

STAFF REPORT
October 26, 2006

No. 06PD083 - Planned Unit Development - Final Development Plan

ITEM 43

GENERAL INFORMATION:

PETITIONER	Designworks, Inc. for Founder's Park, LLC
REQUEST	No. 06PD083 - Planned Unit Development – Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	A parcel of land commencing from the South East Corner of the W1/2 NW1/4 SE1/4, Section 35, T1N, R7E, BHM consisting of a 5/8" rebar with #1019 cap; Thence North a distance of 234.88' to the Point of Beginning; Thence N57°44'34.6"W a distance of 207.90' to the PC of a right-hand curve with a radius of 330.50' and a delta angle of 117°48'29"; Thence N60°03'54.5"E a distance of 50.54' to the PC of a left-hand curve with a radius of 299.50' and a delta angle of 34°25'17"; Thence South a distance of 832.01' to the point of beginning.
PARCEL ACREAGE	Approximately 4.13 acres
LOCATION	Founder's Park Drive west of the Executive Golf Course
EXISTING ZONING	Office Commercial District (Planned Unit Development)
SURROUNDING ZONING	
North:	Park Forest District
South:	Flood Hazard District
East:	Flood Hazard District - Office Commercial District (Planned Commercial Development)
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/28/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Planned Unit Development – Initial and Final Development Plan be approved with the following stipulations:

1. An Exception to the Parking Regulations to reduce the parking requirement from 264 spaces to 228 is hereby denied. In addition, prior to Planning Commission approval, the site plan shall be revised to provide a minimum of 264 parking spaces with seven of the spaces being handicap accessible. One of the handicap spaces shall be "Van" accessible. The applicant also has the option of reducing the size of the proposed structures so that the minimum parking requirement as per the City's adopted Parking

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- Regulations is being provided;
2. Prior to Planning Commission approval, the construction plans shall be revised eliminating the retaining wall from the right-of-way or an Exception shall be obtained to allow the encroachment;
3. Prior to Planning Commission approval, the location, size and noise rating of any exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
5. Prior to issuance of a Building Permit, calculations for the proposed 18 inch storm sewer, including the velocity at the outlet, shall be submitted for review and approval. Additional erosion control measures shall also be provided if needed based on the velocity at the inlet;
6. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;
7. Prior to issuance of a building permit, a Final Plat shall be recorded securing access to and through the proposed lots;
8. Prior to issuance of a building permit, a joint parking agreement shall be submitted for review and approval and, subsequently, recorded to allow the parking lot to be located on Lots 6, 7, 8 and 9 of the Village at Founders Park;
9. All development located within the federally designated 100 year floodplain shall be in compliance with the approved Floodplain Development Permit. In addition, prior to the start of construction, a 404 Permit shall be obtained for any work located within the federally designated 100 year floodplain if and as needed;
10. An Exception to the Landscaping Ordinance is hereby granted waiving the requirement to provide four planter islands with the stipulation that one large planter boulevard measuring 480 feet in length by 25 feet in width be provided as proposed;
11. A minimum of 148,296 landscaping points shall be provided. In addition, the landscaping shall be designed within the planter boulevard to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and shall be planted with the specific size and plant material proposed. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
12. All signage shall conform architecturally to the design plans and color palette submitted as a part of this Planned Unit Development. The lighting for the sign(s) shall be designed to preclude reflection on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
13. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
14. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, on-site fire hydrant shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;
15. An Air Quality Permit shall be obtained prior to any development work or construction in

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- excess of one acre;
16. The rear yard setback for the four commercial buildings on proposed Lots 6, 7, 8 and 9 is hereby reduced from 25 feet to 10 feet. Unless otherwise stipulated, all other setback requirements as per the Office Commercial District shall be met;
 17. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Initial Planned Unit Development;
 18. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Unit Development application or a subsequent Major Amendment;
 19. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years; and,
 20. A 25,754 square foot office commercial structure shall be allowed on proposed Lot 7 as proposed. In addition, a Major Amendment to the Planned Unit Development shall be obtained prior to issuance of a building permit for any future development on Lots 6, 8 and 9.

GENERAL COMMENTS:

The applicant has submitted an Initial and Planned Unit Development to allow a 25,754 square foot office commercial structure to be located on proposed Lot 7. In addition, the applicant has indicated that an office commercial structure will be located on Lots 6, 8 and 9, respectively, in the future.

On March 9, 2006, the Planning Commission approved an Initial Planned Residential Development to allow a mix of multi-family units and office uses to be constructed on 20 acres, which included the subject property. On March 20, 2006, the City Council approved a Layout Plat to subdivide the 20 acres into three lots. In addition, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan to eliminate West Street as a collector street. The City Council also approved a Variance to the Subdivision Regulations as follows:

1. To waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the 60 foot wide road easement located on proposed Lot 3;
2. To waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and to reduce the right-of-way/easement widths from 49 feet to 20 feet and 24 feet, respectively, for the proposed private access easement with the stipulation that the private access easement be constructed with a minimum 20 foot wide paved surface; and,
3. To waive the requirement to install sidewalk along both sides of the commercial street with the stipulation that a sidewalk be provided along one side of the street.

