



Zoning Board of Appeals Meeting of February 12th, 2025

Application No. ZBA 2025-004

Applicant: Joshua Petry

Location: 10297 Clearwing Lane (08-05-104-016) and 10329 Clearwing Lane (08-06-231-002)

Requested Action: Planned Unit Development

Existing Use: Vacant Land

Proposed Use: Vacant Land

Existing Zoning: RM (Residential-Multifamily)

Adjacent Zoning:

North: RM (contiguous)

East: RM (contiguous)

South: RM (contiguous)

West: RM (contiguous)

Description: The applicant is seeking approval of a Planned Development at the newly replatted lot created from PINs 0805104016 and 0806231002. The applicant intends to develop this property to create 23 additional dwelling units. These new units would be split between 5 4-unit buildings and 1 3-unit building. Currently, the site is vacant and is at the center of the Clearwing subdivision on the Village's west side. The development site would be centered on a turnaround street connecting along Clearwing Lane.

Development: The project site is approximately 2.30 acres in size and the 23 dwelling units for this development create an overall density of 10 dwelling units per acre. The development area is surrounded by 4-unit multifamily buildings, which comprise the vast majority of the entire subdivision. However, this development includes dwelling units that are considerably smaller than the larger buildings' in the subdivision, at a size of 92 feet wide by 40 feet in depth, amount to approximately 3,680 square feet per building. There is a common open space at the center of the development between the two connections to Clearwing Lane. Each dwelling unit is provided with an individual 20 foot-long driveway and garage space, creating two parking spaces. An additional 12 parking spaces have been provided in the middle of the development, adjacent to the open space.

The turnaround street is 22 feet in width. The minimum driveway length is 20 feet. The applicant has not proposed any sidewalk or walkway features to the project. Sidewalks are not found throughout the rest of the development either. The 3- and 4-family homes in this development are located on both the interior and exterior of this turnaround street. In total, there are 2 building within the turnaround street and 5 on the perimeter.

Zoning Analysis: Because the development would include multiple different buildings on the same lot, the setback requirements within the Zoning Code pertain to the edges of the parcel, rather than the individual buildings. For example, while a building in this development could be less than 30 feet from another, which the zoning code typically requires (15 ft setback from each side lot line), there is effectively no required setback since there are no lot lines. That being said, the applicant’s site plan demonstrates that it complies with the required front, side, and rear setbacks for all the buildings on this lot.

Without the setback requirements, the subsequent district dimensional requirements are listed in the table below:

	District Standard (RM)	Proposed Development
Lot Coverage	30 percent maximum	21,220 sqft (21.2%)
Site Area per DU	3,300 sqft per DU (75,900 sqft required)	99,316 sqft
Building Height	35 feet	35 feet

As shown above, the proposed development would be compliant with the subsequent zoning dimensional standards.

Regarding engineering standards, Fehr-Graham has indicated that there is no need to hold up approvals for the Planned Development, and that the applicant’s stormwater management memo will need to be provided to staff and granted final approval from the Village Engineer as a condition of approval.

Parking: Section 15-619 of the Village Code governs off-street parking requirements for different uses. For multifamily land uses, the Section requires 2.5 parking spaces per dwelling unit at a minimum. Furthermore, the Section requires each dwelling unit to have at least 1 parking space to be in a fully enclosed area (garage). Regarding the applicant’s site plan, there are a total of 58 individual parking spaces provided within the development. These 58 spaces consist of: 23 garage parking spaces, 23 driveway parking spaces, and 12 parking lot spaces. These spaces are consistent with the dimensional requirements for parking spaces within the Village.

Landscaping: The applicant has submitted a landscaping plan in addition to the site plan. Generally, landscaping will be either installed or maintained throughout the site. The applicant has

provided a mix of grasses, shrubs, and both deciduous and evergreen trees. Much of the smaller landscape plantings are to be installed around the base of each of the multifamily buildings to increase the aesthetic quality of the development. Additionally, the applicant indicates a consistent rhythm of trees around the perimeter of the site, along with several larger trees on the interior of the site. These larger plantings will allow for greater screening and privacy where additional development may, at one time, have been a concern. While these plantings go a considerable length to increase the aesthetic value and screening on-site, the landscape plan is not technically compliant with the Village Code. Village staff has identified that the current plan is deficient in two areas:

1. The landscape plan does not meet the Transition Yard requirements in the Code, which dictate that there be at least 4 large canopy or evergreen trees every 100 linear feet along the perimeter of the site. As indicated in the applicant's application, this requirement is short a few trees of meeting the standard.
2. The landscape plan does not meet the Parking Lot Perimeter requirements in the Code, which dictate that any new or extended parking lots have at least one shrub or native grass planted every three feet. It also states that landscape beds must run for a minimum of 50% of the length of the parking lot. The applicant's landscape plan shows a reduced landscape bed in the front of each of the parking lot areas, but these landscaped beds would not fully meet the code.

Through conversations with Village staff, the applicant and staff have come to the understanding that the large amounts of landscaping around the foundations of the individual multifamily buildings and throughout the site as a whole provides sufficient screening and beautification of the site. This landscaping would be generally consistent with the landscape pattern within the existing subdivision.

Table of Requested Flexibilities:

	Code Standard	Proposed	Staff Recommend?
Allow multiple residential buildings on one lot.	Currently, only 1 multi-family building would be allowed on the lot in question.	6 multifamily buildings (3- and 4-family units)	Staff recommends approval of the requested flexibility.
Landscaping Item #1: Transition Area flexibility.	Currently, 4 large canopy or evergreen trees would be required every 100 linear feet of lot perimeter.	The applicant is proposing a mix of large and medium sized trees around the perimeter of the lot consistent with the	Staff recommends approval of the requested flexibility.

		existing landscaping in the subdivision.	
Landscaping Item #2: Parking Lot Perimeter flexibility.	Currently, one native grass or shrub planting would be required every 3 feet around the perimeter of the proposed parking lots.	The applicant is proposing reduced landscaping beds on the fronts of each small parking lot areas.	Staff recommends <u>approval</u> of the requested flexibility.

Staff Recommendation: Staff recommends **approval** of the Planned Development, subject to the following condition:

1. All proposed multifamily buildings receive Design Review approval before construction.
2. Final approval of applicant's stormwater management memo by Village Engineer.