	6 spaces
Parking Required for Commercial Uses:	83 spaces
Parking Provided for Commercial Uses:	85 spaces
Commercial Surplus:	2 spaces

In coordination with staff, the petitioner will design the interior of the residential parking garage to be able to accommodate future shared parking between the commercial/residential tenants. This may be necessary given the relatively low parking surplus that each use component has relative to minimum code requirements. The parking surplus only occurs if no restaurant tenants occupy the site. It is anticipated that the site will be attractive to one or more restaurant tenants, and if/when this happens, there will be a parking shortage relative to both code requirements and anticipated demand. The petitioner will need to work with the Village to address any such parking shortage, which may require shared parking in the garage or offsite parking agreements. The detailed parking calculations are shown below:

Use	Square Footage / # of Units	Parking Ratio	<b>Required Parking</b>
Multi-Family Residential*	301	-	-
Studio	49	1 space / unit	49
1-Bdrm	159	1.5 spaces / unit	238.5
2-Bdrm	83	2 spaces / unit	166
3-Bdrm	10	2 spaces / unit	20
Commercial	24,972	1 space / 300 SF	83
	557		
	480		
	85		
	565		
	8		

\* Parking for multi-family uses is based on the Overlay District requirements.

In order to preserve sufficient residential and guest parking, all residential units shall be approved as rental apartments, and conversion of the rental units to condominium units will require an amendment to the Planned Unit Development and the provision of sufficient parking for such change. Due to the high parking demand of medical office uses, these tenants shall not be permitted within the development. The site and building provide a surplus of bike parking relative to code requirements, and both the residential and commercial uses have adequate loading areas.

#### RECOMMENDATION

The Staff Development Committee reviewed the proposed Planned Unit Development to allow an 8-story mixed use development with 24,972 square feet of ground floor commercial floor area and 301 multi-family residential units above, rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2, General Business District, and request for Preliminary Plat of Subdivision approval to consolidate the subject property into one lot, and the following variations from Chapter 28 of the Municipal Code:

1. Section 5.1-21.1d, to allow the northeast corner of the 1st floor to be setback 2 feet from a property line where code requires a minimum setback of 15 feet for structures 3 floors and less in height.

- 2. Section 5.1-21.1d, to allow the eastern side of floors 4 through 8 to be setback 21.1 feet from a property line, and to allow the southern side of floors 4 through 8 to be setback 19.2 feet from a property line, where code requires a minimum setback of 50 feet for structures over 3 floors in height.
- 3. Chapter 28, Section 6.6-5.1, to allow balconies on the north side of the building to encroach 0.8 feet into the required 50-foot building setback and on the east and south sides of the building to encroach 16.5 feet into the required 50-foot building setback.
- 4. Chapter 28, Section 10.2-12.3b, to allow 4.0 foot candles along a property line adjacent to a Business District where code restricts maximum foot candles to 2.0.

The Staff Development Committee recommends **APPROVAL** of the application, subject to the following:

## Infrastructure/Access

- 1. Petitioner shall design, permit and install all traffic required improvements, including, but not limited to, the Phase 1 Tonne Road traffic signal modifications.
- 2. Petitioner shall design, permit and construct intersection improvements at Algonquin Road/Tonne Road at the request of the Village, which shall be made when these improvements are warranted as part of the remaining phases of redevelopment (Phase 2 through 4). These improvements may include, but shall not be limited to, dual left turn lanes on Tonne Road. The share of costs for any such future improvements on the southern leg of this intersection shall be based on the cost sharing provisions within the existing easement agreement governing the private section of Tonne Road. The share of costs for any such future improvements on the northern leg of this intersection shall be 100% the responsibility of the petitioner. The Village is agreeable to the establishment of a recapture agreement for the northern leg costs to be shared amongst all owners within the overall phased redevelopment area.
- 3. The petitioner shall work in good faith with the Village to explore and implement future bicycle access improvements to Busse Woods, if feasible.
- 4. At the request of the Village, the petitioner shall be responsible for modifying the east/west access road located on the southern side of the subject property, which shall be realigned at its intersection with Tonne Road as generally depicted within **Exhibit III**. Said modification shall only be required if/when approval is received from the property owner(s) of the lot directly abutting the subject property to the east, or at such time as the petitioner becomes the controlling owner of that property.
- 5. The petitioner shall be responsible for the burial of the overhead utility lines located on the southern side of Algonquin Road between Tonne Road and Arlington Heights Road, subject to the applicable agency approvals.
- 6. IDOT approval shall be required for the proposed site access along Arlington Heights Road and Algonquin Road, as well as for any improvements proposed within the IDOT right-of-way.
- 7. The petitioner shall implement bus stop improvements to the satisfaction of the Village and in coordination with Pace, which shall be required as part of permit issuance.

