

Public participation is invited on each agenda item prior to the Board's deliberation. **When called upon, please approach the microphone and state your name and the address where you live. Kindly limit your remarks to three (3) minutes.**

VILLAGE OF VILLA PARK
Village Hall, Board Room Chambers
20 S. Ardmore Avenue
Villa Park, IL 60181

Planning and Zoning Commission

May 12, 2022

7:30 PM

Chairman Jason Jarrett

Commissioners: Larry Calvert, Edward Hofstra, Kenneth Jackson, Eric Luedtke, Michael Orlowski, Dominick Romano, Justin Shlensky and Louis LeMieux

1. Call to Order - Roll Call

2. Approval of Minutes

2.a Minutes

[PZ General Minutes 04-14-22.pdf](#)

3. Public Hearing - New Business

Please note that no further testimony on a matter can be considered after the close of the public hearing.

- a. Staff Input
- b. Presentation of Petitioner
- c. Public Participation and Questions
- d. Questions from the Commission
- e. Closing Comments of Petitioner
- f. Close Public Hearing
- g. Discussion by Commission Members
- h. Motion

3.a

Petition PZ-22-0001 / 100-110 S. Villa Avenue / Plat of Subdivision / Zoning Map Amendment and Special Use for a Planned Unit Development (PUD) /The Union / Catalyst Partners and Marquette Companies (Petitioner) on behalf of the Village of Villa Park (Owner)

[Ex 1 PUD Site Plan 042922.pdf](#)

[Ex 2 Union Architectural Set 11x17_050422.pdf](#)

[Ex 3 Public Parking Plan050422.pdf](#)

[Ex 4 Landscape Plan050422.pdf](#)

[Ex 5 Layout and Paving Plan 042922.pdf](#)

[Ex 6 Release Rate Memo_The Union_050322.pdf](#)

[Ex 7 Final Plat of Subdivision for The Union 050422.pdf](#)

[PZ 22-001 PZ Memo May 12 2022.pdf](#)

- 3.b Petition PZ-22-0004 / Village Code Amendments to Zoning Ordinance (Appendix C)
[Attachment 1 PZ 051222 memo Scribner errors_ART 4.___MX_DISTRICTS.pdf](#)
[Attachment 2 Tinley Park Encroachment Zoning Code excerpt.pdf](#)
[PZ-22-0006 Memo May 12 2022.pdf](#)

4. Other Business (Public Comments on Non-Agenda Items)

5. Adjournment

The Villa Park Village Hall is subject to the requirements of the Americans with Disabilities Act of 1990. An elevator is operational at the north side entrance to the Village Hall during normal work hours and also during evenings. Individuals with special needs are requested to contact the Village's Compliance Officer at (630) 834-8500 so that reasonable accommodations can be made for those persons.

Planning and Zoning Commission Agenda Item Report

Meeting Date: May 12, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Approval of Minutes

Subject:

Minutes

Suggested Action:

Attachments:

[PZ General Minutes 04-14-22.pdf](#)



Village of Villa Park

20 South Ardmore Avenue, Villa Park, Illinois 60181-2696

Community Development
Interim Director: Ellen Weber

Phone (630) 834-8505
Fax (630) 834-8509
TDD (630) 834-8589

Planning and Zoning Meeting April 14, 2022 Minutes

A meeting was scheduled for April 14, 2022 with the Planning and Zoning Commission. No court reporter was assigned, no Public Hearing agenda items. A motion was made to waive the requirement of a court reporter. All in favor, motion passed. The commission agreed to proceed with the meeting with no Public Hearings as a court reporter was not required. The agenda included a Concept Plan presentation and discussion for upcoming Text Amendments.

Call To Order:

The meeting was called to order by Chairman, Jason Jarrett at 7:30 p.m., present were the following commissioners; Larry Calvert, Edward Hofstra, Kenneth Jackson, Eric Luedtke, Michael Orłowski, Dominick Romano and Justin Shlensky.

Approval of Minutes:

The minutes from March 10, 2022 were approved; the motion was made by Commissioner Dominick Romano and seconded by Mike Orłowski.

Public Hearing: None.

Other Business:

The first item of the night was a Concept Plan presented by Ross Builders for 27 W. Park Blvd. Craig Ross introduced himself. Ross Builders is a 3rd Generation builder. They are finishing a multi-family project in Downers Grove and beginning a similar development in Wheaton. Also with him was architect Greg Star of Studio 21.

Their Villa Park proposal is for a Multi-unit residential building consisting of 24 luxury rental apartments; 10 one-bedroom units and 14 two-bedroom units, with both inside (first floor) and outside surface parking. The proposed building will be named Ardmore Flats. The property is zoned MX-T, located at the Southeast corner of Park Blvd and Princeton Ave, facing the Prairie Path on the North. The property was formerly a gas station and is currently office space. He feels the project is a great fit for site, meets the zoning district intent, and would provide patrons for the Ardmore Business District. He presented the proposed façade, and layout. The parking garage entrance would be from Park.

Mr. Ross said they have been meeting with Staff for six months, starting last November when they met with CD Director Arguilles, who then confirmed apartments would be permitted, indicated she was comfortable with the entrance to the parking garage from Princeton, and it would be a “General Building” type. Based on that feedback he bought the property in December. They came back in on January 19th and upon development staff recommendation, met with the Traffic and Safety Commission. They are meeting with P&Z for some clarifications on the Zoning Ordinance.

Mr. Ross continued, that to make the project viable, they will need a variance on parking. Required parking per the zoning code would be 38 spaces (1 per bedroom) and currently the proposal provides for 33 (22 in interior parking garage, and 11 along the alley). They will be looking for a parking variance for 5 spaces. They KLOA to perform a traffic assessment of the area; KLOA estimated parking demand for the building to be 25 to 31. Mr. Ross noted based on their development experience that tenants have less cars and would prefer to walk or bike to nearby restaurants and stores.

The proposed driveway access onto the site would be located on Princeton Avenue. This would require an administrative adjustment or a variance. This will be addressed as the project moves forward. The lobby entrance for tenants will be off Park Blvd and could be moved if need be. With the exception of the Princeton Ave, the proposed street elevations comply with design requirements in the code, facing ground floor façade. The can be made compliant by adding glazing.

Public Comments:

Several residents attended the meeting to express comments, questions and concerns for the project at 27 W Park Blvd. The following is a summary:

- ◆ Is the zoning and the height of the building being verified and is this considered a low to mid-scale building?
 - This project could be 5 stories and is within the zoning district.
- ◆ What is the tallest residential building in the village?
 - There is a 5-6 story residential building on Ardmore.
- ◆ Excited about something new, however 4 stories is too large, does the 4 stories requires a set-backs over 3 stories and is green space available and how much?
 - The 4th story is set back, green space is staying and the setback for the Princeton side is approximately 13ft and Park side is about 8ft. Building is not proposed to be built at sidewalk.
- ◆ Why is all access from Princeton Ave., this increases traffic?
 - The codes does not allow the access off Park Blvd., which is considered the “Primary Street Frontage”. A curb cut on Park would be eliminated. All access would be on Princeton. The code doesn’t allow the access on Park, current is grandfathered in. The MX Districts seek to minimize driveways across the primary streets to create a more pedestrian experience. The driveways create a “hole” in the streetwall - a void. A building “activates” the streetwall and creates more pedestrian-auto interaction.
- ◆ There was a gas station on the property in the past, were the underground tanks removed?

- Yes, all underground tanks were removed.
- ◆ There is a concern about the headlights shining into the residences on Princeton from vehicles exiting the parking areas.
 - There is the possibility of making the exit right-out only, to deter the light shining into residential properties and limit southbound traffic on Princeton.
- ◆ Is there an idea of what the rent would be for the units?
 - Rent will be about \$2,500 to \$2,700 per month.

Commissioners Discussion and Questions:

The “MX” zoning districts were created to preserve a downtown feel or to create one. The desire is for areas to become more pedestrian friendly, with less curb cuts.

The site triangle may be a concern at the corner of Park and Princeton. Does it meet the code? The parking on Park could be at an angle increasing spaces and visibility. A variance may be required to clarify the footage and visibility for the corner, as MX Districts are fairly new with some conflicts in the wording.

The entrance for the building is on the northwest corner. A variance to reduce the number of spaces would be required. One space per bedroom is required. The outside parking area is configured to hold the maximum number of vehicles. Dumpsters are to be rolled to the alley. There is concern for conflict with the parking in the alley. Mr. Ross indicated bollards could be placed to ensure clear path.

The first floor along Park would be two residential units with outside access, windows would break up the wall. The commission suggested that instead of apartments on the first floor, consider the possibility of a gym, game room, or rec room. Mr. Ross replied this would increase the rents and tenants usually don’t take advantage of the areas.

The back elevation is predominately a blank wall with only a few windows, could this be dressed up a bit? It was noted that the utility poles are in the rear parking lot and he indicated these would not be touched, no plans to bury the electrical lines. The dumpster location is in the southeast corner of the lot and would be rolled out on trash day, bollards to be installed to contain them. Currently the alley is two-way and the residents would use this to access the buildings parking.

There were no issues from the Commission on the Princeton Avenue driveway with the exception of vehicle headlights shining into the private residences across the alley; this could be accommodated by make a right-turn only out of the parking areas and traffic could flow consistently.

The Commissioners discussed how the building would “work.” Tenants who parked in the rear alley would walk to the lobby entrance at Princeton and Park. Commissioners pointed out that there is not overnight parking on the street. The petitioner referenced the Traffic Study estimating 25-31 spaces. The Commission held some concern for residential on the ground floor as it is not an “active use.” Blinds will be drawn, but there is some transparency and light at night; this is preferred to parking on the Park side of the building, or a podium style building

where there are often fake windows, fake transparency, or masonry walls. If the garage door was on Park, there would be a solid wall. It was pointed out that less units need less parking spaces and there would be no need for variance.

Design of the rear of the building was discussed. Mr. Ross indicated the utilities in the alley would not be touched. The bedroom count was confirmed.

Mr. Ross sought confirmation on whether a variance was needed for the garage location, or if an Administrative Adjustment was an option. The Chair indicated that he was already requesting variations and a variation should be sought for the garage access, and that it would be for one variation (not for the garage access and a driveway location).

Interim Director Weber provided some comments, first summarizing the four step Planned Unit Development Process process: meeting with development staff, an optional concept plan, presentation of a PUD Development Plan to the Planning & Zoning Commission at a Public Hearing, and the final PUD Site Plan. Staff has administrative authority over minor changes to a PUD Site Plan, as defined in the code (minor and major changes).

Interim Director Weber summarized staff comments and indicated she would like input from the Commission regarding the zoning district, parking variations, and the facade.

- Staff had discussed the trash locations with Mr. Ross and understands the location of the trash is based on the system of the building, with a drop-chute.
- There is concern over no pedestrian path for drivers parking in the alley to walk to the building entrance door. She referenced that Mr. Ross he had indicated there is some room to move the building north.
- Staff questioned if electric poles should be buried as guidewires will make it more difficult to park.
- The design is driven by the placement of the cars within the building envelope and it doesn't appear the building can be flipped due to the site size. Wherever an alley exists, the entrance should be from the alley, but there is room in the code for the entrance to be on a secondary street.
- A PUD is a special use for Planned Unit Development, with variations. With a PUD, the municipality provides some relief from the code in exchange for public benefit, it is not just a means to increase density. She confirmed her belief that because an alley does exist, an Administrative Adjustment is not an option for garage access and a variation would be needed.
- She indicated public works staff looked at the east-bound, one-way nature of the parking as there is concern over cars backing onto Princeton before they exit, but the angle of the alley makes it hard to park westbound, and flipping the direction reduces the number of spaces.
- There is concern about headlights from cars leaving the garage.
- She indicated Ross Builders has a good reputation across the region and would be expected to bring a quality project.

Mr. Ross indicated the decision for the building material is similar to the Standard Meadery to blend in with the area. Snow removal will be contracted out, additional lighting on the first floor

units would be added, and additional green space is being provided. This project is different for the area; the owners will consider all suggestions and prepare the required variations for the next Public Hearing with the Planning and Zoning Commission.

Volunteer Appreciation Week:

On behalf of the Village, Interim Director Ellen Weber expressed her appreciation for all the work the commissioners have done over the years and look forward to many more meetings. They play an important role in shaping the community.

Updates:

Garden Station: Demolition permits were issued and 3 buildings are down. Disconnects from ComEd and Nicor continue.

545 S. Ardmore Ave. St. Paul Lutheran Church: Building permit for the parking lot ready to be issued, the church is about complete and work is beginning on the Parsonage. Application for a shed is under review, currently size is in excess of code.

24 E. St. Charles Rd.: Second reading with village board is set for next week. The community has concerns with the Walgreens drive-thru exit and tree blocking the traffic view.

880 N. Addison Rd. Bone Roofing: Reviewed landscape plan. Nice species chosen with placement around the sign. She will discuss landscape material placement outside of the raised area with them.

100-110 N. Villa Ave.: Slight building modifications have been provided with the upper level on western building stepped back. Preparing for the May Public Hearing.

Status Update on Text Amendments:

- ◆ Definition's need clarification:
 - In 2002, 2003 the Village had discussed fee-in-lieu. She has met with a group of Villa businesses concerned over parking and changes with the Union.
 - Accessory Structures: encroaching into the setback and not side yard, need to better define accessory structure, buildings and uses; correlate to lot coverage. Update size and height.
 - ◆ Define what is a structure and what counts towards lot coverage for:
 - Sheds.
 - Pergolas with or without flatwork.
 - Pools.
 - Decks.
 - Lattice as fencing. (8ft on lot line).
 - Canvas Screening.
 - ◆ The code discussions encroachments into the required setback, not into the yard. She questioned if this is intentional given so many 50' lots in town; there is not room for an accessory structure in these side yards without encroaching into the setbacks, but as written gives flexibility to lots that are wide enough and have no other option.
 - In several instances, different terms are used for the traditional districts and the MX Districts – for example, Exterior Side Yard and Street Side Yard. The Commission indicated consistency should be sought.

