



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
www.orlandpark.org

## Department Requested Action

File Number: 2010-0616

**Agenda Date:** 8/15/2011

**Version:** 0

**Status:** PASSED

**In Control:** Board of Trustees

**File Type:** ORDINANCE

### Title/Name/Summary

McDuffy Development - Site Plan

### History

#### PROJECT:

McDuffy Development - 2010-0616

#### PETITIONER:

Phillip Duffy;

#### REQUESTED ACTION:

Site Plan Review

#### PURPOSE:

The purpose of this petition is to redevelop a single family home lot and construct a three-story, 14,820 square foot mixed-use building on a commercial lot in the Old Orland Historic District.

#### LOCATION:

14332 Beacon Avenue;

#### P.I.N. NUMBER:

27-09-207-022;

#### ATTACHMENTS:

Site Plan  
Elevations

#### SIZE:

14,820 total square feet;  
4,940 square foot footprint;  
7,500 square foot lot;

#### EXISTING ZONING:

OOH Old Orland Historic District;

#### EXISTING LAND USE:

Single-Family Home;

**SURROUNDING ZONING AND LAND USE:**

North: OOH Old Orland Historic District - 14330 Beacon Avenue (Landmark)/ Retail;  
South: OOH Old Orland Historic District - Office;  
East: OOH Old Orland Historic District - 14339 Beacon Avenue (Landmark)/ Single Family Home;  
West: OOH Old Orland Historic District - Single-Family Homes (across alley);

**COMPREHENSIVE PLAN DESIGNATION:**

Community Intensity Commercial/ Office;

**PUBLIC UTILITIES:**

This site is served by all public utilities, including water and sanitary sewer. Electric power lines hang over the site in an east-west manner. In order to redevelop the site, the petitioner will have to coordinate with ComEd to move the power lines.

**FLOODPLAIN:**

This site is not located within a floodplain area or impacted by any storm water flows or depressional areas.

**TRANSPORTATION:**

The site currently fronts Beacon Avenue and is accessed from an alley to the west between Beacon and Oak Avenues. Beacon Avenue is a local street.

**PLANNING OVERVIEW:**

The petitioner proposes to demolish the existing single family home at 14332 Beacon Avenue and replace it with a new 14,820 square foot mixed-use building that will have two commercial spaces on the ground floor and four (4) residential units on the second and third floors. The proposed building will have a footprint of 4,940 square feet.

The existing single family home at 14332 Beacon Avenue is located within the permitted commercial area as outlined by Section 6-209 of the Land Development Code for Beacon Avenue. The Code permits "residential units above retail or commercial establishments" on Beacon Avenue between 143rd Street and 144th Street. The proposed mixed-use building is a conforming use for the area. (The Old Orland Historic District, as a zoning district, contains two commercial sub-districts wherein non-residential development is permitted. These are located along Beacon Avenue and Union Avenue).

The petition before the Plan Commission will only consider the site plan of the proposed redevelopment, since the elevations of the building are within the purview of the Historic Preservation Review Commission's (HPRC) review responsibilities for the Historic District. The elevations will be reviewed at the next HPRC meeting. Elevations are provided with this report for reference purposes.

**DISCUSSION:**

### Land Use and Compatibility

The proposed mixed-use building is a compatible land use for the zoning district and the commercial sub-district along Beacon Avenue. It is also compatible with the Comprehensive Plan.

### Subdivision.

Lot sizes along Beacon Avenue are typically irregular long narrow lots. The subject property, however, is currently a consolidated lot and therefore does not require consolidation.

### Natural Features

The subject lot contains six mature trees. Of the six trees, three are coniferous types and do not require tree mitigation upon removal. The remaining three are deciduous types, with one tree on the south property line potentially being a Heritage Tree. A Heritage Tree is defined by Section 6-305.1.B.1.a of the Land Development Code as “any tree that is twenty-four (24”) inches in diameter, or greater, measured four (4’) feet from the ground from any lot, developed or undeveloped.”

The petitioner must verify the species of the tree and the diameter to determine if the tree is a Heritage Tree. If it is determined that the tree is a Heritage Tree, then tree mitigation will be required for its removal.

The petitioner plans to remove all trees from the site in order to place the proposed mixed-use building.

### General Design of Project

The proposed mixed-use building will have two commercial units on the first floor facing Beacon Avenue and four residential units above. Two units will be on the second floor and two on the third. Along the front façade, three entrances will be present. Commercial entrances are proposed at the northeast corner of the building (facing diagonally) and at the south end of the building (facing Beacon perpendicularly). The residential units above will have an entrance on the first floor toward the center of the façade. The central entrance will lead to a vestibule that will access the residences upstairs.