On April 17, 2006, the City Council approved a Vacation of Right-of-way to vacate West Street with the stipulation that the applicant enter into an agreement with the City to insure that West Street shall remain in place with adequate easement(s) being recorded at the Register of Deed's Office and to insure the coordination of the removal and construction of access street(s) as needed.

On August 21, 2006, the City Council approved a Preliminary Plat to subdivide 20 acres into

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11 lots which included the subject property.

The property is located at the western terminus of W. Chicago Street and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Initial and Final Planned Unit Development and has noted the following considerations:

Design Features: The applicant has submitted elevations of the proposed office building. The elevations identify that the office building on proposed Lot 7 will be a two story structure. The applicant has also submitted a list of building materials and design standards identifying that the buildings will be constructed with a combination of stone or brick veneer, fiber-cement siding or copper looking metal wall finish, wood, glass, stucco and have a pitched roof with shake looking roofing. In addition, the applicant has indicated that the structure will be earth tone in color. Staff is recommending that the proposed structure(s) conform architecturally to the plans and elevations and color palette submitted as part of this Initial Planned Unit Development.

Landscaping: A minimum of 148,296 landscaping points are required. In addition, four planter islands must be provided. The applicant's site plan identifies that 223,680 points are being provided. In addition, one large planter boulevard is being proposed in lieu of four smaller planter islands. The planter boulevard measures approximately 480 feet in length by 25 feet in width. The landscape material proposed within the boulevard has been designed to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot. As such, staff is recommending that an Exception to the Landscaping Ordinance be granted to allow the one large planter boulevard in lieu of the four smaller planter islands with the stipulation that the planter boulevard be provided and landscaped as proposed. In addition, staff is recommending that the landscaping plan comply with the submitted plan. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Parking: The applicant has submitted a site plan showing that the four commercial structures are to be used as a combination of office use and storage and/or mechanical use resulting in a parking requirement of a minimum of 264 parking spaces. In addition, seven of the parking spaces must be handicap accessible, with one of the spaces being "Van" accessible. The applicant has requested a parking reduction of 14% or 36 spaces. In particular, the applicant has indicated that the anticipated office use on the property should not require that a minimum of five parking spaces be provided for each 1,000 square foot of gross floor area. However, staff has noted that the parking calculation used by the applicant reduces the parking requirement for storage and/or mechanical areas to .25 parking spaces per 1,000 square foot of gross floor area. In addition, the requirement to provide five parking spaces per 1,000 square foot of gross floor area for office use is a minimum standard and is also cited in the Parking Generation published by the Institute of Transportation Engineers (ITE) as a minimum standard. As such, staff is recommending that the Exception to the Parking Regulations to reduce the parking requirement from 264 spaces to 228 be denied. In addition, prior to Planning Commission approval, the site plan must be revised to provide a minimum of 264 parking spaces with seven of the spaces

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being handicap accessible. One of the handicap spaces must be "Van" accessible. The applicant also has the option of reducing the size of the proposed buildings which will result in a reduction in the parking requirements in order to provide the minimum required parking on the subject property.

Staff has also noted that the parking lot is designed as a joint parking facility located on all four of the proposed lots. As such, staff is recommending that prior to issuance of a building permit, a joint parking agreement must be submitted for review and approval and, subsequently, recorded to allow the parking lot to be located on Lots 6, 7, 8 and 9 of the Village at Founders Park.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, one on-site fire hydrant must be provided for each structure. The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure must be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code. Staff is recommending that all International Fire Codes be continually met.

Final Plat: Staff is recommending that prior to issuance of a building permit, a Final Plat be submitted for approval to insure that all subdivision improvements have been completed or surety posted for the improvements. In addition, a Final Plat must be recorded to insure legal access to the proposed Lot(s) and through the lots.

Setbacks: The applicant has requested a reduction in the rear yard setback for the four office buildings as they abut the recently vacated West Street Right-of-way. Staff has noted that the adjacent property is owned by the City and is the location of a golf course. The Planning Commission previously approved a similar request to reduce the rear yard setback for the three office buildings as shown on the original Initial Planned Unit Development from 25 feet to 10 feet with the stipulation that West Street be vacated prior to or in conjunction with approval of the Final Planned Unit Development application. In addition, it was stipulated that the applicant enter into an agreement with the City coordinating the removal and construction of access street(s) as needed. West Street has subsequently been vacated and the applicant has entered into the agreement as required. With the vacation of West Street and the open area provided by the golf course, the reduced setback will have a minimal impact on the adjacent property. As such, staff is recommending that the rear yard setback for the four office buildings be reduced from 25 feet to 10 feet.

Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 26, 2006 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.