- Driveway Design
 - ◆ Currently driveways many not exceed 56% of the lot area, reduce this to 50%.
 - ◆ Driveway width must be 8ft and may not exceed the maximum width, clarify and increase to 9ft.
 - ◆ Define width of the driveway at the sidewalk and street.
- Impervious calculation needs up dating for the M Districts; latter is still defined as ratio of building (only) to lot and does not include all impervious surface. It was noted by the Commission that several definitions had been proposed to be added to the code, but some were inadvertently left out and should be introduced. This should be reviewed at a later date.
- Storage Containers – The code reads they can be a permanent use in a “non-residential district.” The specific districts are not listed. Does that include the MX Districts? The Commission clarified that that use of the term “non-residential” districts means any district that does not start with an “R.” Therefore, it does include MX districts.
- Temporary Tents are not allowed in MX District and the applicability to larger lots in rezoned properties was overlooked. This should be reviewed at a later date.

Discussion ensued on the above topics and will be prepared for the next Planning and Zoning meeting.

Prepared by:
Pat Boksha

Note: The minutes are a summary of all discussions from the Planning and Zoning Commission meeting on April 14, 2022.

Planning and Zoning Commission Agenda Item Report

Meeting Date: May 12, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

Petition PZ-22-0001 / 100-110 S. Villa Avenue / Plat of Subdivision / Zoning Map Amendment and Special Use for a Planned Unit Development (PUD) /The Union / Catalyst Partners and Marquette Companies (Petitioner) on behalf of the Village of Villa Park (Owner)

Suggested Action:

Attachments:

[Ex 1 PUD Site Plan 042922.pdf](#)

[Ex 2 Union Architectural Set 11x17_050422.pdf](#)

[Ex 3 Public Parking Plan050422.pdf](#)

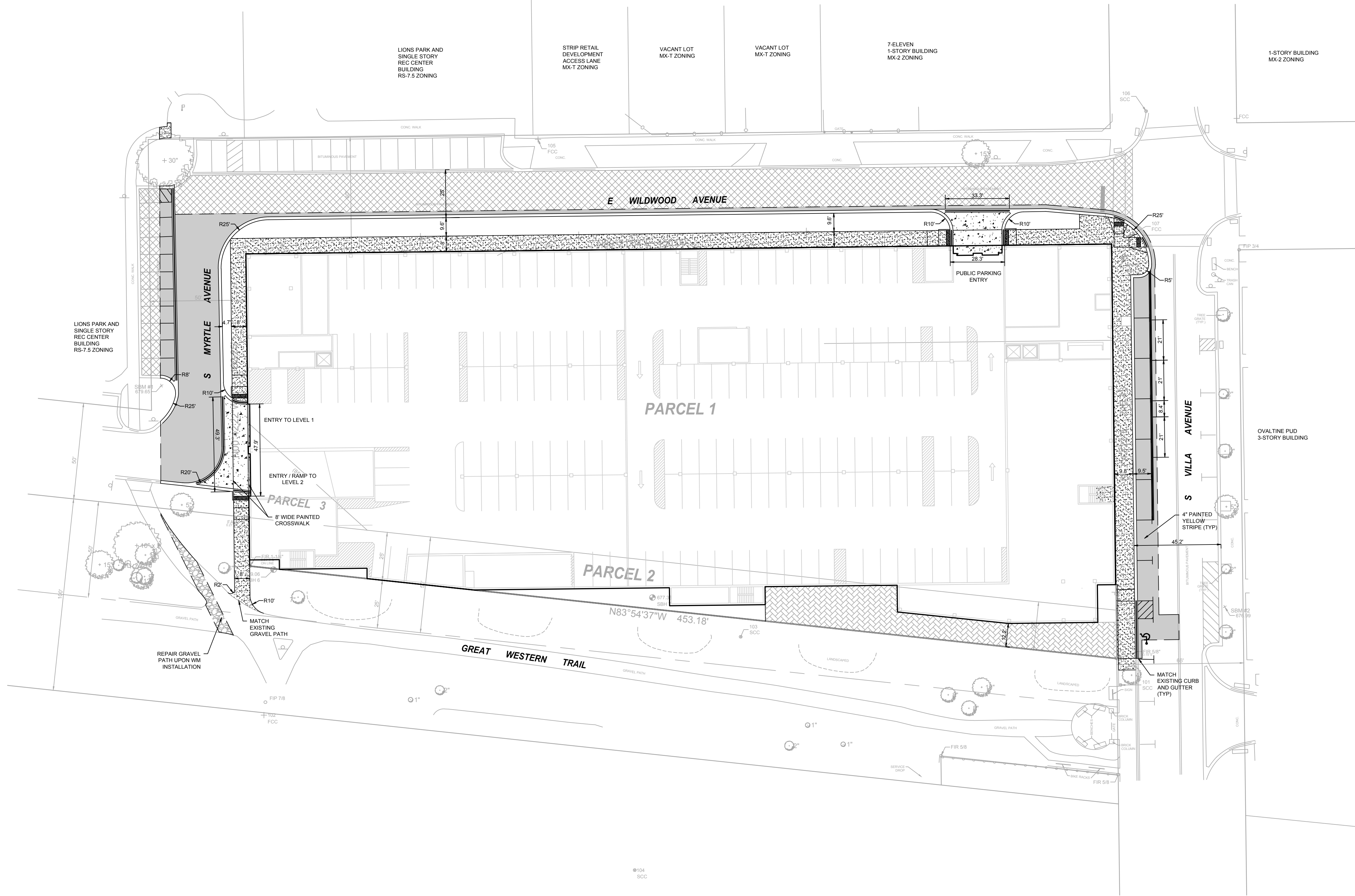
[Ex 4 Landscape Plan050422.pdf](#)

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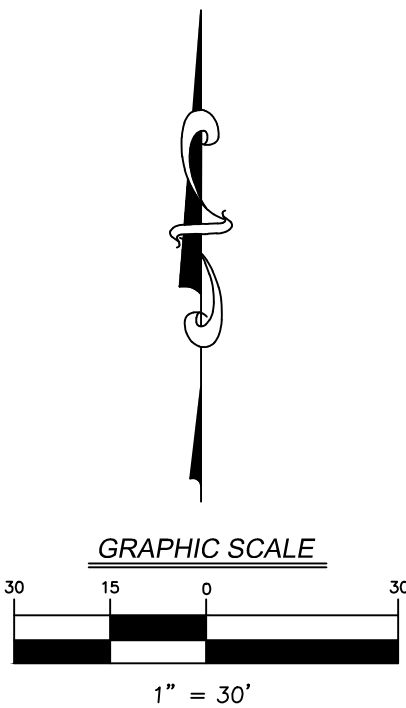
[Ex 7 Final Plat of Subdivision for The Union 050422.pdf](#)

[PZ 22-001 PZ Memo May 12 2022.pdf](#)



SITE DATA TABLE	
PROPOSED SITE CONDITIONS	
TOTAL SITE AREA	- 84,974 sf
NEW BUILDING AREA	- 81,123 sf (95.5%)
NEW CONCRETE PAVEMENT	- 3,079 sf (3.6%)
NEW ASPHALT PAVEMENT	- 0 sf
NEW GREENSPACE	- 772 sf (0.9%)

SITE DATA TABLE	
EXISTING ZONING (MX-R2 & MX-T)	
BUILDING SETBACK (FRONT AND SIDE) - 10' & 5'	
PROPOSED BUILDING SETBACK - 0'	
TOTAL RESIDENTIAL UNITS - 220	
TOTAL BEDROOM COUNT - 310	
TOTAL RETAIL SF - 8,000	
TOTAL INDOOR PUBLIC PARKING - 100	
TOTAL INDOOR RESIDENTIAL PARKING - 325	
TOTAL STREET PARKING ADJACENT TO SITE - 40	



PROJECT NO.: 211221

PROJECT MANAGER: RMW

DESIGNED BY: RA

DRAWN BY: DB

PUD SITE PLAN

THE UNION

VILLA PARK 110 SOUTH VILLA AVENUE

ILLINOIS

7325 Janes Avenue
Woodridge, IL 60517
630.724.9200 phone
www.v3co.com

DRAWING NO.

PUD

ORIGINAL ISSUE DATE: 02-04-2022

NO. 1

DATE 04-29-22

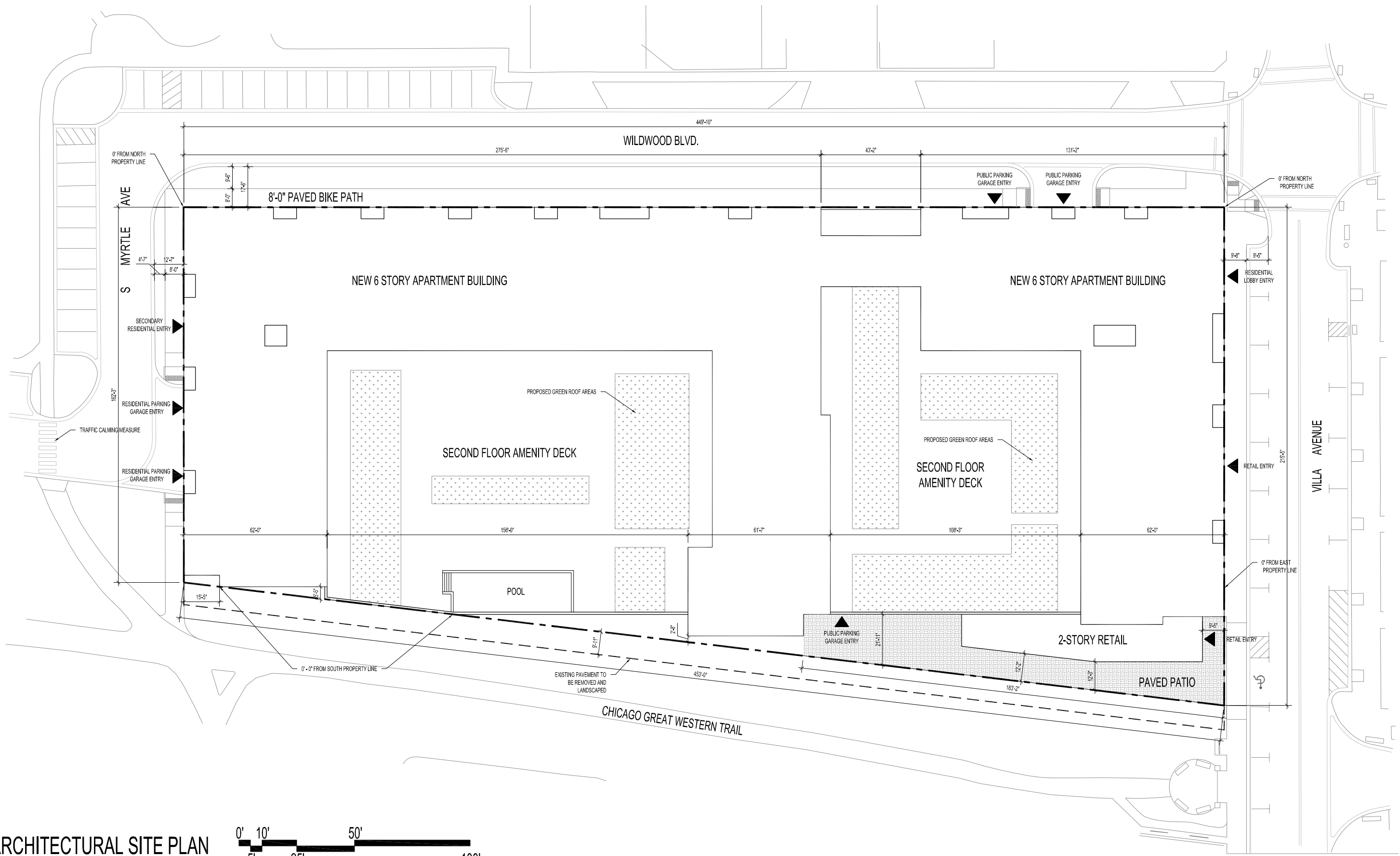
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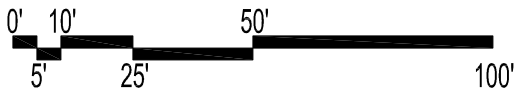
REVISIONS

NO.

DATE

DESCRIPTION




ARCHITECTURAL SITE PLAN


110 S. VILLA AVE. VILLA PARK, IL. 60181

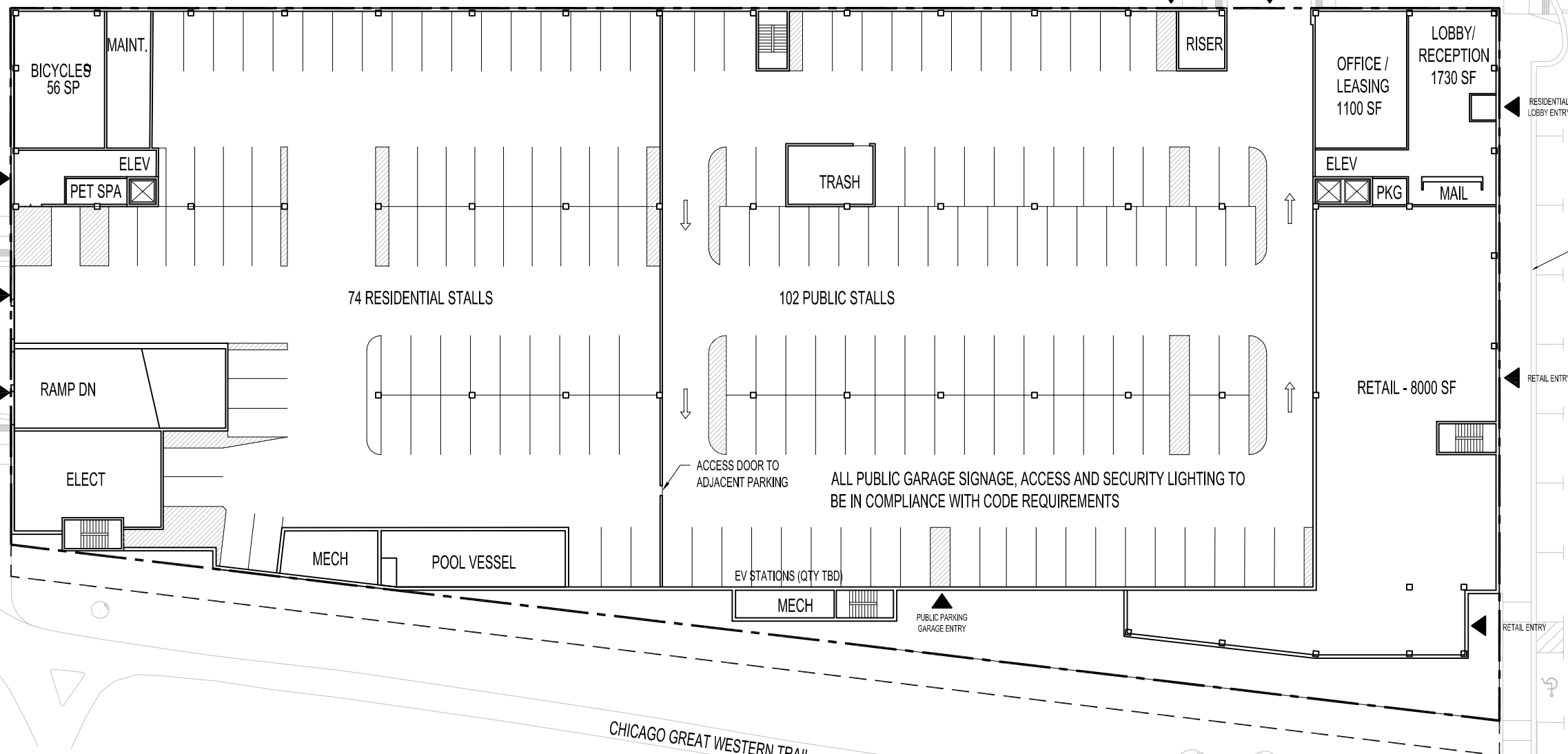
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 4 MAY 2022

WILDWOOD BLVD.

