

STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: November 9, 2016
Date Prepared: November 4, 2016
Project Title: Lexington Heritage Townhomes
Address: 3216-3234 N. Old Rand Rd.

BACKGROUND INFORMATION

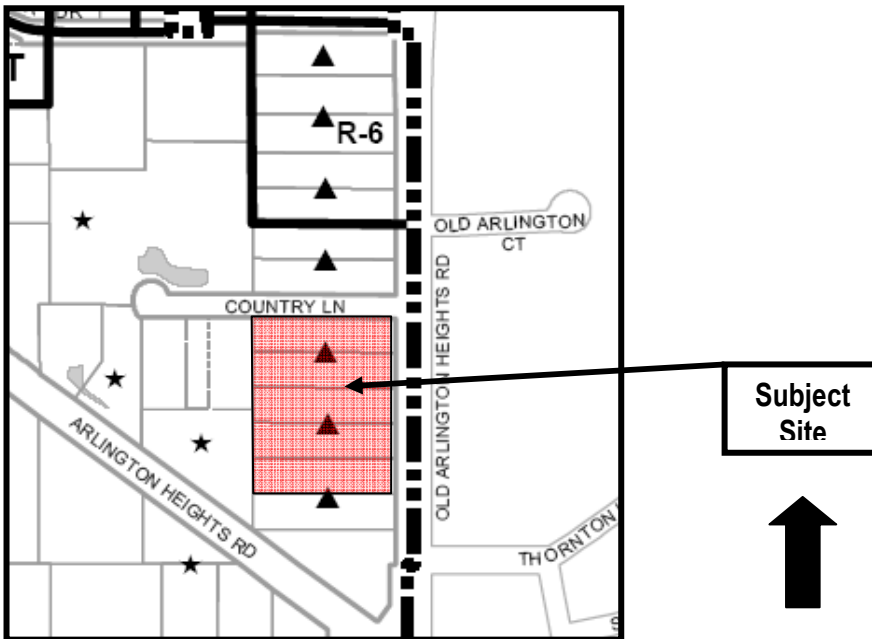
Petitioner: Bill Rotolo – Lexington Homes
Address: 1731 North Marcey Street, Suite 200
 Chicago, IL 60614
Existing Zoning: M-1, Research, Development and Manufacturing District

Requested Action:

- A rezoning from M-1, Research Development and Light Manufacturing to R-6, Multi-Family Dwelling District
- An amendment to the Village's Comprehensive Plan to change the underlying land use designation from Research & Development, Manufacturing and Warehouse to Moderate Density Multi-Family.
- A Preliminary Plat of Resubdivision.
- A Preliminary PUD to allow 9 townhome buildings with 48 dwelling units on one zoning lot.
- Repeal Ordinance 92-059 and 92-060 relative to the Old Arlington Heights Overlay Zone.

Variations Identified:

- See Exhibit I

**Surrounding Properties:**

Direction	Zoning	Existing Use	Comprehensive Plan
North	M-1, Research, Development and Manufacturing	Undeveloped	R&D, Mgf., Warehouse
South	M-1, Research, Development and Manufacturing	Undeveloped	R&D, Mgf., Warehouse
East	The Village of Buffalo Grove; Mill Creek Condominiums		
West	M-1, Research, Development and Manufacturing	Single-Story, Multi-Tenant Office Buildings	R&D, Mgf., Warehouse

Project Summary:

The subject site consists of five land parcels that have a combined area of approximately 4.59 acres (200,000 square feet). Currently, four of the five lots are developed with single family homes, while the fifth lot is vacant. The underlying zoning classification is M-1, Research, Development and Manufacturing and the property has direct frontage along Country Lane to the north and Old Arlington Heights Road to the east. The subject property is also part of the Old Arlington Heights Road Overlay District, which was established in 1992 to ensure unified and cohesive development within the Overlay Zone.

The proposed action, if approved, would allow the Petitioner to demolish the existing structures and construct nine, two-story and three-story townhome buildings that have a total of 48 attached townhome units. The units would contain either two-bedrooms or three-bedrooms, however, the final bedroom count is unknown although the developer has estimated that 88% would be three-bedroom units and 12% would be two-bedroom units. Buildings 1 - 3 will be three-stories and units will have rear loaded garages. Buyers have the option of choosing between two different floor models/floor plans for buildings 1 - 3, with one floor plan containing three-bedrooms and the second floor plan containing two-bedrooms with the optional upgrade of adding a third bedroom without changing the exterior appearance or footprint of the building. Buildings 4 - 9 will be two-stories and units will have front loaded garages and a small back yard. Similarly, buyers have the option of choosing between two different models/floor plans which can accommodate two or three bedrooms depending on buyer preference.