At the rear of the building an entrance will be located at the north and south ends of the building flanking either side of the garages. Four garages will exist at the rear, one for each residential unit. The residential units are proposed to be rental condominiums. Each unit will have access to a deck system at the rear of the building that will also act as fire escape/ point of egress for the units.

### Land Use Intensity and Lot Size

The proposed redevelopment increases the land use intensity of the site. The site is currently a single family home. A mixed-use building increases the residential density from one (1) dwelling unit per .17 acres to four (4) dwelling units per .17 acres. Even so, Old Orland is a unique place in that the neighborhood has historically been denser than other subsequent neighborhoods, subdivisions and developments in the Village while at the same time it has also been more mixed in the kinds of uses present. The zoning

regulations are intended to reflect this historic quality of the neighborhood and permit this kind of development. The discussions on setbacks, height and lot coverage etc. outlined below indicate that the size and scale of the development conforms to the Historic District regulations.

The subject lot size is 75 feet wide by 100 feet deep (7,500 square feet). The minimum lot width for “non-residential or mixed-use development” in the Historic District is 50 feet (with a minimum lot area of 5,000 square feet) to a maximum 125 feet. The subject lot’s size conforms to the Historic District standard.

#### Setbacks

The following are setback requirements for non-residential and mixed-use buildings in the Old Orland Historic District per Section 6-209.C.4.b:

Front: No minimum and five (5) foot maximum.

Side: Five (5) foot minimum and fifteen (15) foot maximum.

Rear: Twenty (20) foot minimum and no maximum.

The proposed building front setback is three (3) feet from the Beacon Avenue right-of-way. While there is no minimum setback-- allowing the building to be constructed on the property line according to historic construction/ development practices-the proposed front setback is intended to ensure a clear right-of-way when doors are opened or when maintenance is done to the building façade, windows etc. The additional three feet will assist in preserving as much of the sidewalk when such activities occur. The front setback is met.

The proposed building side setback is five (5) feet from the south property line. The proposed side setback on the north property line is also five (5) feet. However, an access sidewalk connecting the Beacon Avenue sidewalk system to the rear of the building is proposed within the setback area. The proposed sidewalk is three (3) feet wide. Section 6-209.D.1 of the Land Development Code, however, allows pedestrian oriented uses within “setback areas, including sidewalks...”

In addition to the permitted sidewalk encroachment in the north side setback, the northeast corner of the building also encroaches into the setback area beginning from the second floor. While the site plan does not indicate the encroachment, the turret present on the elevations indicates a round turret that will likely enter into the side setback particularly since the building is located right on the minimum setback line. The turret will not be in the front setback due to the additional three (3) foot setback already present. Because the turret will not touch the ground floor, it is technically not part of the building footprint. Turrets are not identified in Section 6-302 of the Land Development Code. However, turrets can be interpreted as bay windows since the main distinction between a turret and a bay window is that a bay window is a projection entirely on one façade while a turret is two bay windows meeting at a corner. Using this interpretation for the turret, Section 6-302.C.6 can apply to the building. It states that bay windows “may project not more than three (3) feet into a front... side or rear setback.” The turret, therefore, cannot encroach into the side setback more than three (3) feet per this provision.

Besides the turret, the side setbacks are therefore met.

The proposed building rear setback is twenty (20) feet from the west property line. The proposed setback is according to the Code requirements. However, the proposed site plan indicates that a ten (10) foot wide deck will be located on the rear of the building and will overhang the parking along the alley. The petitioner proposes that each residential unit will have access to the deck at the rear of the building. The deck will therefore be present on the two floors above the rear garage area and will act as a fire escape/ point of rear egress from the building (in addition to the rear doors at ground level).

When considering the proposed rear deck area, the regulations of Land Development Code Section 6-302 Accessory Structures and Uses apply to the Historic District per Old Orland Historic District Section 6-209.B Table of Uses. Section 6-302.C.40 therefore states that "terraces, patios and decks may be permitted up to five (5) feet from the rear and side lot lines." As an accessory structure the deck is therefore permitted to encroach into the rear building setback area by ten (10) feet as this would leave another ten (10) feet until the west property line. This arrangement is more than five (5) feet from the property line and meets Code requirements. The deck is setback eleven (11) feet from the side lot lines.

When considering the rear stair structure that connects the decks of each unit and provides rear exterior egress from the building, Section 6-302 again applies per the Historic District regulations. The staircase projects five (5) feet from the building into the rear setback area. As the fire escape of the building, Section 6-302.C.11 notes fire escapes "open or enclosed, may be permitted in rear setbacks..." The provision does not make a reference as to how much the fire escape, open or enclosed, may encroach into the rear setback. This setback encroachment is therefore also permitted.