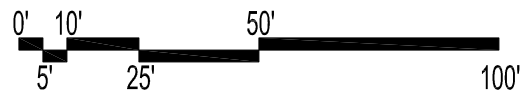
S MYRTLE AVE

VILLA AVENUE

CHICAGO GREAT WESTERN TRAIL

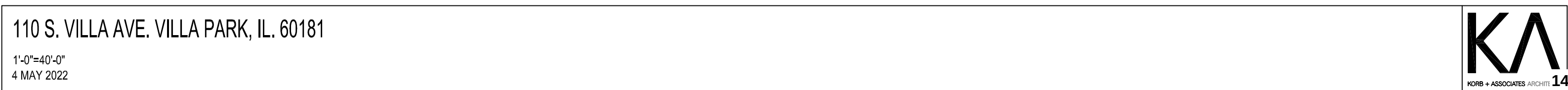


N
PUBLIC PARKING PLAN



110 S. VILLA AVE. VILLA PARK, IL. 60181

1'-0"=40'-0"
4 MAY 2022





NORTH ELEVATION



EAST ELEVATION

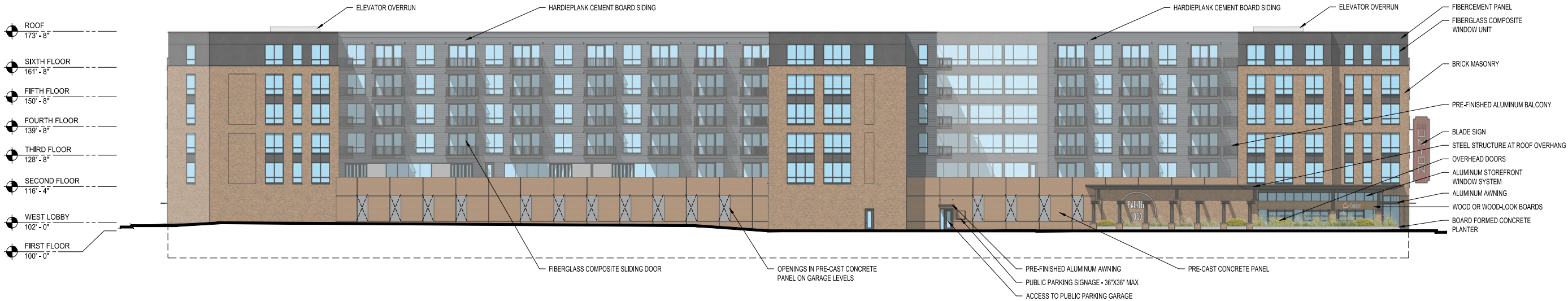
MATERIAL PERCENTAGES		
NORTH FACADE		
BRICK		30%
FIBERCEMENT		30%
OPENINGS		40%
EAST FACADE		
BRICK		35%
FIBERCEMENT		25%
OPENINGS		40%

ELEVATIONS

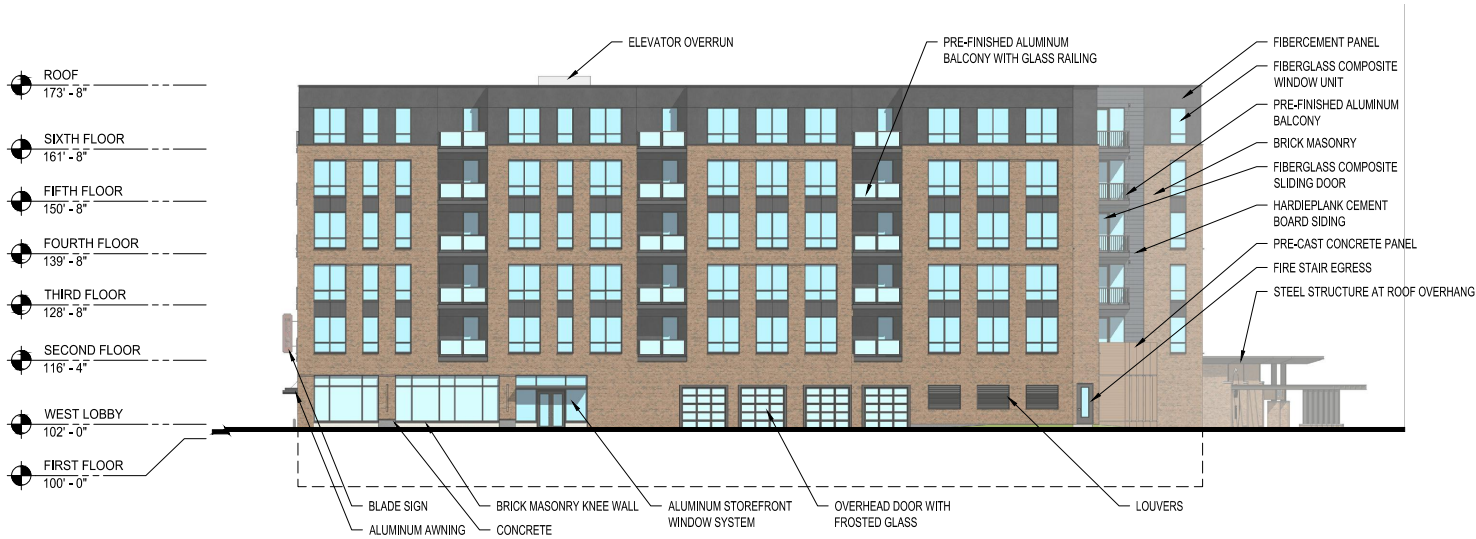
110 S. VILLA AVE. VILLA PARK, IL. 60181

1'=40'-0"
4 MAY 2022





SOUTH ELEVATION



WEST ELEVATION

MATERIAL PERCENTAGES		
SOUTH FACADE		
BRICK		43%
FIBERCEMENT		10%
OPENINGS		20%
PRE-CAST		27%
WEST FACADE		
BRICK		40%
FIBERCEMENT		24%
OPENINGS		36%