Primary access to the site would come from a full access intersection onto Old Arlington Heights Road as well as a secondary point of access along Country Lane.

Old Arlington Heights Road Overlay Zone

At this time, all five lots are part of the Old Arlington Heights Road Overlay Zone (Ordinance 92-059 and 92-060), which encompasses all of the properties that front the west side of Old Arlington Heights Road between the office building to the south (northwest corner of Old Arlington Heights Road and University Drive) and Boeger Drive to the north. The purpose of the overlay zone is to assure that future redevelopment of the Old Arlington Heights Road corridor is properly developed in a unified and cohesive manner. To accomplish this objective, a number of design standards were established that supplement the underlying zoning regulations and pertain to building height, curb cut location, cross-access, detention, building setbacks, loading, and parking.

Recent development activity within the Old Arlington Heights Road Overlay Zone occurred in 2004 with the approval of the Timber Court condominium development. This development is located at the far north end of the corridor and includes five of the seven land parcels that are north of Country Lane. The Timber Court development consists of three, five story buildings that have a total of 108 dwelling units, 21 of which are designated as affordable. To accommodate this development, the Village rezoned the property from M-1, Research, Development and Manufacturing to R-6, Multiple-Family Dwelling District and amended the Village's Comprehensive Plan to change the underlying land use designation from Research, Development, Manufacturing and Warehouse to Moderate Density Multi-Family. The remaining two parcels that are located between the Timber Court development to the north and Country Lane to the south were not included and are currently zoned M-1, Research, Design, and Light Manufacturing. The Village may want to consider a Village initiated rezoning of these two properties into the R-6 District.

Should the proposed development be approved, much of the Overlay Zone would end up developed and the Staff Development Committee would therefore recommend that the underlying Overlay Zone be repealed since it is no longer needed and was originally intended to promote commercial/office development.

Zoning and Comprehensive Plan

In order for the project to proceed forward, the Village Board would need to approve a rezoning from M-1 to R-6, a Preliminary PUD to allow multiple buildings on a single zoning lot, an amendment to the Village's Comprehensive Plan to change the underlying land use designation from Research, Development and Manufacturing to Moderate Density Multi-Family, and a number of Variations which will be discussed later in this report.

Staff is supportive of the rezoning and amendment to the Comprehensive Plan as the trend of development in this area has been for moderate density multi-family development. In fact, in 2004 when the Timber Court development was approved, the Village

contemplated initiating a rezoning of the subject property into the R-6 District, but instead opted to wait until a development was proposed for the site.

Plat and Subdivision Committee

The Plat and Subdivision Committee met on April 27, 2016, to discuss the proposed development. The subcommittee did not identify any major concerns and encouraged the applicant to move forward. The minutes from this meeting are attached.

Design Commission

The Design Commission met on October 4, 2016, to discuss the proposed development. The Commission recommended approval of the proposed development subject to twelve conditions of approval. The developer and staff worked together to modify and enhance the design of the development as outlined in the Design Commission report and minutes, which are attached. A condition of approval to comply with all Design Commission requirements has been included in staff recommendation for this application

Site Plan

Density within the R-6 District is determined by the number of bedrooms within each unit. As the exact bedroom mix is not finalized, staff analyzed the proposed development with regards to the anticipated bedroom mix as provided by the developer, and an "all three-bedroom" scenario to ensure that density requirements would be met should all units be developed as three-bedroom units. The below table illustrates this analysis:

Anticipated Bedroom Mix			
3 BR Units	2 BR Units	Minimum Land Area Required	Proposed Land Area
42	6	162,000 sq. ft.	200,000 sq. ft.

"All 3-Bedroom" Scenario			
3 BR Units	2 BR Units	Minimum Land Area Required	Proposed Land Area
48	0	168,000 sq. ft.	200,000 sq. ft.

Based on this information, all density requirements will be met regardless of the final bedroom count.