#### Height

The maximum height allowed in the Historic District is 37 feet per Section 6-209.C.2. While the elevations of the building will be reviewed by the HPRC, as a matter of land use the following is a discussion as it pertains to the intensity of the development in terms of height. The height of the building is given at 37 feet.

However, three elevation details extend the height of the building above the permitted height, none of which impacts the actual proposed uses. The proposed elevations indicate an architectural turret on the northeast corner of the building. The turret will have a cone shaped roof that will extend to a height of 45 feet, which is necessary to complete this roof type. This particular roof type is present in the Historic District on well-known Orland Park landmark buildings such as the Loebe House and the Twin Towers Church. Approximately thirteen (13) feet from the south end of the front façade a gabled parapet detail extends to a height of 42 feet. On the rear of the building, the gabled roof detail above the stairwell extends to a height of 39 feet. According to the Building Code parapets are not considered part of the building height. Thus the front façade gabled parapet is not subject to the height maximum.

Regarding the turret's cone roof, the Building Code requires that the mean height be taken for such features. The mean height is measured from the ceiling to the top of the roof. The mean height is therefore at approximately 37.5 feet. The drawings, while scaled, are not dimensioned and they appear to meet the height requirements. However, the height of the building will ultimately be reviewed by the HPRC as part of the elevation review. The turret's cone roof must meet the 37 foot height limitation at the mean height of the structure.

The gabled roof detail on the rear of the building above the stairwell/ fire escape should be removed in favor of a flat roof type/ parapet to meet the 37 foot height limitation.

The height issues for this building must be resolved before presenting the elevations to the HPRC.

#### Lot Coverage

Section 6-209.C.3 of the Land Development Code states that "no more than 80% of the area of the lot may be impervious. The remaining 20% must be green space. For all non-residential or mixed-use developments, at least 10% of the site shall be maintained as green space." In effect, this provision allows up to 90% lot coverage for non-residential mixed-use developments.

The proposed mixed-use development includes 763 square feet (10.2%) of green space, placing total lot coverage at 89.8%. The proposed development therefore meets lot coverage requirements for the Old Orland Historic District.

#### Detention/ Retention

In 2006-2007, new storm water management sewers were installed in the Old Orland Historic District. The new storm water system took into account the maximum allowable lot coverage that the zoning district prescribed when the system was sized for capacity. Because of the new infrastructure, detention/ retention is not necessary for this redevelopment since the detention needs for Old Orland are associated with the storm water system that drains into McGinnis Slough to the north (being the natural watershed).

Detention/ retention is also not required because there is typically no opportunity to incorporate it on the small, irregular and historic lot sizes of Old Orland.

#### Traffic and Access

Vehicular access to the site is provided at the rear of the building off the alley. This will be an improvement along the alley because the existing single-family home is currently located on the west lot line along the alley. Parking for the single-family home occurs on the side of the alley.

#### Parking

Table 6-306(B) of the Land Development Code notes that residential dwellings above retail or commercial establishments require two parking spaces per dwelling unit plus the parking spaces required for the commercial establishment.

The proposed site plan indicates that there will be one garage for each dwelling unit and one space behind each garage to meet the Code's parking requirement for the residential dwelling units. In all, the site plan provides ten (10) parking spaces, with two parking spaces provided on either side of the garages.

The two parking spaces on either side of the garages encroach into both side yard setbacks. However, Section 6-306.E.8.b of the Land Development Code notes "Parking may be permitted in the side setback of a non-residential district. However, where the non-residential district abuts a residential district, parking shall not be permitted in the side setback." The Old Orland Historic District is a mixed-use district. Beacon Avenue between 143rd Street and 144th Street is a commercial sub-district of OOH zoning and is therefore considered a non-residential sub-district. On the north and south property lines, the subject lot abuts other non-residential uses within the non-residential sub-district. This code provision enables the encroachment of the two side parking spaces into the setbacks. Furthermore, if the Code is interpreted to mean "uses" rather than "districts", then the provision would again allow the parking configuration established on the site plan.

The proposed mixed-use building contains a total of 3,096 square feet of commercial area. Table 6-306(B) indicates that one (1) parking space per 200 square feet is required. This means that fifteen (15) parking spaces are required for the commercial uses. However, the subject lot cannot meet this requirement.

The intent of the Old Orland Historic District, according to the Vision, is to have "buildings on small lots" and "to attract small businesses and local stores". The intent for buildings on small lots presumes that large parking fields are not appropriate in the District. Thus there is an implicit understanding that not all parking requirements will therefore be accommodated on a small lot.