ELEVATIONS

110 S. VILLA AVE. VILLA PARK, IL. 60181

1'=40'-0"
4 MAY 2022





BUILDING CORNER RENDERING

110 S. VILLA AVE. VILLA PARK, IL. 60181

29 APRIL 2022



CAFE RENDERING

110 S. VILLA AVE. VILLA PARK, IL. 60181

29 APRIL 2022



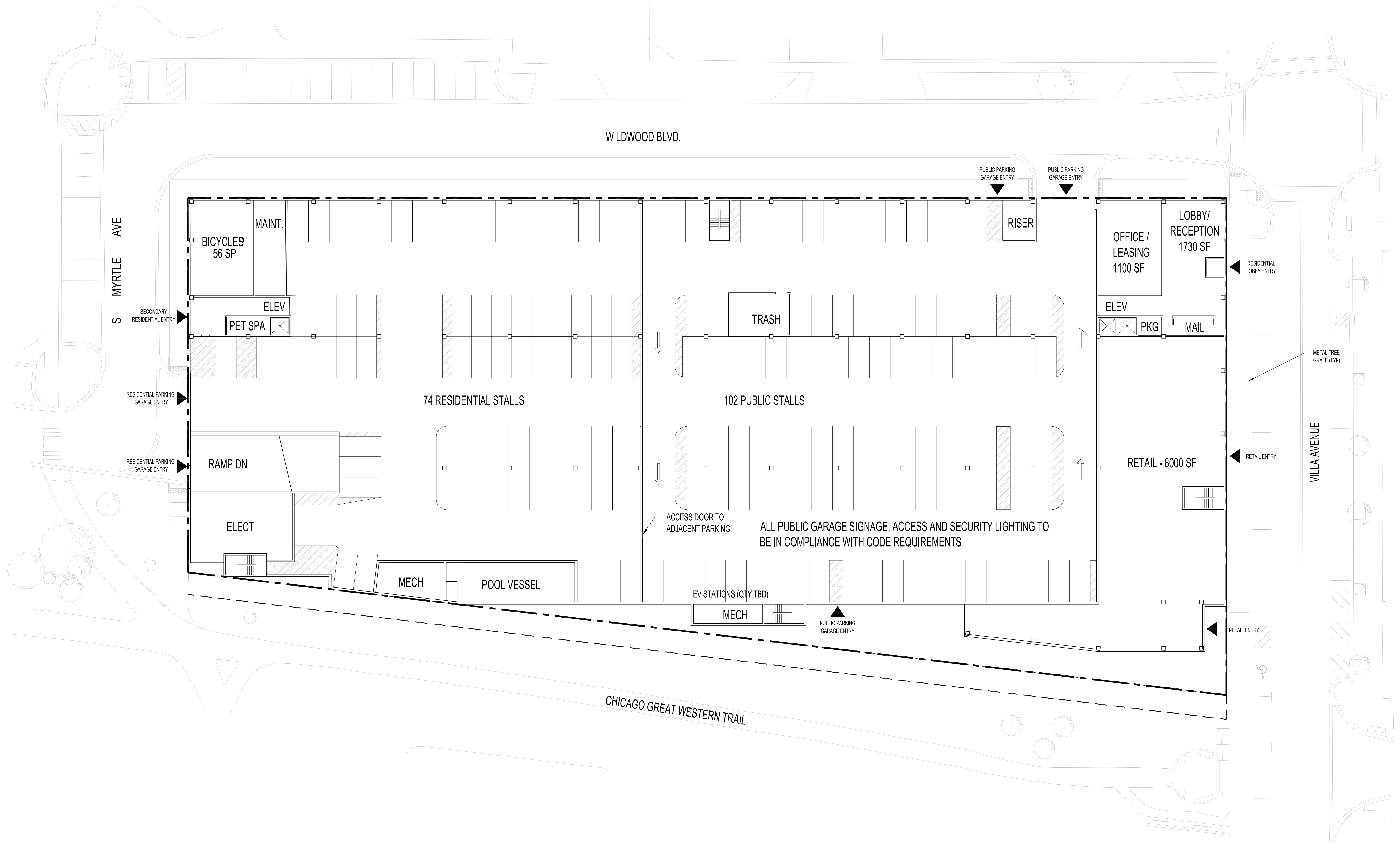


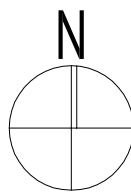
AERIAL RENDERING

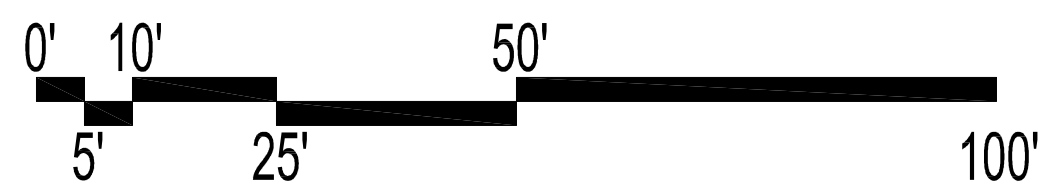
110 S. VILLA AVE. VILLA PARK, IL. 60181

29 APRIL 2022



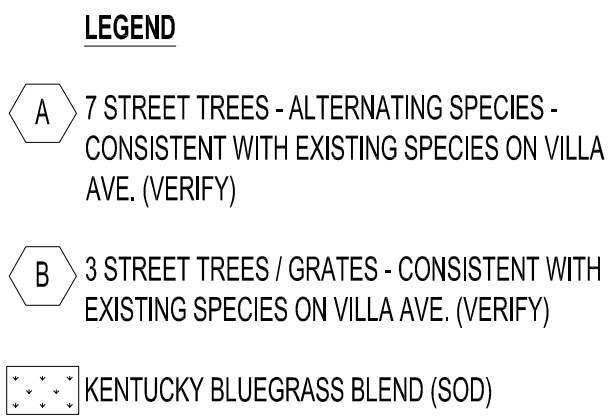


 PUBLIC PARKING PLAN

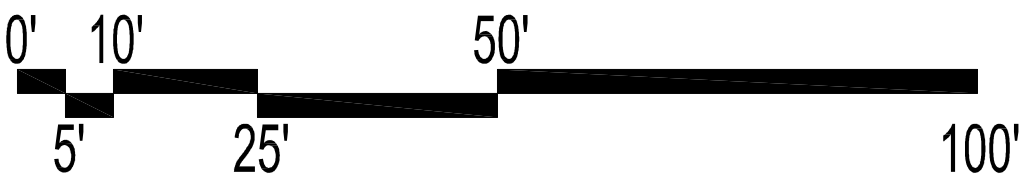


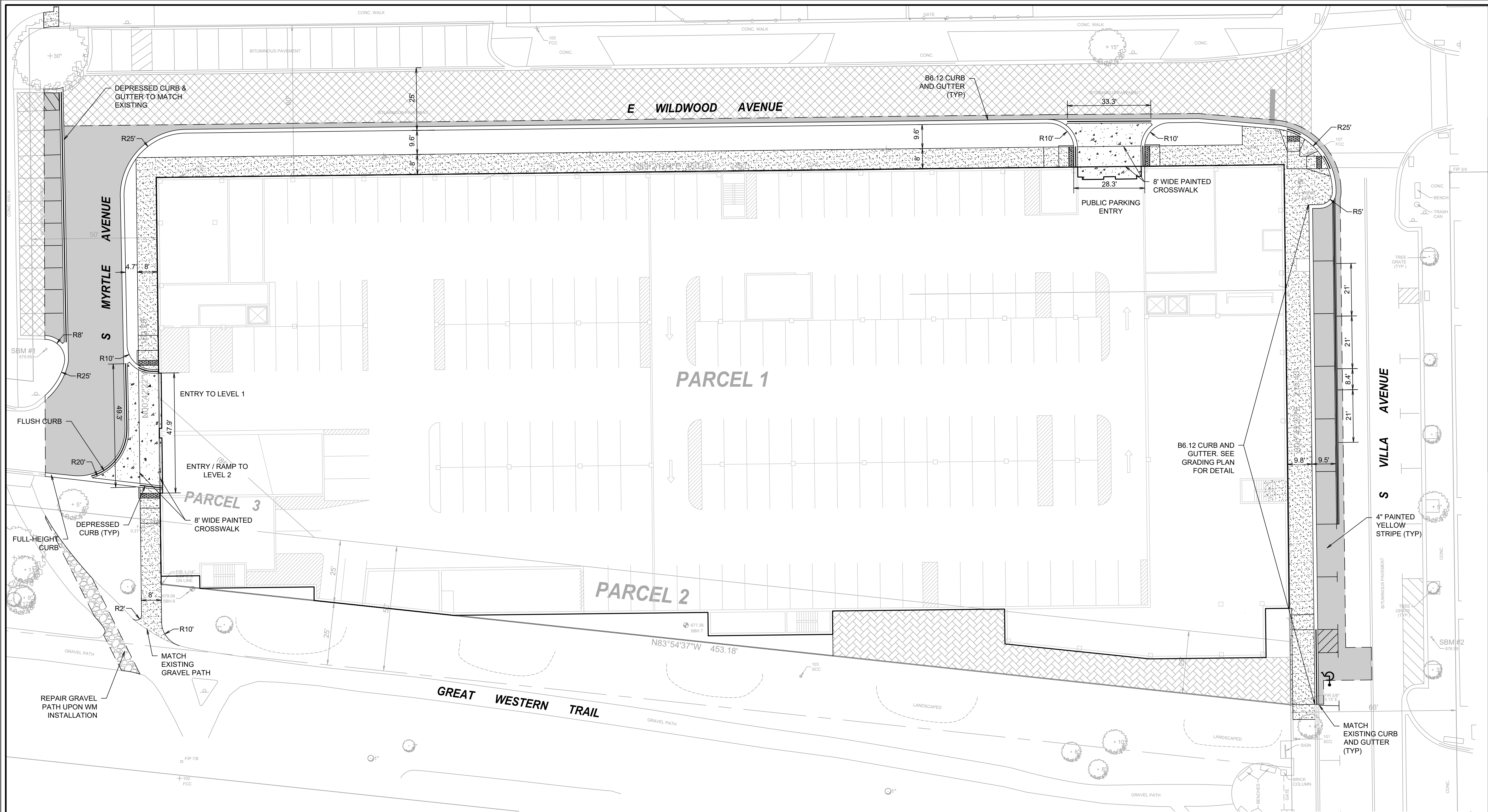
110 S. VILLA AVE. VILLA PARK, IL. 60181

1" = 20'-0"
4 MAY 2022



1" = 20'-0"
4 MAY 2022





CURB LEGEND

- B6.12 REGULAR PITCH CURB AND GUTTER
- B6.12 DEPRESSED CURB AND GUTTER

NOTES:

- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED YELLOW UNLESS OTHERWISE NOTED.
- BUILDING DIMENSIONS ARE TO OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE B6.12 UNLESS OTHERWISE NOTED.

PAVING LEGEND

HEAVY DUTY HMA PAVEMENT

- 2" HMA SURFACE COURSE, MIX C, N50
- 4" HMA BINDER COURSE, IL-19, N50
- 8" AGGREGATE BASE COURSE - CA6

RESURFACE HMA PAVEMENT

- 2" HMA SURFACE COURSE, MIX C, N50

CONCRETE PAVEMENT

- 8" P.C. CONCRETE PAVEMENT WITH (6X6/W2.9=W2.9) W.W.F.
- 4" AGGREGATE BASE COURSE - CA6

CONCRETE SIDEWALK

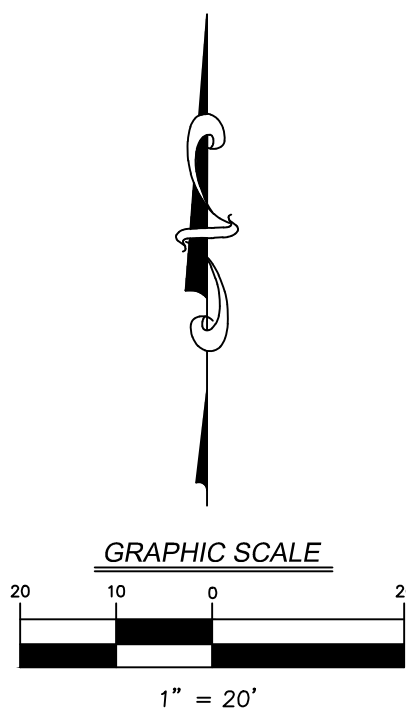
- 5" P.C. CONCRETE PAVEMENT
- 4" AGGREGATE BASE COURSE - CA6

GRAVEL PATH

- MATCH EXISTING

PAVERS

- SEE LANDSCAPE DRAWINGS FOR DETAILS



LAYOUT AND PAVING PLAN

THE UNION

110 SOUTH VILLA AVENUE

ILLINOIS

VILLA PARK

PROJECT NO.:

211221

PROJECT MANAGER:

RMW

DESIGNED BY:

RA

DRAWN BY:

DB

ORIGINAL ISSUE DATE: 02-04-2022

REVISIONS

NO.	DATE	DESCRIPTION
1	04-28-22	PER VILLAGE REVIEW

7325 Janes Avenue
Woodridge, IL 60517
630.724.9200 phone
www.v3co.com



DRAWING NO.

C3.0

RELEASE RATE SUPPLEMENTAL MEMO



THE UNION
VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS
MAY 3, 2022

This memo and its appendix shall serve as a supplement to the Stormwater Report for the project. In the Appendix are two additional impervious area exhibits that depict the impervious and pervious area for the full project development area, 2.25 acres. As shown, in existing conditions there is only 0.04 acres of pervious area. This results in a runoff coefficient “C” of 0.94. Based on a 100-year; 5-minute storm with an intensity of 12.36 inches per hour we find that the existing release rate from the property is 26.14 cfs.

$$Q = C * I * A = 0.94 * 12.36 \text{ in/hr} * 2.25 \text{ ac} = 26.14 \text{ cfs}$$

Under proposed conditions there will be 0.28 acres of pervious area, which includes 2,000 sf of green roof. Based on this pervious area the proposed runoff coefficient is decreased to 0.87. Based on a 100-year; 5-minute storm with an intensity of 12.36 inches per hour we find that the proposed release rate from the property is 24.20 cfs.

$$Q = C * I * A = 0.87 * 12.36 \text{ in/hr} * 2.25 \text{ ac} = 24.20 \text{ cfs}$$

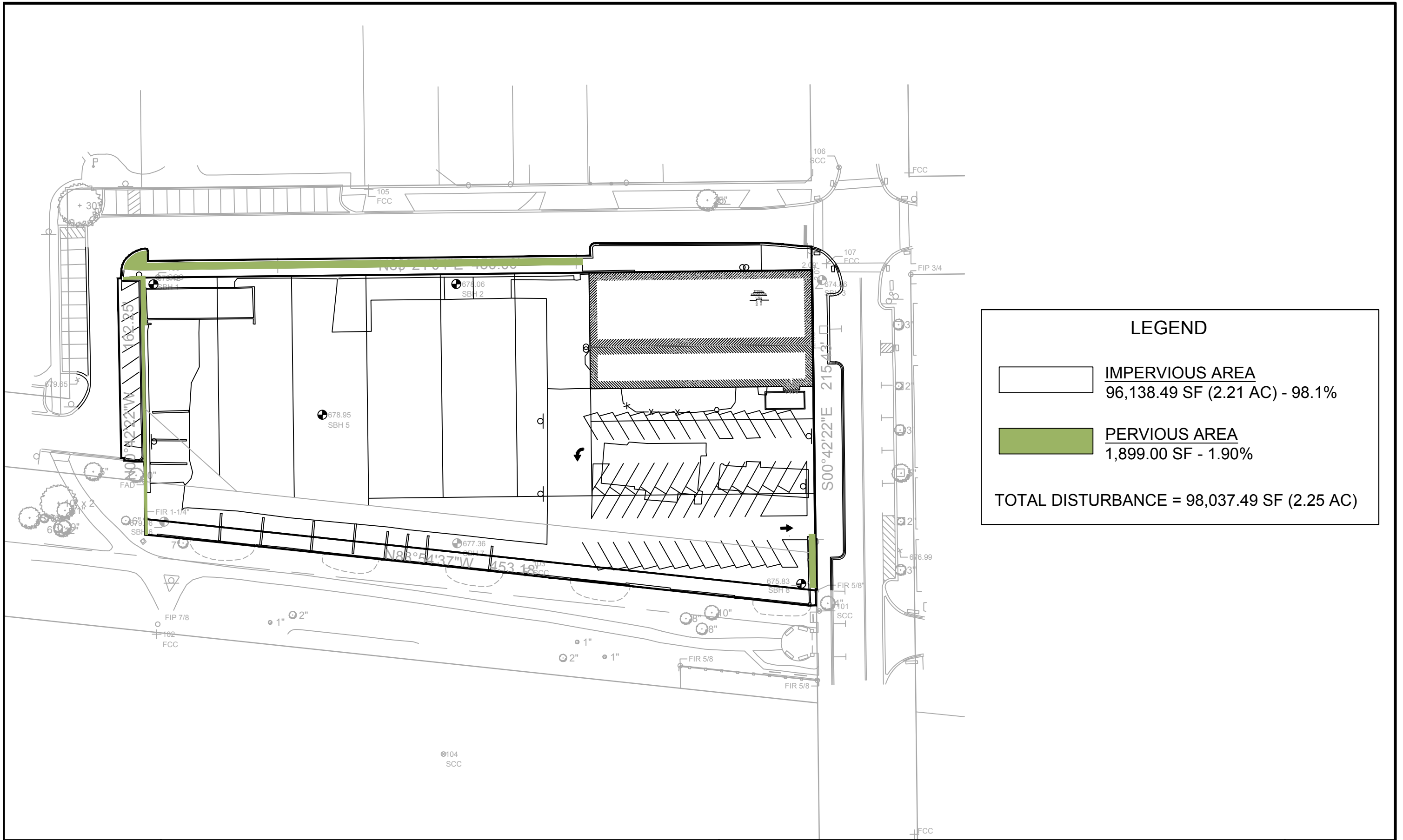
This reflects a post project release rate reduction of 1.94 cfs or 7.5%. To put 1.94 cfs into perspective that equates to a 873 gallons per minute reduction.

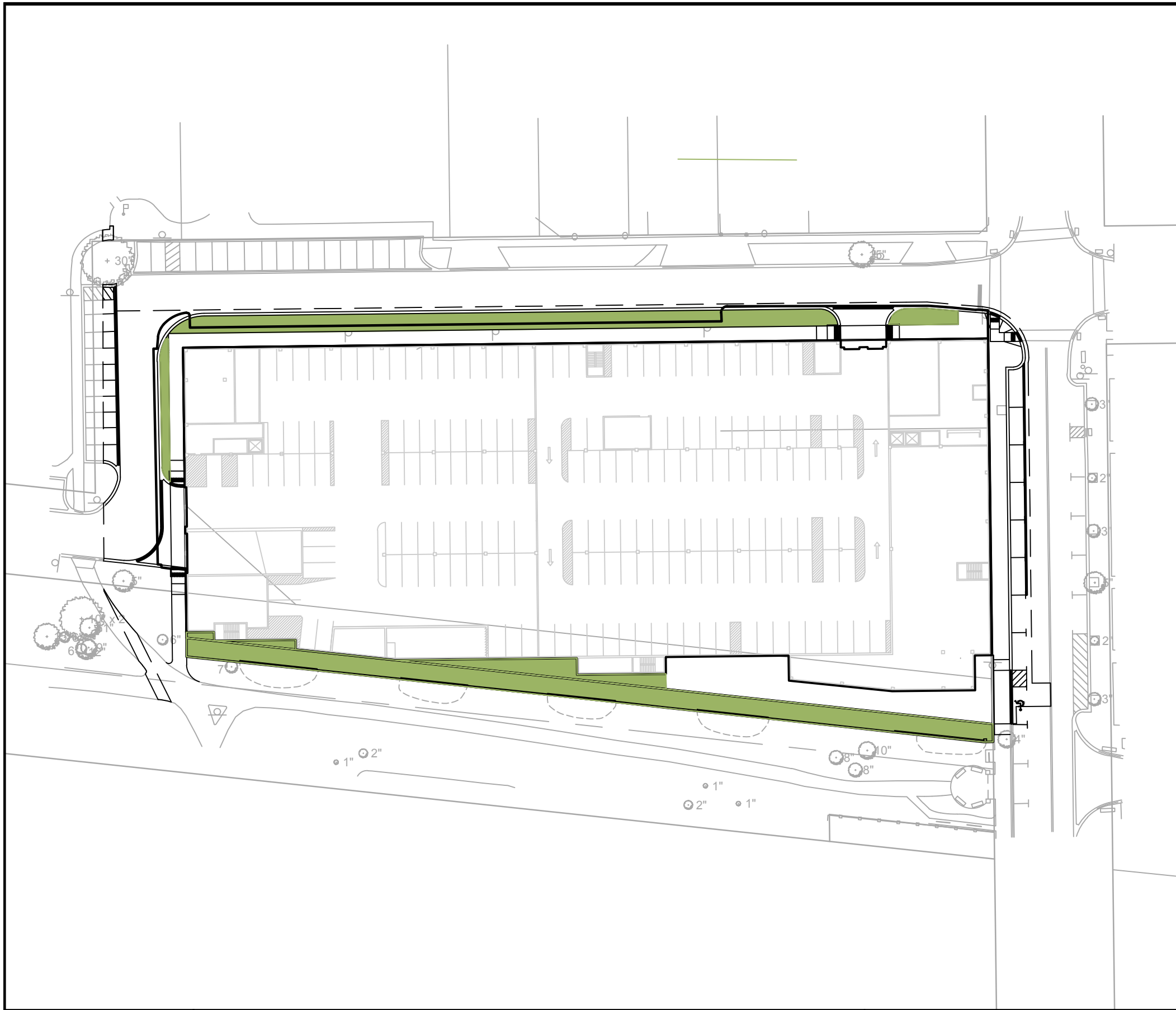
APPENDIX:

Appendix A: Exhibits -

Existing Impervious Area Exhibit

Proposed Impervious Area Exhibit





LEGEND	
	IMPERVIOUS AREA 85,813 SF (1.97 AC) - 87.6%
	PERVIOUS AREA 10,017 SF + 2,000 SF GREEN ROOF (0.28 AC) - 12.4%
TOTAL PROJECT AREA = 98,037.49 SF (2.25 AC) NEW NET PERVIOUS = 10,118 SF (0.23 AC)	



7325 Janes Avenue
Woodridge, IL 60517
630.724.9200 phone
www.v3co.com

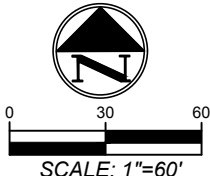
THE UNION

VILLA PARK

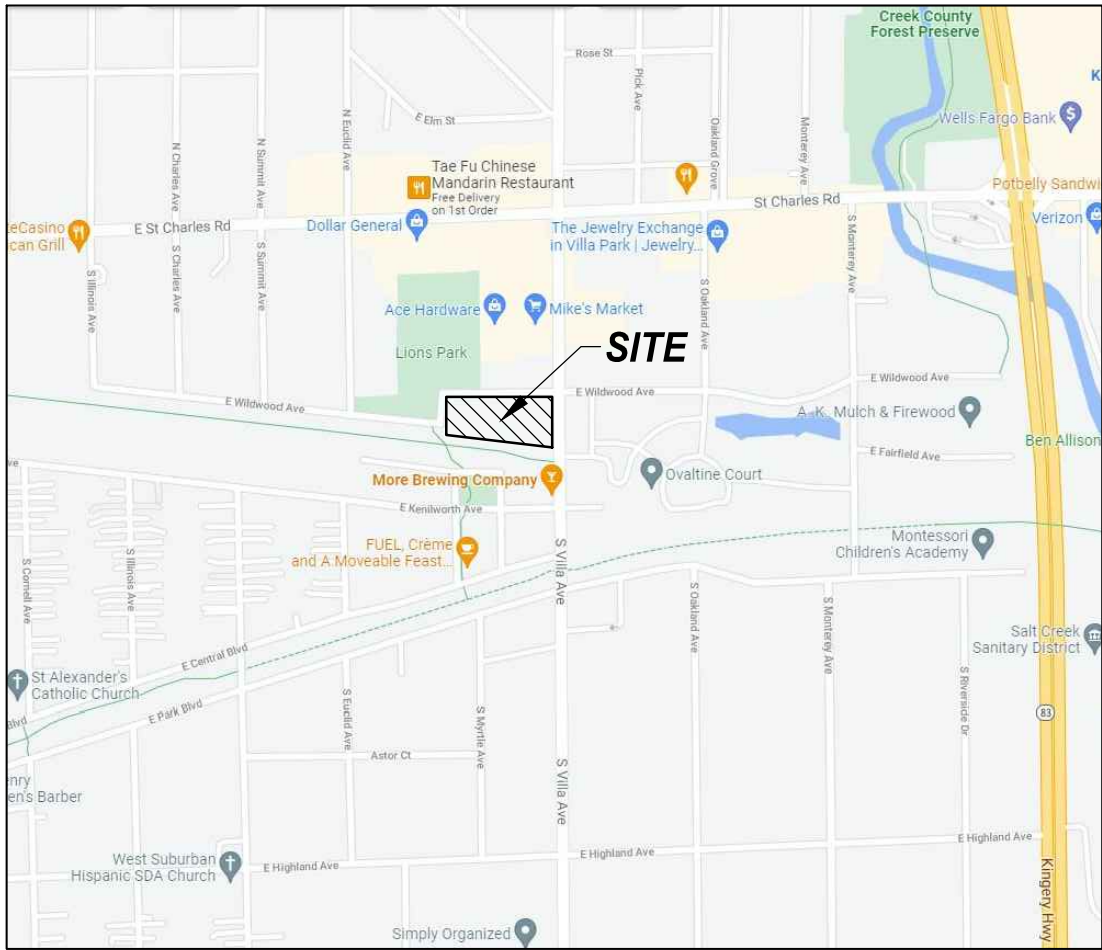
ILLINOIS

PROPOSED IMPERVIOUS EXHIBIT

DATE: 05-03-22



SCALE: 1"=60'



VICINITY MAP
NOT TO SCALE

AREA

84,977 SQ. FT.
1.9508 ACRES

FINAL PLAT OF SUBDIVISION
OF
THE UNION

PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE
11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 06-10-106-001
06-10-106-002
06-10-106-004



GRAPHIC SCALE



1" = 30'

BASIS OF BEARINGS

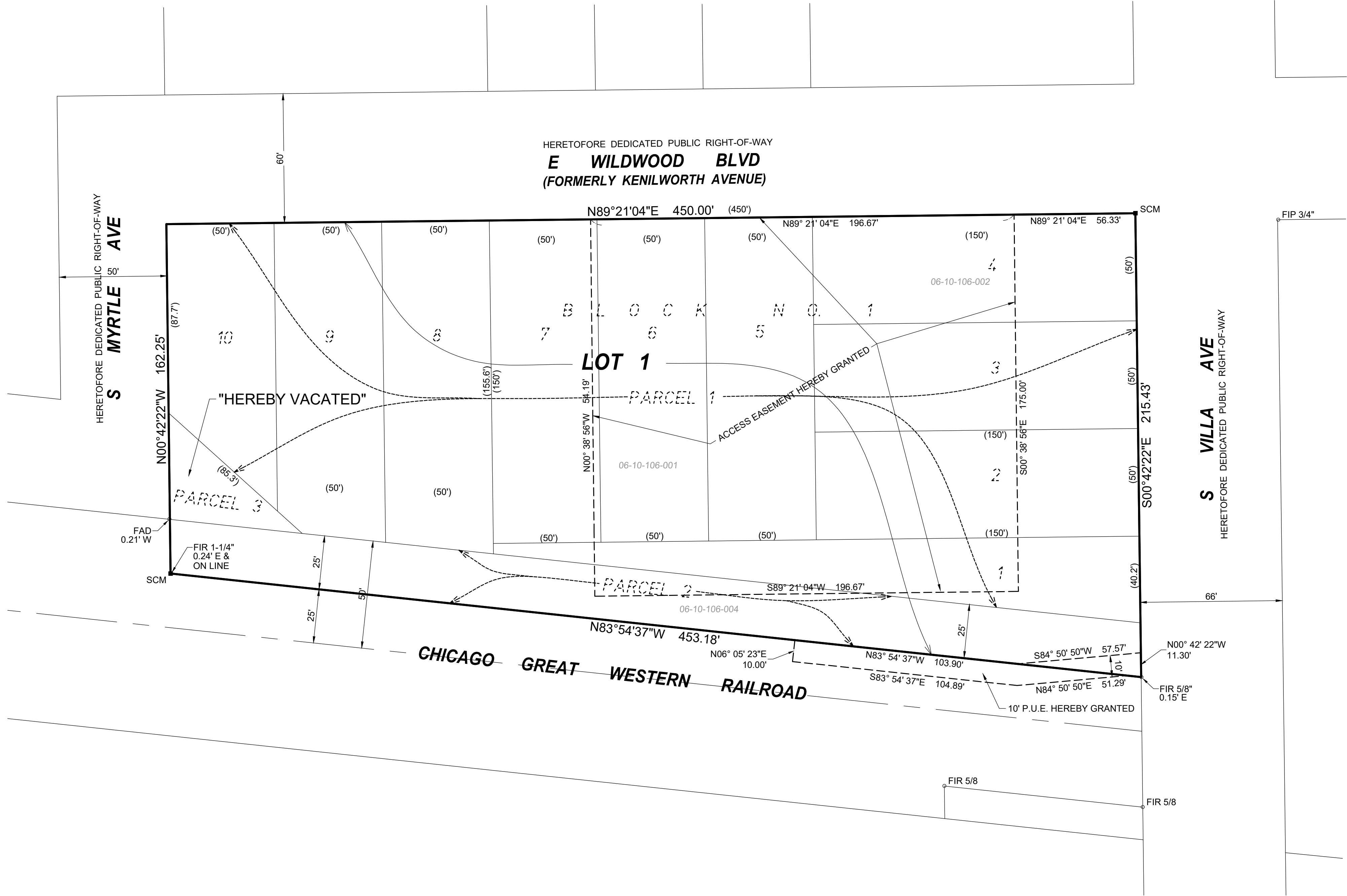
THE BASIS OF BEARINGS IS THE STATE PLANE
COORDINATE SYSTEM (SPCS) NAD 83 (2011) ZONE
1201 (ILLINOIS EAST) WITH PROJECT ORIGIN AT
LATITUDE 41° 53' 14.80711" N
LONGITUDE 87° 58' 14.14847" W
ELLIPSOIDAL HEIGHT: 573.955 SFT
GROUND SCALE FACTOR 1.0000412399
ALL MEASUREMENTS ARE ON THE GROUND.

LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING LOT LINE
- PROPOSED LOT LINE
- CENTERLINE OF R-O-W
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- PROPOSED SETBACK LINE
- QUARTER SECTION LINE

N NORTH
S SOUTH
E EAST
W WEST

- 0.00' CALCULATED DATUM
- (0.00') RECORD DATUM
- FIR ○ FOUND IRON ROD
- FIP ○ FOUND IRON PIPE
- FAD ○ FOUND ALUMINUM DISK
- FCC + FOUND CROSS CUT
- SCM ■ SET CONCRETE MONUMENT



SURVEYOR'S NOTES:

- ONCE THE PLAT SHOWN HEREON IS RECORDED, AND UPON THE COMPLETION OF CONSTRUCTION, 3/4" IRON PIPES WITH PLASTIC CAPS SHALL BE SET AT ALL LOT CORNERS AND CHANGES IN GEOMETRY, UNLESS SHOWN OTHERWISE.
- THE SUBDIVISION WILL BE BOUND TO THE DECLARATION OF RECIPROCAL EASEMENT AGREEMENT FOR THE FINAL PLAT OF SUBDIVISION OF THE UNION, DOCUMENT _____, RECORDED ON _____.

OWNER / DEVELOPER

Catalyst Partners
833 E. Michigan Street, Suite 1000
Milwaukee, WI 53202
414-727-6840

ENGINEER/SURVEYOR

V3 Companies of Illinois, Ltd.
7325 Janes Avenue, Suite 100
Woodridge, Illinois 60517
630-724-9200

THIS PLAT HAS BEEN SUBMITTED FOR
RECORDING BY AND RETURN TO:
NAME: THE VILLAGE OF VILLA PARK
ADDRESS: 20 ARDMORE AVE
VILLA PARK, IL 60181



Engineers
Scientists
Surveyors

7325 Janes Avenue, Suite 100
Woodridge, IL 60517
630.724.9200 voice
630.724.0384 fax
v3co.com

PREPARED FOR:

CATALYST PARTNERS

833 E. MICHIGAN STREET, SUITE 1000
MILWAUKEE, WI 53202
414-727-6840

NO.			DATE			REVISIONS			DESCRIPTION		
1	05/04/2022	PER CITY COMMENTS									

FINAL PLAT OF SUBDIVISION

THE UNION, VILLA PARK, ILLINOIS

DRAFTING COMPLETED: 01-31-22
FIELD WORK COMPLETED: N/A
DRAWN BY: MLP
CHECKED BY: CWB
PROJECT MANAGER: CWB
SCALE: 1" = 30'

Project No: 211221
Group No: VP04.1

SHEET NO.
1 of 2

FINAL PLAT OF SUBDIVISION
OF
THE UNION

PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE
11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 06-10-106-001
06-10-106-002
06-10-106-004

OWNER'S CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED ABOVE AND THAT NO OTHER PERSON HAS ANY RIGHT, TITLE, OR INTEREST IN SAID LAND, AND THAT SAID OWNERS HAS CAUSED THE SAME HEREBY SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND TO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS ____ DAY OF _____, A.D., 20 ____.

NAME _____

ADDRESS _____

NOTARY PUBLIC

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE RESIDING IN
THE _____ COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT
PERSONALLY KNOWN TO ME HEREBY AS SUCH OWNER(S)
APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/THEY SIGNED AND
DELIVERED THE PLAT AS HIS/THIER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES
THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, A.D., 20 ____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

SCHOOL DISTRICT BOUNDARY STATEMENT

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND STATES THE FOLLOWING:

THAT HE/SHE IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON A PROPOSED PLAT OF SUBDIVISION SUBMITTED TO THE VILLAGE FOR APPROVAL, WHICH LEGAL DESCRIPTION IS ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN; AND

TO THE BEST OF THE OWNERS KNOWLEDGE, THE SCHOOL DISTRICT(S) IN WHICH EACH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES ARE

88, 48, 502 (SCHOOL DISTRICT NAME)

(ADDRESS)

DATED THIS ____ DAY OF _____, A.D., 20 ____.