Additionally, the applicant has worked closely with staff to provide a site plan that conforms to all emergency access requirements. Based on the needs of the Fire Department, a 20' fire lane will be installed connecting the interior of the site to Country Lane, which will enhance emergency vehicle egress. Bollards will be added to prohibit general traffic from using this fire lane. In addition, each building will be protected by a fire sprinkler system. It should be noted that the Fire Department has asked for a condition of approval that prohibits the construction of any fence in-between any of the townhome buildings and Old Arlington Heights Road and Country Lane as this area could potentially be used by emergency responders and may be needed for emergency access. A condition of approval outlining such has been included.

Site detention is proposed within an underground storage vault which will be located within the grassed courtyard towards the center of the site. Storm water will be directed to this underground vault where it will be detained and then released into the public storm sewer network located along Old Arlington Heights Road. At this time, Old Arlington Heights Road is under the jurisdiction of IDOT and the petitioner will need to obtain a permit from IDOT in order to tie into the public storm system. It should be noted that the interior roadway system and underground utilities (water, sewer, storm) will be privately owned and maintained by the Homeowners Association.

Several retaining walls have been proposed around the buildings in the northeast portion the development. None of the retaining walls have been proposed at greater than 3' in height and additional landscaping has been added to help screen these walls. Staff does not take issue with the retaining walls and notes that final color and style of the walls will be determined during Final PUD approval.

Variations

As noted above, multiple Variations are required for the proposed development. The petitioner has elected to resubdivide the property so that each townhome unit is located on a separate subdivided lot of record, which is preferable to the developer as it allows for fee-simple transfer of ownership. Since Village Code requires that each platted lot be considered separately with regard to compliance with all setback, lot size, and bulk regulations, the majority of requested Variations relate only to the individual townhome unit lots. Many of these variations would not be required if the site was developed as only one lot. In order to understand the requested Variations, staff has broken them down into two types; 1) Variations required for the individual townhome unit lots, and 2) Variations required for the overall PUD. While there are a total of 25 Variations requested, 20 of these Variations are due to the method of resubdivision as described above. If the site was resubdivided and developed as one lot of record, the number of Variations would decrease from 25 to 5.

Individual Townhome Lot Variations

- Variations 1 thru 4 as identified in Exhibit 1 are required because the individual townhome unit lots do not comply with the minimum allowed lot sizes within the R-6 District. As outlined in the Site Plan section above, the overall land area for the development complies with density requirements regardless of the bedroom mix, and therefore staff is supportive of this variation. It may be noted that this variation is structured assuming that each townhome lot contains a three-bedroom unit, which allows the developer flexibility when selling to customers who may elect for either the two-bedroom model or three-bedroom model.
- Variations 5 thru 11 relate to the setbacks of the townhome units on the individual townhome unit lots. Again, had the development been resubdivided as only one lot of record, these Variations would not be necessary. Different unit models are setback at slightly different distances from the townhome unit property lines to decrease the “walled” effect and overall mass of the structure, therefore, this Variation was designed assuming that the unit model which encroaches the most into the setback area is constructed on each lot. This gives the developer flexibility to offer both models on any lot as each model will conform to the Variation (i.e. the developer is not tied into placing certain models on specific lots within the subdivision).
- Variations 12 thru 15 relate to building lot coverage and are required due to the small size of the individual townhome unit lots. As the overall site complies with all building lot coverage restrictions, staff is supportive of this Variation. Since the different models have slightly different footprints, this Variation was structured assuming that largest model would be built on each lot, which doesn't restrict the developer to certain models on specific lots.
- Variations 16 and 17 relate to F.A.R. restrictions, which Variations are only necessary due to the small size of the individual townhome unit lots. Since the overall site conforms to all F.A.R. restrictions, staff is supportive of this Variation. Similar to the other Variations, this Variation was designed assuming that each townhome unit lot was developed with the model that offers the largest floor plan. This allows the developer flexibility to offer both model types on each lot and does not tie the developer down to providing a certain model on a specific lot.
- Variations 18 and 20 deal with deck setback and air conditioner unit setbacks respectively. As these Variations would not be required had the resubdivision been proposed as one lot, staff is supportive of these Variations.
- Variation 19 relates to bay window projections into side yards. It is unknown which units will opt for the bay window upgrade, so this Variation was designed to apply to all units eligible for bay windows. Similar to the other Variations, this would not be required had the development been designed as one lot, and staff is supportive of this Variation.