## Easements

- 8. Prior to recording of the Final Plat of Subdivision, the Plat of Abrogation and Grant of New Easements shall be executed and recorded. Said document shall provide the following allowances, which shall be to the satisfaction of the Village:
  - a. Perpetual ingress and egress granted to Lots 1, 2, and 3 in the Lincoln Executive Plaza Subdivision, for usage of the east/west access road on the subject property and on the Guitar Center property.
  - b. Perpetual ingress and egress granted to Lot 3 in August Busse's Subdivision (the Guitar Center lot 2375 S. Arlington Heights Rd) for usage of the east/west access road on the subject property.
- 9. A sidewalk easement shall be required for the public sidewalk located on the subject property, which shall be included on the Final Plat of Subdivision.

# **Parking**

- 10. If parking provided is insufficient to meet demand, as determined by the Village, the petitioner shall work with the Village to develop and implement a parking mitigation plan that may include, but shall not be limited to, use restrictions for the commercial tenants, shared commercial parking within the residential garage, valet parking for any restaurants on the subject property (either within the onsite garage or at an offsite location), and/or the provision of off-site parking areas.
- 11. The residential garage shall be designed to facilitate future access restrictions/segregation between commercial parking and residential & guest parking areas should it be necessary to share parking within said garage.

## Streetscape/Landscape

- 12. The petitioner shall collaborate with the Village on the following streetscape/landscape improvements, which shall be implemented by the petitioner to the satisfaction of the Village:
  - a. Implementation of parkway trees within the Arlington Heights and Algonquin Road parkways abutting the subject property.
  - b. Foundation plantings shall be added adjacent to the building where turf is proposed along Arlington Heights Road, Algonquin Road and Tonne Road.
  - c. Decorative pedestrian crossing at Algonquin Road and Tonne Road and at Arlington Heights Road and Algonquin Road. Said crossings shall be designed, permitted and constructed by the petitioner and subject to IDOT review and approval.
  - d. Prior to issuance of a permit, petitioner shall provide a full site furnishing plan for review and approval by the Village, including the following items:
    - i. Decorative pavement and paver details.
    - ii. Decorative parking lot and driveway lights within the interior of the site and along the east/west access drive.
    - iii. Further refinement of the seat wall and pedestrian area at the southeast corner of Arlington Heights Road.
- 13. If Phase 3 is not under construction within 5 years of approval of this PUD, the petitioner shall install an interim curbing and landscape plan for the south side of the east/west access road, for review and approval by the Village.

## <u>General</u>

- 14. Final Plat of Subdivision approval shall be required.
- 15. All restaurants on the subject property shall receive Special Use Permit approval or a Special Use Permit Waiver (if eligible), and shall demonstrate to the satisfaction of the Village, that sufficient parking will be made available.
- 16. As part of Final Plat of Subdivision approval, the petitioner shall provide details on the proposed mechanical unit screen on the southern side of the building, which screen must be tall enough to screen the mechanical units within and shall be of materials that match the building, for review and approval by the Village.
- 17. Compliance with the October 24, 2023, motion approved by the Design Commission shall be required.
- 18. The petitioner is responsible to ensure that the Planned Development is and remains in full compliance with the requirements of Article XVII of Chapter 7 of Village Code, being the Village's Inclusionary Housing Ordinance, and the Village's Inclusionary Housing Guidelines, including, without limitations, the following:
  - a. Providing, at a minimum, 10% of the total units (30 actual on-site units based on 301 total units) in perpetuity in the Planned Development in compliance with Section 7-1707(b)(3) of the Village Code.

- b. Ensuring compliance with all other provisions of the Inclusionary Housing Ordinance and the Inclusionary Housing Guidelines as applicable.
- 19. Land Contribution Fees (Impact Fees) shall be required at time of building permit issuance pursuant to Chapter 29 of the Municipal Code.
- 20. Residential Units are approved as rental apartments. Conversion of the residential units from rental to condominium units will require an amendment to the Planned Unit Development and the provision of sufficient parking for such change as determined necessary by the Village.
- 21. Medical Office uses shall not be permitted on the subject property.
- 22. Prior to appearing before the Village Board, the petitioner shall provide a preliminary construction staging plan. At time of application for a building permit, the petitioner shall provide a detailed final construction schedule and logistics plan that identifies staging areas, material storage, lane closures and construction worker parking, for review and approval by the Village. Emergency access must be maintained at all times during each phase of construction.

\_\_\_\_ November 20, 2023

Michael Lysicatos, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager All Department Heads



#### **Exhibit II** – Building Setback Variations