OWNER(S) _____

PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF VILLA PARK, ILLINOIS

THIS ____ DAY OF _____, A.D., 20 ____.

CHAIRMAN _____

COMMUNITY DEVELOPMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

APPROVED AND ACCEPTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS, AT A MEETING HELD THIS ____ DAY OF _____, A.D., 20 ____.

BY: _____
DIRECTOR

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

APPROVED AND ACCEPTED BY THE VILLAGE BOARD OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS, AT A MEETING HELD THIS ____ DAY OF _____, A.D., 20 ____.

BY: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

SPECIAL ASSESSMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, _____, VILLAGE CLERK FOR THE VILLAGE OF VILLA PARK, ILLINOIS, DO
HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID OR FORFEITED SPECIAL
ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN
APPORTIONED AGAINST THE TRACT, INCLUDED IN THIS PLAT

DATED AT VILLA PARK, DUPAGE COUNTY, ILLINOIS

THIS ____ DAY OF _____, A.D., 20 ____.

VILLAGE CLERK _____

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____) SS

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVISION HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS ____ DAY OF _____, 20 ____.

IL REGISTERED PROFESSIONAL ENGINEER _____ OWNER _____

STATE REGISTRATION NUMBER _____ BY: _____

REGISTRATION EXPIRATION DATE _____ ITS: _____

BY: _____ ITS: _____

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, _____, VILLAGE ENGINEER OF THE VILLAGE OF VILLA PARK, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENT DESCRIBED IN THE PLAT AND SPECIFICATIONS THEREFORE, MEET THE MINIMUM REQUIREMENTS OF THE VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED AT VILLA PARK, DUPAGE COUNTY, ILLINOIS

THIS ____ DAY OF _____, A.D., 20 ____.

VILLAGE ENGINEER _____

REGISTRATION NUMBER _____

PUBLIC UTILITY EASEMENT PROVISIONS

EASEMENTS ARE RESERVED FOR AND GRANTED TO THE VILLAGE OF VILLA PARK OVER ALL THE AREAS MARKED "P.U.E." OR "PUBLIC UTILITY EASEMENT" ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE STORM SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE, OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS. NO PERMANENT BUILDINGS SHALL BE PLACED WITHIN SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS.

ACCESS EASEMENT PROVISIONS

PERPETUAL, NONEXCLUSIVE ACCESS EASEMENTS FOR INGRESS AND EGRESS ARE HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF THE LOT(S) SHOWN HEREON AND TO THEIR SUCCESSORS, ASSIGNS, TENANTS, LICENSEES, INVITEES, AND EMPLOYEES ON, OVER, THROUGH, ALONG AND ACROSS ALL OF THE AREAS OF THE PLAT HEREON DESIGNATED AS "ACCESS EASEMENT HEREBY GRANTED".

THE GRANTOR HEREBY COVENANTS AND AGREES THAT NOTHING SHALL BE ERRECTED OR MAINTAINED OR ALLOWED TO BE ERRECTED OR MAINTAINED UPON SAID ACCESS EASEMENTS WHICH WOULD IN ANY WAY HINDER OR PREVENT THE FREE FLOW OF PEDESTRIAN TRAFFIC EXCEPT AS MAY BE PROVIDED BY DECLARATIONS, COVENANTS OR RESTRICTIONS PLACED OR TO BE PLACED ON THE SAID EASEMENT AREA.

SPECIAL SERVICE AREA (SSA)

THE OWNER, SUBDIVIDER, AND DEVELOPER HAVE AGREED TO THE IMPOSITION OF ONE OR MORE SPECIAL SERVICE AREAS FOR ALL OF THE ABOVE SUBDIVISION TO GUARANTEE PERFORMANCE OF THE OBLIGATIONS SET FORTH IN THE COVENANTS AND DECLARATIONS WHICH MAY INCLUDE A SPECIAL TAX AT A RATE NOT TO EXCEED 5%. THE SPECIAL SERVICE AREA SHALL CONTINUE INDEFINITELY UNLESS LIMITED BY LAW. IN THE EVENT THE VILLAGE OF VILLA PARK ELECTS TO CREATE A SPECIAL SERVICE AREA, NEITHER THE OWNER, THE DECLARANT, THE DEVELOPER, OR OWNER OF ANY LOT OR UNIT OF OWNERSHIP, NOR ANY OF THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL OPPOSE THE FORMATION OF THE SPECIAL SERVICE AREA BY PETITION OR OTHERWISE OR ANY TAX ASSESSMENT OR LEVY CREATED PURSUANT THERETO.

BY: _____
(OWNER)

PERMISSION AND DESIGNATION TO RECORD

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, CHARLES W. BARTOSZ, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, HEREBY DESIGNATE THE VILLAGE CLERK OF THE VILLAGE OF VILLA PARK TO RECORD THIS PLAT OF SUBDIVISION OF THE UNION WITH THE DUPAGE COUNTY RECORDER OF DEEDS AND REGISTRAR OF TITLE. THIS DESIGNATION IS GRANTED UNDER THE RIGHT TO DESIGNATE SUCH RECORDING UNDER CHAPTER 109, SECTION 2 OF THE ILLINOIS REVISED STATUTES

THIS ____ DAY OF _____, A.D., 2022.

CHARLES W. BARTOSZ
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3188
MY LICENSE EXPIRES ON NOVEMBER 30, 2022.
V3 COMPANIES, LTD. PROFESSIONAL DESIGN FIRM NO. 184000902
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2023.



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

THIS IS TO CERTIFY THAT I, CHARLES W BARTOSZ, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3188, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10 IN BLOCK 1 IN CALHOUN'S 2ND ADDITION TO VILLA PARK, IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 23, 1923 AS DOCUMENT NUMBER 163013, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AS FOLLOWS: ON THE EASTERLY SIDE BY THE WEST LINE OF SOUTH VILLA AVENUE; ON THE NORTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREAT WESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY), AS SAID MAIN TRACK CENTER LINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 10; ON THE WESTERLY SIDE BY THE SOUTHERLY EXTENSION OF THE (PARALLEL) EAST LINE OF MYRTLE AVENUE, AS PLATTED IMMEDIATELY SOUTH OF E. KENILWORTH STREET; AND ON THE SOUTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 25 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MAIN TRACK OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY (FORI4ERLY THE CHICAGO GREAT WESTERN RAILWAY COMPANY), AS SAID MAIN TRACK IS NOW LOCATED, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF MYRTLE AVENUE IN CALHOUN'S 2ND ADDITION TO VILLA PARK, IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 23, 1923 AS DOCUMENT NUMBER 163013, IN DUPAGE COUNTY, ILLINOIS, BOUNDED AS FOLLOWS: ON THE NORTHEASTERLY SIDE BY THE SOUTHWEST LINES OF LOTS 9 AND 10 IN SAID CALHOUN'S 2ND ADDITION; ON THE SOUTHERLY SIDE BY A LINE PARALLEL WITH AND DISTANT 50 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MAIN TRACK OF THE MINNESOTA AND NORTHWESTERN RAILROAD COMPANY (LATER THE CHICAGO GREAT WESTERN RAILWAY COMPANY, NOW THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY), ON THE WESTERLY SIDE BY THE SOUTHERLY EXTENSION OF THE (PARALLEL) EAST LINE OF MYRTLE AVENUE, AS PLATTED IMMEDIATELY SOUTH OF E. KENILWORTH STREET (NOW E. WILWOOD AVENUE).

I FURTHER CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF VILLA PARK, WHICH HAS ADOPTED A VILLAGE PLAN AND IT IS EXERCISING THE SPECIAL POWERS BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I FURTHER CERTIFIED THAT NO PART OF THE PROPERTY COVERED BY THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL MANAGEMENT AGENCY, AS SHOWN ON FIRM MAP NO. 17043C0088J, DATED AUGUST 1, 2019.

I FURTHER HEREBY CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET AND I HAVE DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (765 ILCS 205/). THE EXTERIOR MONUMENTS HAVE BEEN SET AND THE INTERIOR MONUMENTS WILL BE SET WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT AS PROVIDED BY THE STATUE.

DATED THIS ____ DAY OF _____, A.D., 2022.

CHARLES W. BARTOSZ
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3188
MY LICENSE EXPIRES ON NOVEMBER 30, 2022.
V3 COMPANIES, LTD. PROFESSIONAL DESIGN FIRM NO. 184000902
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2023.
cbartosz@v3co.com



Engineers
Scientists
Surveyors

7325 Janes Avenue, Suite 100
Woodridge, IL 60517
630.724.9200 voice
630.724.0384 fax
v3co.com

PREPARED FOR:
CATALYST PARTNERS
833 E. MICHIGAN STREET, SUITE 1000
MILWAUKEE, WI 53202
414-727-6840

NO.			REVISIONS		
NO.			NO.	DATE	DESCRIPTION
1	05/04/2022	PER CITY COMMENTS			

FINAL PLAT OF SUBDIVISION				Project No:	211221
THE UNION, VILLA PARK, ILLINOIS				Group No:	VP04.1
DRAFTING COMPLETED:	01-31-22	DRAWN BY:	MLP	PROJECT MANAGER:	CWB
FIELD WORK COMPLETED:	N/A	CHECKED BY:	CWB	SCALE:	1" = N/A
SHEET NO.					2 of 2

Village of Villa Park

Community Development Department, 11 W. Home Avenue, Villa Park, IL 60181



TO: Planning & Zoning Commission
FROM: Community Development Department
Economic Development Department
DATE: May 12, 2022
RE: **Petition PZ-22-0001 / 100-110 S. Villa Avenue / Plat of Subdivision /**
Zoning Map Amendment and Special Use for a Planned Unit Development (PUD) /
The Union / Catalyst Partners and Marquette Companies (Petitioner) on behalf of the
Village of Villa Park (Owner)

Request Summary:

A public hearing is scheduled before the Planning & Zoning Commission at 7:30 p.m. on May 12, 2022, at the Villa Park Village Hall, 20 South Ardmore Avenue, Villa Park, IL, to consider a request by David Lyon (applicant) of Catalyst Partners (Petitioner) on behalf of the Village of Villa Park (owner) for the property at 100 – 110 S. Villa Avenue, Villa Park, Illinois which would approve:

- 1) Zoning Map amendment from MX-R2 and MX-T to MX-2 PUD for the block bounded by Myrtle Avenue, Wildwood Avenue, Villa Avenue, and the Great Western Trail.
- 2) Plat of Subdivision to consolidate the three subject parcels and a vacated portion of the Myrtle Avenue Right-of-Way.
- 3) Special Use for a Planned Unit Development (PUD) consisting of:
 - A six-story mixed-use building where overall maximum of four stories are permitted;
 - Garage entry on the side yard for public parking and rear yard for resident parking, where only rear yard entrance is permitted;
 - Streetscape area from 0' to 10', where a minimum 13 ft. streetscape area is required along street frontages;
 - A rear yard setback of 0' where 5' is required;
 - Blank wall limitations: reduction of the minimum amount of transparency on façades of the lowest level;
 - A reduction of streetscape elements including the requirement for on-street parking on the south side of Wildwood, at the request of the Village, in order to accommodate bike path and pedestrian needs;
 - Driveway entrances across the Public Right-of-Way greater than the 25' permitted.

Site Information:

Present Zoning: MX-T Mixed-Use Transitional and MX – R2 Mixed Residential District
Present Land Use: Commercial multi-tenant building and public parking lot
Property Size: 1.95 Acre Development Site
PINS: 06-10-106-001, 06-10-106-002, 06-10-106-004, and a portion of Myrtle Avenue which will be vacated.

Surrounding Zoning

North: Mixed Transitional (MX-T)/
Mixed-Use Main Street (MX-2)

West: Residential Single Dwelling (RS-7.5)

East: Mixed Transitional (MX-T)

South: Mixed-Use Main Street (MX-2)

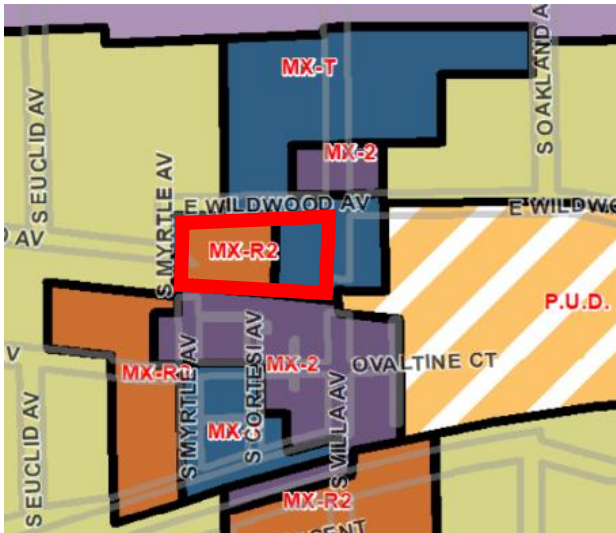
Present Land Use

Commercial / In-line retail

Lions Park / Detached Single Family Housing
Commercial & Multi-Family Housing
(Ovaltine Court)

Recreation & Retail (Great Western Trail &
Pioneer Garden and Feed)

Zoning Map



Location Map – 100 – 110 S. Villa



Comprehensive Plan Designation - Business District Mixed-Use:

Business District Mixed-Use: This land use category is intended for a mixture of multi-family residential, business district commercial and institutional uses in a relatively compact, pedestrian-oriented activity node. This classification encompasses the Village's business districts.

The Comprehensive Plan contemplates this site as a higher density redevelopment opportunity with taller, larger scale multi-family structures four stories and higher.

Background:

The subject property is located within the Old Town Villa Avenue Business District and in the St. Charles Road TIF District (TIF #4). The Village acquired the property in 2020 in order to continue the momentum that the area has experienced the last several years.

The applicant is an experienced development team. Local projects include the Water Street District in downtown Naperville and the Marq on Main in downtown Lisle. The Village approved a Letter of Intent December 6, 2021 with the applicant. The applicant has been conducting its due diligence since the approval. The applicant



conducted a community engagement meeting at the Lions Park Recreation Center on February 24 and presented a Concept Plan at the March 10, 2022 Planning and Zoning Commission meeting.