Overall PUD Variations

The following Variations relate to the overall site and would be required regardless of whether the property was resubdivided as one lot or resubdivided to have each townhome unit as a standalone lot.

- Variation 21 is to reduce the required side yard (western) setback for buildings 8 and 9 from 41' to 31'. Side yard setbacks in the R-6 District are calculated at 10% of the overall lot width plus 1 foot for every foot that the building height is over 25'. The lot width is 400', and the buildings are 26' in height; therefore a 41' side yard setback is required. This setback is measured from the building to the exterior lot lines as a traditional setback would be measured, opposed to the individual

townhome unit setbacks which are measured from the building to interior lot lines. The applicant has provided the necessary justification for Variation approval and staff concurs that the standards for approval have been met.

- Variations 22 and 23 relate to the spacing between buildings, which separation is calculated based on the type of room and presence of windows on the exterior of each building. If the elevation of either or both buildings has a living room with windows that faces the opposite building, then a 50' setback is required between buildings. Since the floor plans have placed the living rooms on the edge of each unit and the developer has opted to provide windows along the side of the living room, these Variations are required. Had the developer eliminated the two windows on the sides of these living rooms, this Variation would not be required. Staff believes it is preferable to provide these windows within the living room area to increase opportunities for natural light within these spaces, and is supportive of these Variations.
- Variation 24 deals with the two "guest" parking spaces located along the interior drive aisle at the north end of the development. Off-street parking spaces are required to be located outside of the front yard setback within the R-6 District. As one of these spaces encroaches approximately 7' into this setback area, a Variation is required. Had the streets in this development been dedicated as public Right-of-Way, this Variation would not be required because the parking spaces would be within the public Right-of-Way. However, since the streets are private, these parking spaces are technically "off-street" spaces and required to conform to the front yard setback. Staff is supportive of this Variation due to the on-street characteristic of these parking spaces.
- Variation 25 relates to the proposed 6' tall fence to be erected between units on buildings 4 thru 9. Village Code limits all fences to 5' in height unless they are located along a major arterial or when required for a buffer between zoning districts. As these fences do not meet either of these standards, a Variation is required. Staff is supportive of this Variation as it will help to increase the privacy between units, which privacy is important given the attached nature of townhome units.

Landscaping and Tree Preservation

According to the tree preservation plan there are 411 various trees throughout the site that have a trunk caliper size of three-inches or greater. The majority of these trees are less desirable species (such as Box Elders or Siberian Elms). A total of 91% of all trees onsite are in either poor or very poor condition. As a result, only 18 of the 411 trees are proposed for preservation. A total of 171 trees will be installed at the end of the construction process, encompassing 19 different species of high quality deciduous and evergreen trees. Due to the poor health and quality of many of the trees on site, staff believes that the tree preservation plan is acceptable.

In conjunction with the tree preservation plan, the applicant has submitted a code compliant landscape plan. Additionally, staff has worked with the petitioner to install small areas of decorative paving at the two main entrance points into the site.

Traffic & Parking

The petitioner has submitted a traffic and parking study in conjunction with their application.

Traffic

The traffic study has analyzed the existing traffic conditions and forecasted future traffic conditions taking into account the anticipated trips to be generated by this development. Peak travel times in the vicinity occur between 7:00am and 8:00am on the weekday mornings and between 5:00pm and 6:00pm on weekday evenings. The traffic analysis has found that the existing street network provides adequate capacity to accommodate the minimal increase in traffic to be generated by the proposed development (29 additional trips during morning peak and 33 additional trips during evening peak). Staff concurs that the development will not have a significant impact on area roadways. It should be noted that the developer will be adding a second lane of southbound travel to Old Arlington Heights Road, which will match the existing two southbound lanes to the south of the development.

Parking

Village Code requires two parking spaces for each dwelling unit within the R-6 District. With 48 units, 96 parking spaces are required by code. Each unit will contain a two-car garage, which will provide the code required 96 off-street parking spaces. Additionally, each driveway will be a minimum of 18' in length and 16' in width, which provides adequate space for two guest vehicles on each driveway. Finally, the applicant has provided ten parking spaces along the circulation road within the development

for additional guest parking. When taking into consideration the garage spaces, driveway spaces, and guest parking spaces, a total of 202 spaces will be provided on site, which equates to 4.2 parking spaces per unit. This number is within the realm of similarly approved townhome developments, such as the Arbor Lane Townhomes which provides 4.5 spaces per unit and the Arlington Crossings Townhomes which provides 4.39 spaces per unit. Therefore, Staff is of the opinion that there is sufficient parking to accommodate the projected parking demand of the future residents and their visitors. It should be noted that the ITE estimates parking demand for townhome units to be 1.38 spaces per unit and the proposed parking vastly exceeds ITE requirements.