Because this is one of the first redevelopment opportunities for the Historic District, some Code standards will have to be adjusted. Section 6-209.D.3 of the Land Development Code notes that "If there is insufficient area for Historic District businesses in existing buildings to provide required parking on-site, parking opportunities demonstrated to exist either on-street or via shared parking nearby may be applied to meet the requirement." The provision clearly intends to enable shared parking opportunities within the District for businesses to accommodate their parking requirements. However, the language regarding "existing buildings" inadvertently does not consider the potential for redevelopment. This is an amendment that will need to be made to this Section since it conflicts with the established Vision.

Since the Old Orland Vision provides intent to meet parking requirements via on-street or shared parking nearby in redevelopment circumstances for Old Orland, this site can meet the parking requirements via potential parking opportunities present in public lots such as the Old Village Hall and the old Metra parking lot on 144th Street.

In addition to this Section 6-306.F.1 allows joint use of up to 50% of required parking in shared arrangements. Section 6-306.F.1 refers to shared parking occurring on the same

parcel or adjacent parcels, but Section 6-209.D.3 permits “parking nearby” to take place in Old Orland-which indicates an adjacent arrangement is not necessary. The proposed building requires a total of 23 parking spaces, 10 of which are provided on site primarily for the residential uses. Three of the remaining thirteen (13) can be counted on-street parking directly in front of the building on Beacon Avenue, while the last ten (10) can be shared with the public parking lots in the area.

#### Loading

In the Old Orland Historic District loading for businesses typically occurs on the street since it is permitted by Section 6-209.D.4. The petitioner must provide no parking loading zone signage along the frontage of the proposed building on Beacon Avenue for a specific time of day (morning or evening) to accommodate any loading activities. On-street loading, however, cannot disrupt traffic flow for other uses per Code.

#### Pedestrian and Bicycle Access

Beacon Avenue is a pedestrian oriented street. Locating the building close to the street activates the streetscape and provides for a more pedestrian scaled environment. Currently the parkway streetscape at this location is characterized by a typical residential district sidewalk and grass parkway. However, since the site will be redeveloped to a mixed-use building, the site plan must continue Beacon Avenue’s commercial area sidewalk and brick-paved parkway down the length of the property. Currently Beacon Avenue’s sidewalk and brick-paved parkway terminates at the north property line of the subject site. The new brick-paved parkway in front of this building must also continue the tree grate/wells that are present to the north.

The proposed site plan does not include any bicycle parking. Due to the age of many of the developments in Old Orland, there are not many bicycle parking opportunities present in the district. Section 6-306.H requires that three (3) bicycle parking spaces be available on the site. The bicycle parking must be located near the main entrance of the building.

#### Landscaping and Buffering

Bufferyards are not required in the Old Orland Historic District per Section 6-209.D.5. However, all other landscaping requirements must be met. According to the provision, if there is insufficient area to provide required landscaping onsite other amenities are required such as “movable benches, decorative planter boxes, hanging baskets etc.” These may suffice in the right-of-way as precedent indicates with other mixed-use buildings on Beacon Avenue.

A landscape plan will be required from the petitioner to demonstrate on-site landscaping. Landscape plans are a separate review process.

#### Building Elevations

The building elevations and appearance will be considered by the Historic Preservation Review Commission since this project is located in the Historic District.

This case will go before the Historic Preservation Review Commission before being forwarded to the Development Services/Planning Committee. It will then be forwarded to



the Committee for review prior to being sent to the Board of Trustees for final review/approval.

Recommended Action/Motion

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report dated January 11, 2011

and

I move to recommend to the Village Board of Trustees to approve the site plan titled "Mixed Use Building for McDuffy's Beacon St. Condominiums Orland Park, Illinois", prepared by W.K. Olson Architects Inc., dated 10/16/06, project number 260450, sheet number A-1, subject to the following conditions:

1. That the petitioner verifies the species of tree and the diameters of the trees currently present on the subject lot to determine Heritage Tree status and tree mitigation requirements, if any, prior to Committee;
2. That the turret at the northeast corner of the building does not encroach more than three (3) feet into the side yard setback and the site plan confirms this with a note;
3. That the gabled parapet on the rear elevation of the building is replaced with a flatter parapet style to meet the 37 foot height limitation;
4. That all the height issues identified in this report be resolved before presenting the elevations to the HPRC;
5. That the petitioner provides a no parking loading zone sign along Beacon Avenue for a specific time of day (morning or evening) to accommodate any loading activities on-street;
6. That the site plan be updated to show Beacon Avenue's commercial area sidewalk and brick-paved parkway (including the tree grates/wells) extended and continued through the frontage of the subject site;
7. That a bicycle rack for at least three (3) bicycles is installed on site near the main entrance;
8. That a landscape plan is submitted for separate review and approval;
9. That all Building Code related items are met and all necessary building permits are obtained.