The PUD Redevelopment Plan includes three significant changes since the Concept Plan was presented:

- 1) The zoning request is for MX-2 PUD zoning, not the MX-T PUD. The MX-2 Main Street District permits zero lot line development.
- 2) Building height has decreased from 184'4" to 173'8" because 1 level of parking will be underground). Contiguous parcels to both the north and south are MX-2 zoning.
- 3) Street Trees have been added to Villa Avenue.
- 4) Additional pedestrian entrances have been added to the public parking area and the building entrances for the pedestrian garage access have been enhanced.

Background:

The site, known as the former AK Mulch property, is largely vacant. The applicant would purchase this property from the Village of Villa Park and demolish the existing building (at the SWC of Villa and Wildwood). The property is of irregular shape and a triangular portion of the Myrtle right-of-way would be vacated at the time of a new Plat of Consolidation to create a rectangular parcel.

A zoning change to Mixed-Use Main Street District (MX-2) Planned Unit Development and a Special Use for Planned Unit Development are requested. Named "The Union" in recognition of Villa Park's railway history, the project would contain:

- A 374,340 sq. ft. mixed-use six story building;
- Approximately 220 market rate residential units with a total of 310 bedrooms (including 5 studios);
- 8,000 sq. ft. of retail space along Villa Avenue with civic space at the southeast corner of the building, adjacent to the Great Western Trail;
- Approximately 1800 s.f. of Lobby/Reception and Office/Leasing space at the northeast corner of the building;
- Rooftop residential amenity space including a swimming pool;
- A two-story parking deck with 325 parking stalls for residents of the building and 102 parking stalls for public use. Garage entry on the north side yard (Wildwood) for public parking and on the rear yard (Myrtle) for resident parking;
- 56 bicycle parking spaces, located within the public garage, and,
- The lower level of parking would be constructed below grade and six stories at a height of 173' above grade.

The PUD request includes variation from the Zoning Ordinance (Appendix C), for streetscape landscaping, building height, garage entrance location, and as an accommodation for the public garage, design elements related to blank wall limitations, doors, and entrances, as outlined on page one of this memorandum, and published in the Legal Notice.

Internal Staff Review

Economic Development Director

As the Old Town Villa Avenue area continues to transition to a residential/recreational/entertainment district, the proposed project (The Union) will contribute to that momentum. The Union will be a \$50 million, mixed-use development that complements Ovaltine Apartments and the Kenilworth Townhomes. The new commercial space will continue to diversify the retail mix furthering the area as a destination along the Illinois Prairie Path.

Any request for assistance will be based upon a financial model and pro forma needs. A Redevelopment Plan, Reciprocal Covenants for the property and final details for each would be agreed upon as part of the Village sale of the property. The Village also is considering creating a TIF district that would include the subject property.

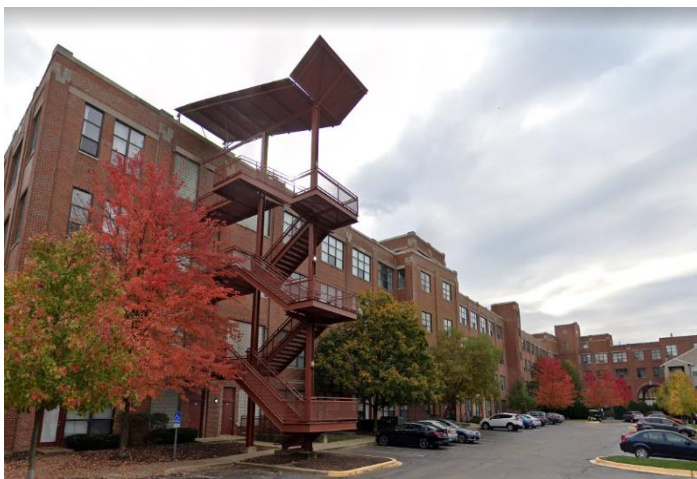
Community Development

Zoning: In 2018, prior to Village ownership, the vision for the property was mixed use development along Villa with Townhomes to the west, resulting in a split zoning District of MX-R2 and MX-T. A rezoning to MX-T PUD was contemplated in March when the Concept Plan was presented to a Community Meeting and the Planning & Zoning Commission. Parcels to the north and the south, on Villa are MX-R2 and zero lot line properties.

The zero lot line setback on the front and side yards meets the zoning requirements for the MX-2 District, accommodates the internal parking garage, and continue the street wall of the buildings to the north and south. The building footprint accommodates the drive aisles needed within the internal parking structure.

Height: Up to two additional stories may be added to storefront and general buildings in all MX districts as a special use. Therefore, the six story height (when appropriately reviewed) was contemplated in the MX districts, generally.

This is a PUD and the height request is minimal and may be contemplated in this zoning context. Placing the lower level of parking under grade results in a building height of 173'. The grade height of the parapet near the center of the south face of the original four story Ovaltine factory (along the



Ovaltine Apartments



path) is estimated to be close to 65', with the southwestern stair tower (internal, adjacent to the pool at about 85' and the eastern stair tower about 75'.

Building Façade: Quality finishes are proposed for the building façade, including brick at 30% of the north façade, 35% of the east façade, 43% of the south façade, and 40% of the west façade. Material percentages are identified on the Elevations, in the packet as Exhibit 2. Building elevations conform to required design elements on the upper floors. Since the concept plan was presented, the petitioner has added more prominent design to the pedestrian garage entrances.



Relief from the blank wall provisions has been requested due to the parking garage on the first floor. As proposed, the northern façade contains metal screening, with open air on the south façade. As an Open Air Garage, a certain portion of the outer walls need to be open, otherwise an HVAC system is needed. The Petitioner will have material samples and photos of the two treatments for discussion at the meeting.

Signage: No signage is being approved at this time. The Petitioner would bring a sign package in at a later date.

Landscape Variation: The zero lot line configuration limits the amount of perimeter lot landscaping, but street trees will be installed to meet code requirements, and landscaping will be added to the southern façade. A rooftop garden feature may be added to further reduce stormwater detention, prior to release.

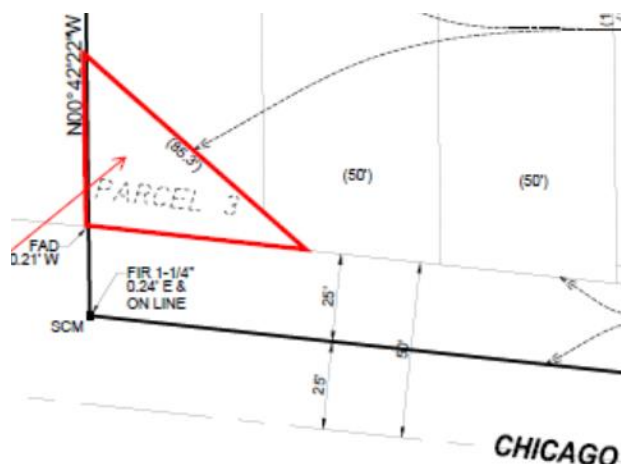
The Village previously removed parking spaces from the eastbound lane on Wildwood to prepare for the Tri-Trail Bike path which will bring cyclists along the north lot line to the intersection of Wildwood and Villa, a safer crossing than at the Great Western Trail Arch entrance on Villa. The 8' path will be adjacent to the building, creating separation with traffic and allowing for street tree placement. The path design is not complete. Streetscape along Villa will generally mirror that on the east side of Villa.

Engineering

Signage and Striping Plan: The Signage and Striping Plan will be finalized at time of building permit.

Traffic Study: Continue to work through Traffic Study comments with the Village.

Plat of Subdivision: Three parcels and a portion of Myrtle Avenue (noted as Parcel 3 in the figure to the right) will be consolidated into one parcel through a Plat of Consolidation. The Final Plat will contain easements for public use of the parking garage. It will indicate that A Declaration of Covenant will be recorded, which will memorialize agreements between the Village and the Petitioner and successive owners regarding the garage maintenance, use, and other items.



The Plat will contain indication that the Petitioner and successive owners will not object should a Special Service Area (SSA) be needed for the garage; such funds would only be used for expenses related to the property.

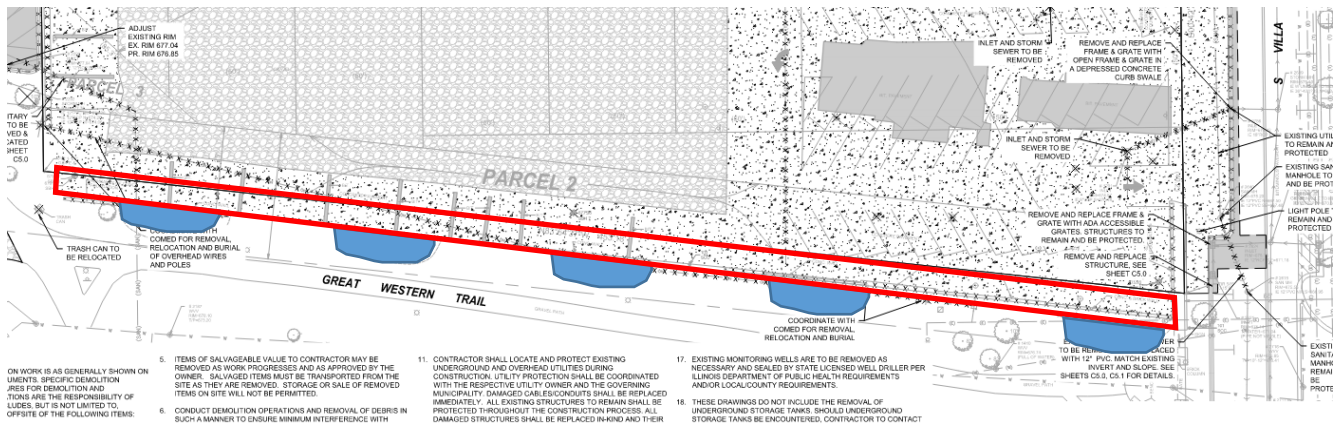
Drainage: A calculation has been provided with existing and proposed release rates from the site. The project reduces the impervious area by 0.24 acres total. Using the rational method for a 100-year 5-min storm intensity, the proposed release rate from the project area drops to 24.20 cfs as compared to 26.14 cfs under existing conditions. This equates to a 7.5% reduction. The reduction of 19.4 cfs equates to 873 gallon per minute.

The project will contribute a fee-in-lieu of roughly \$53,000 to the Village which will be used for stormwater improvement needs.

The lot will contain approximately 85% maximum impervious cover but the imperviousness of the site will be reduced and the Great Western Trail widened. The former AK Mulch site encroaches 10' into the Great Western Trail property which is owned by DuPage County. That encroachment will be



corrected during the entitlement and construction process. The shaded area south of the property line (in red) delineates the area to be returned to previous surface. Note the location of the Butterfly Gardens in the diagram above (in blue), which are planted on the County property.

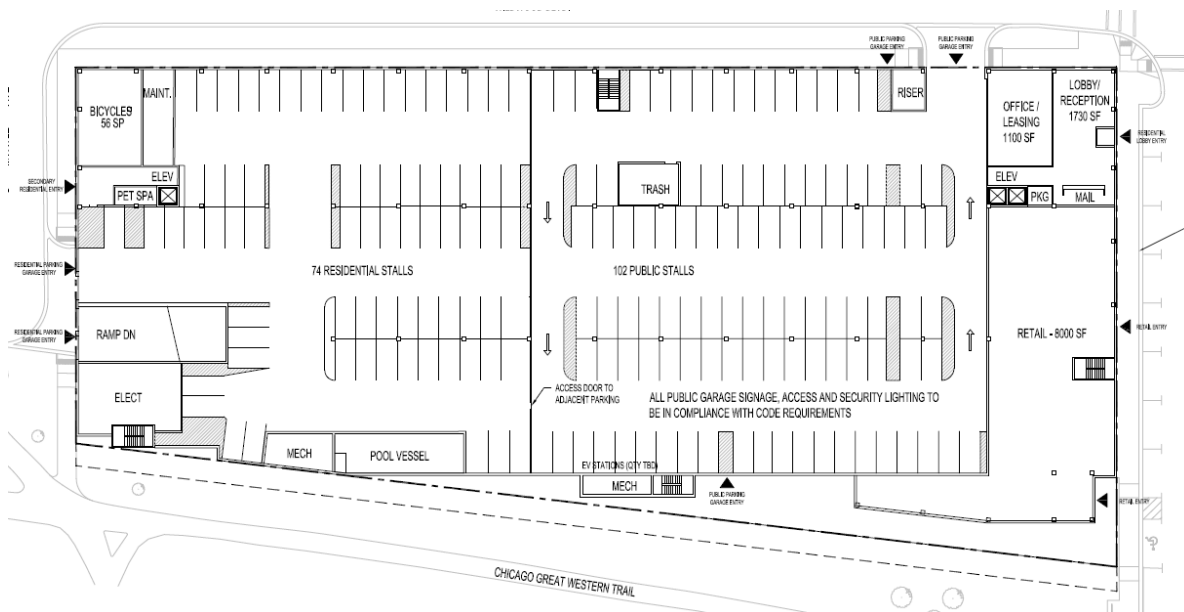


Butterfly Gardens: Care will be taken to protect, and relocate if necessary the Community Butterfly Garden if construction would negatively impact. As long as the beds are on County property, the project will not displace the beds. Concern for the beds may include an impact from the construction noise and dust for approximately a year and that will be considered.

Police

The Police Department would like electronic access to the building to aid in response to emergency calls. Therefore, the Police Department supports the proposed development with these conditions:

1. That security systems are subject to review and approval by Villa Park Police Department and will include Village of Villa Park access to the monitored circuit security (CCTV) system in the common areas of the complex. The system should include cameras in the public areas of the complex and an exterior "Flock" camera along Villa Ave.



2. That the Final PUD Site Plan include a lighting plan for the interior common areas, e.g. Lobby, elevators, doors, parking areas, with directional lighting installed in the darker areas of complex as determined to be needed. The parking plan (below) is also Exhibit 3.