Housing Commission

It is the policy of the Village of Arlington Heights to promote adequate housing for all of the community's people; to create and/or maintain sound viable neighborhoods, to meet the needs for housing by increasing the number of housing units for low and moderate income families and individuals, and to expand housing opportunities for all members of the community. In response to this policy all applications for new multi-family residential Planned Unit Developments (PUDs) are to include assessments of the affordability of the proposed development, information concerning the inclusion of affordable units, or other information related to the development's responsiveness to the Village's Affordable Multi-Family Housing Policy.

To assist developers, the Village Board endorsed an Affordable Housing Toolkit, which establishes guidelines relative to the rate of inclusion of affordable units based on the total number of units proposed. Since the proposed development has 48 units, 8 affordable units are recommended (see Table 1).

Table 1: Affordable Housing Guidelines

Number of Residential Units in the Project	Percentage of Affordable Units
10 or fewer	0.0%
11-50	12%
51-100	15%
101 or more	20%

On September 6, 2016 the Housing Commission recommended and the Petitioner has agreed to provide a fee in lieu of the eight affordable dwelling units called for under the Village's Multi-Family Affordable Housing Toolkit. This fee will be \$2,500 per each of the 48 units within the development, which is equivalent to \$15,312.50 for each of the 8 affordable units not provided, for a total of \$122,500. The Village will use said funds to create and/or preserve affordable housing elsewhere in the community.

RECOMMENDATION

The Staff Development Committee reviewed the proposed request and recommends approval of the following actions:

- A rezoning from M-1, Research Development and Light Manufacturing to R-6, Multi-Family Dwelling District
- An amendment to the Village's Comprehensive Plan to change the underlying land use designation from Research & Development, Manufacturing and Warehouse to Moderate Density Multi-Family.
- A Preliminary Plat of Resubdivision.
- A Preliminary PUD to allow 9 townhome buildings with 48 dwelling units on one zoning lot.
- Repeal Ordinance 92-059 and 92-060 relative to the Old Arlington Heights Overlay Zone.
- Variations 1 - 25 as outlined in Exhibit 1.

This approval shall be subject to the following conditions:

1. Approval of Final Plat of Subdivision and Final PUD.
2. The internal roadway network and all underground utilities (water, sanitary, storm) shall be privately owned and maintained by the Homeowners Association.
3. The Petitioner shall comply with the September 6, 2016 motion of the Housing Commission to provide a fee in lieu of for affordable housing (\$2,500 for each unit in the development) to be paid at the time of building permit.
4. The Petitioner shall comply with the October 4, 2016 motion of the Design Commission.
5. No fence shall be allowed in the area between the townhome buildings and Old Arlington Heights Road and no fence shall be constructed in the area between the townhome buildings and Country Lane.

6. Construction of all off-site public improvements as required per IDOT approval.
7. Contribution fees shall be paid for Parks, Schools and Library per Chapter 29 of the Municipal Code.
8. The Petitioner shall comply with all Federal, State, and Village Codes, Regulations and Policies.

_____, November 4, 2016

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

Exhibit 1 – Variations Required**Variations Required for the Individual Townhome Lots:**

1. A Variation from Chapter 28, Section 5.1-6.3 to reduce the required minimum lot size from 3,500 sq. ft. to 1,200 sq. ft. on lots 1-1, 1-6, 2-1, 2-7, 3-1, and 3-6.
2. A Variation from Chapter 28, Section 5.1-6.3 to reduce the minimum lot size from 3,500 sq. ft. to 1,020 sq. ft. on lots 1-2 thru 1-5, 2-2 thru 2-6, and 3-2 thru 3-5.
3. A Variation from Chapter 28, Section 5.1-6.3 to reduce the minimum lot size from 3,500 sq. ft. to 2,238 sq. ft. on lots 4-1, 4-4, 5-1, 5-4, 6-1, 6-5, 7-1, 7-4, 8-1, 8-6, 9-1, and 9-6.
4. A Variation from Chapter 28, Section 5.1-6.3 to reduce the minimum lot size from 3,500 sq. ft. to 1,975 sq. ft. on lots 4-2, 4-3, 5-2, 5-3, 6-2 thru 6-4, 7-2, 7-3, 8-2 thru 8-5, and 9-2 thru 9-5.
5. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required front yard setback from 30' to 3' for lots 1-1 thru 3-6.
6. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required front yard setback from 26' to 1.5' for lots 4-1 thru 9-6.
7. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required side yard setback from 7.5' to 0' on lots 1-1, 1-6, 2-1, 2-7, 3-1, and 3-6.
8. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required side yard setback from 7.13' to 0' on lots 1-2 thru 1-5, 2-2 thru 2-6, and 3-2 thru 3-5.
9. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required side yard setback 7' to 0' on lots 4-1 thru 9-6.
10. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required rear yard setback from 35' to 4' on lots 1-1 thru 3-6.
11. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required rear yard setback from 31' to 19.25' on lots 4-1 thru 9-6.
12. A Variation from Chapter 28, Section 5.1-6.5 to increase the maximum allowable Building Lot Coverage from 35% to 76% for Lots 1-1, 1-6, 2-1, 2-7, 3-1, and 3-6.
13. A Variation from Chapter 28, Section 5.1-6.5 to increase the maximum allowable Building Lot Coverage from 35% to 85% on Lots 1-2 thru 1-5, 2-2 thru 2-6, and 3-2 thru 3-5.
14. A Variation from Chapter 28, Section 5.1-6.5 to increase the maximum allowable Building Lot Coverage from 35% to 60% on Lots 4-1, 4-4, 5-1, 5-4, 6-1, 6-5, 7-1, 7-4, 8-1, 8-6, 9-1, and 9-6.
15. A Variation from Chapter 28, Section 5.1-6.5 to increase the maximum allowable Building Lot Coverage from 35% to 67% on Lots 4-2, 4-3, 5-2, 5-3, 6-2 thru 6-4, 7-2, 7-3, 8-2 thru 8-5, and 9-2 thru 9-5.
16. A Variation from Chapter 28, Section 5.3-2 to increase the maximum allowable F.A.R. from 150% to 180% for Lots 1-1, 1-6, 2-1, 2-7, 3-1, and 3-6.
17. A Variation from Chapter 28, Section 5.1-6.5 to increase the maximum allowable F.A.R. from 150% to 205% on Lots 1-2 thru 1-5, 2-2 thru 2-6, and 3-2 thru 3-5.
18. A Variation from Chapter 28, Section 6.6-5 to allow decks on Lots 1-1 thru Lot 3-6 to be setback 0' from the rear lot line.
19. A Variation from Chapter 28, Section 6.6-5.1 to allow bay windows to project 2' into the side yard on Lots 1-1, 1-6, 2-1, 2-7, 3-1, 3-6, 4-1, 4-4, 5-1, 5-4, 6-1, 6-5, 7-1, 7-4, 8-1, 8-6, 9-1, and 9-6.
20. A Variation from Section 6.6-5.1 to allow Central Air Conditioning Units to encroach outside of the buildable area and into the required side and rear yards up to 0' setback from the side and rear lot lines on lots 1-1 thru 9-6.

Variations Required for the Overall PUD:

21. A Variation from Chapter 28, Section 5.1-6.4.1 to reduce the required side yard setback from 41' to 31' for Townhome Buildings 8 and 9.
22. A Variation from Chapter 28, Section 5.1-6.9(a) to reduce the minimum spacing requirements between Townhome Buildings 8 and 9 from 50' to 34'.
23. A Variation from Chapter 28, Section 5.1-6.9(a) to reduce the minimum spacing requirements between Townhome Buildings 6 and 7 from 50' to 40'.
24. A Variation from Chapter 28, Section 11.2-11.2 to allow off-street parking spaces to be located in the front yard setback (relative to the northern most guest parking stall which is setback approximately 18' from the front yard line and required to be setback a minimum of 25').
25. A Variation from Chapter 28, Section 6.13-3b to increase the maximum height of fences from 5' to 6' tall in the rear yard to allow 6' tall board on board fences in the rear yards of the units in Townhome Buildings 4 thru 9.