Fire Department

The fire department has reviewed the updated Planning and Zoning application for the proposed development located at 100-110 S. Villa. The building will be fully sprinkled and as long as all applicable fire codes and Village of Villa Park requirements are met, the fire department has no issues with it. B&F Construction Code Services will complete the fire code evaluation of the architectural and fire protection system plans once submitted.

Rezoning Criteria

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, the Planning & Zoning Commission and Village Board must consider at least the following factors:

1. The existing use and zoning of nearby property;
2. The extent to which the particular zoning restrictions affect property values;
3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
4. The suitability of the subject property for the zoned purposes;
5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
6. The value to the community of the proposed use; and
7. The comprehensive plan.

Special Use Criteria

- 1. The proposed use or activity is expressly authorized as a special use;**

A Planned Unit Development is expressly allowed as a Special Use pursuant to Illinois Municipal Code, 65 ILCS 5/11-13-1.1. and Table 6-1 Use Table of the Zoning Code.

- 2. The proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;**

The development meets the objectives of the Comprehensive Plan, bringing new investment, including retail, housing, and public parking to a key business district. The mixed-use development will benefit the general welfare of the community by increasing the tax base, housing options, and sales tax revenues. The development will restrict stormwater release rates, and should help with stormwater concerns in the neighborhood. The amenities along the Great Western Trail will enhance the experience of the trail.

- 3. The proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity;**

This development will benefit the surrounding properties by activating the block, bringing new residents and new commercial uses to the business district.

- 4. That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**

This development is designed in a way to minimize impacts on surrounding property including traffic impacts. The building will use quality materials.

- 5. The proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services; and**

This development is designed in a way to maximize the usefulness of current infrastructure. One sanitary line at the southwest corner of the property will be relocated.

- 6. The proposed special use complies with all applicable regulations of the zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance;**

This development is designed in a way to comply with all applicable regulations of the zoning code except as described in the attached application materials.

Planned Unit Development Consideration

In considering approval of a Planned Unit Development, the Planning and Zoning Commission should consider:

- In what respect the design of the PUD meets the requirements and design standards of the Zoning Code
- The extent to which the proposed plan deviates and/or requires exceptions to the bulk regulations of the Code,
- The extent of public benefit
- The relationship and compatibility to adjacent properties and nearby land uses
- The extent to which the PUD fulfills the objectives of future planning objectives and policies,
- Does the PUD meet the standards for Special Use defined above.

Justification for the Variance, (supplied by the Petitioner):

The construction of a building with a zero-lot line setback, in excess of the 4-story height limit, is necessary to accommodate the minimum program of residential, commercial, and parking uses required to create an economically viable, mixed-use proposal for development on the given site. Streetscaping, while maximized to the extent that is possible, falls short of the minimum requirements given the constraints of the site and the limited size of the public right-of-way.

The proposed garage configuration requires three separate points of access, necessitating the variations concerning garage entries and driveway entrances requested. As to the minimum blank wall, the first floor open-air parking garage design includes perforated aluminum screening panels. The language in the ordinance is very specific with language regarding solid wall vs. transparency / clear glass, but has no provision for screened, open air parking. Given that grey area, the petitioner has elected to include the variance request. Additionally, the building's fire stairs require a rated enclosure, necessitating limited glazed openings and blank walls at portions of the building where exit stairs occur.

The proposed development meets the standards for a planned unit development (PUD) as a special use. The proposed project is of high quality design, will expand the tax base significantly, bring new

residents, new retail, and build upon the energy already present in the Villa Avenue Business District. Increased pervious surface and rooftop elements will decrease stormwater release rates, helping with capacity concerns to the north and south of the property.

Community Input

The Legal Notice was published in the Daily Herald on Wednesday, April 27, 2022. It was mailed to properties within 350' and signs alerting the community to the hearing were posted on all four sides of the property.

The Petitioner has incorporated input heard at the February 24, 2022 Community and the March 10, 2022 Concept Plan presentation to the Planning and Zoning Commission into the proposal.



Staff has conveyed additional comments. Business owners have asked the Village to pay attention to parking demands in the business district and stormwater concerns in the area. Business owners are concerned over the loss of parking during construction, and the timing of the construction for this project and the proposed Recreation Center. Residents and business owners have expressed concern over the recurring stormwater runoff and historic flooding problems at Lion's Park and Cortesi Park. Exhibit 6 is a memorandum from the project Engineer detailing the proposed release rate of the project.

Recommended Action:

Village staff has reviewed and is supportive of the requests. The proposed development will be an attractive and high-quality development. The subject property is located in a prime location along the Great Western Trail, south of St. Charles Road, in the heart of the Villa Avenue Business District.

The zero lot line configuration of the MX-2 will extend the streetwall of neighboring properties and provide new housing and retail opportunities. The building form will establish a continuous street wall along the sidewalk of the primary streets, and focuses resident amenities and restaurant use on the ground with residential above. Parking is intended to be internal to the building or located in the rear, screened from the primary street. As proposed, the development would add density and create vibrancy with new residents, commuter and community activity. The Project is consistent with the goals and objectives of the St. Charles Road TIF District (TIF#4) and the Comprehensive Plan, which call for a compact, mixed use pedestrian-oriented activity node.

Requested Action:

If the Commission finds in support of the requests, the following motion could be entertained:

To approve PZ-22-0001 for the following requests:

- 1) Zoning Map to change zoning from MX-R2 and MX-T to MX-2 PUD for the block bounded by Myrtle Avenue, Wildwood Avenue, Villa Avenue, and the Great Western Trail.

- 2) Special Use for a Planned Unit Development consisting of a new six-story Mixed use building with approximately 220 residential units, residential amenity space, 8,000 s.f. of commercial, and approximately 425 parking spaces, and consisting of the following code exceptions to the MX-2 building type regulations found in Section. 4.4 MX Districts:
- A rear yard setback of 0' where 5' is required;
 - A six-story mixed-use building where overall maximum of 4 stories are permitted;
 - Approximately 85% maximum impervious cover;
 - Garage entry on the side yard for public parking and rear yard for resident parking, where only rear yard entrance is permitted;
 - Streetscape area from 0' to 10', where a minimum 13 ft. streetscape area is required along street frontages;
 - Blank wall limitations: reduction of the minimum amount of transparency on façades of the lowest level;
 - A reduction of streetscape elements including the requirement for on-street parking on the south side of Wildwood, at the request of the Village, in order to accommodate bike path needs;
 - Driveway entrances across the Public Right-of-Way greater than the 25' permitted.
- 3) Approval of the Final Plat of Subdivision of The Union subject to any changes approved by the Village Attorney.

With the following conditions:

1. The development shall be in substantial compliance with the Plans prepared by Korb & Associates, dated May 4, 2022, including PUD Site plan dated April 29, 2022, Architectural Site Plan dated May 4, 2022, the Building Elevations dated May 4, 2022, Landscape Plan, dated May 4, 2022. Public Parking Plan, dated May 4, 2022
2. The development shall be in substantial compliance with the Engineering Plans, PUD Site Plan, and Paving and Layout Plan prepared by V3, dated April 29, 2022.
3. Compliance with all applicable Village Codes and regulations.
4. Obtaining all necessary permits/certifications for development, including a building permit, right-of-way permit, and a stormwater certification.
5. Final Landscape and Photometric plans subject to final approval by the Community Development Director.
6. Security systems are subject to review and approval by Villa Park Police Department and will include Village of Villa Park access to the closed circuit security (CCTV) system in the common areas of the complex. The system should include cameras in the public areas of the complex and an exterior "Flock" camera along Villa Ave.
7. Final PUD Site Plan will include a lighting plan for the interior common areas, e.g. lobby, elevators, doors, parking areas, with directional lighting installed in the darker areas of the complex as determined to be needed.

For the property located at 100 – 110 S. Villa, PINS 06-10-106-001, 06-10-106-002, 06-10-106-004, and a portion of Myrtle Avenue which will be vacated,

with a finding of fact that such special uses meet the standards enumerated in Article 11.2 and 11.4. of Appendix C of the Municipal Code Village of Villa Park Basic Zoning Ordinance.

Attachments:

- Exhibit 1 PUD Site Plan, prepared by V3, dated April 29, 2022
- Exhibit 2 Union Architectural Set, prepared by Korb & Associates, dated May 4, 2022
- Exhibit 3 Public Parking Plan, prepared by Korb & Associates, dated May 4, 2022
- Exhibit 4 Landscape Plan, prepared by Korb Associates, dated April 4, 2022
- Exhibit 5 Layout and Paving Plan, prepared by Korb Associates, dated April 29, 2022
- Exhibit 6 Stormwater Release Rate Supplemental Memo prepared by V3, dated May 3, 2022
- Exhibit 7 Final Plat of Subdivision, prepared by V3, dated May 4, 2022

	AYES	NAYS
Planning and Zoning Recommendation Required: Majority of quorum		
Village Board Final Decision Required: Two-thirds of all member of the Village Board		

Planning and Zoning Commission Agenda Item Report

Meeting Date: May 12, 2022

Submitted by: Pat Boksha

Submitting Department: Planning and Zoning Commission

Item Type: Business (Commission Only)

Agenda Section: Public Hearing - New Business

Subject:

Petition PZ-22-0004 / Village Code Amendments to Zoning Ordinance (Appendix C)

Suggested Action:

Attachments:

[Attachment 1 PZ 051222 memo Scribner errors_ART 4.___MX_DISTRICTS.pdf](#)

[Attachment 2 Tinley Park Encroachment Zoning Code excerpt.pdf](#)

[PZ-22-0006 Memo May 12 2022.pdf](#)

ARTICLE 4. MX DISTRICTS

SEC. 4.1. GENERAL

4.1.1. The Districts

The mixed-use zoning districts are listed in Table 4-1. Whenever this zoning ordinance refers to "mixed-use" zoning districts or "MX" districts, it is referring to these districts.

Table 4-1: Mixed-Use Zoning Districts

Map Symbol	District Name
MX-1	Mixed-Use TOD District
MX-2 ~~a~~	Mixed-Use Main Street District ~~(a)~~
~~MX-2b~~	~~Mixed-Use Main Street District (b)~~
MX-3	Mixed-Use Corridor District
MX-T	Mixed Transitional (Office-Residential) District
MX-R1	Mixed Residential District 1
MX-R2	Mixed Residential District 2

4.1.2. Purposes

A. General

Mixed-use zoning districts are primarily intended to create, maintain and promote a variety of vertically and horizontally mixed-use places, and to maintain and promote the desired physical character of existing and developing mixed-use places. The various MX districts are differentiated on the basis of allowed building types and a mix of allowable uses in each building.

1. To guide the development of a mix of uses to further the future of the train station area, commercial corridors, and main street nodes in the village.
2. To support the desired character of the village, as expressed in adopted plans, policies and regulations.
3. To promote multiple modes of transportation, including biking, walking, and transit use, with compact development of an appropriate scale.
4. To provide a mix of housing types within and within walking distance of mixed-use nodes and corridors.
5. To achieve development that is appropriate in scale and intensity for the neighborhoods and sites proximate to the train station area, commercial corridors, and main street nodes in the village.

B. MX-1

The MX-1 district is intended to accommodate low-scale mixed-use buildings in the train station area. The building form establishes an essentially continuous street wall of storefront facades along the sidewalk of primary streets, and focuses pedestrian-friendly retail and service uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

C. **MX-2~~a~~ and MX-2~~b~~**

The MX-2 districts ~~are~~ is intended to accommodate lower-scaled mixed-use buildings in the neighborhood mixed-use nodes. The building form establishes an essentially continuous street wall of storefront facades along the sidewalk of primary streets, and focuses pedestrian-friendly retail, office and service uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

D. **MX-3**

The MX-3 district is intended to accommodate low- to mid-scaled mixed-use buildings along commercial corridors. The building form defines a street wall of storefront facades along the sidewalk of the primary corridor, while allowing for limited interior side yard parking between the buildings to account for no on-street parking along the corridor. Uses focus a wider variety of commercial uses on the ground story along primary streets with residential and/or office uses elsewhere. Parking may also be internal to the building or located in the rear of the lot.

E. **MX-T**

The MX-T district is intended to accommodate low- to mid-scaled office and/or residential buildings transitioning between mixed-use shopping nodes and residential uses. The building form defines compact buildings with entrances, windows, and interior uses facing the primary corridor. Parking is intended to be internal to the building; located in the rear of the lot, screened from the primary street with the building; or located in the side yard, limited in width and orientation.

F. **MX-R1 and MX-R2**

The MX-R districts are primarily residential within a mix of building types. MX-R1 is mid-scale and intended for use in the station areas. MX-R2 is lower in scale and intended as a transition to existing single-family neighborhoods. The allowable building types, including apartment buildings and townhouses, define compact buildings with entrances, windows, and interior uses facing the primary corridor and small landscape yards in front. Parking is intended to be internal to the building or located in the rear of the lot, screened from the primary street with the building.

4.1.3. Uses

Principal uses are allowed in the MX districts in accordance with the use regulations of Sec. 6.1
Individual building types may be subject to additional use regulations.

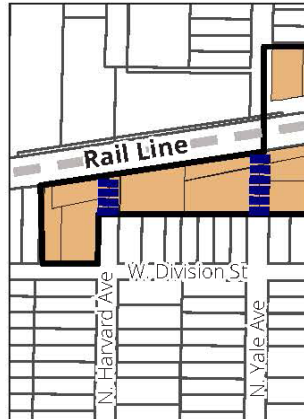
(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

SEC. 4.2. STREETS AND BLOCKS

4.2.1. Primary Streets

- A. The designation of primary streets determines the front lot line and prioritizes those street frontages for the location of building streetwalls and storefronts. Parking and driveway locations are also limited along primary street frontages.
- B. For the purposes of the MX districts, Villa Avenue, St Charles Avenue, and Ardmore Avenue, are considered primary streets, unless otherwise designated on the maps in Figure 4-2 and Figure 4-3.

Figure 4-1. Street Extensions



- C. When two primary streets abut a parcel, the community development director is authorized to determine which street will be the primary street.
- D. Lot frontages that abut civic spaces or public open spaces must be treated as primary frontages.
- E. At all intersections of primary and non-primary streets, primary frontage facade treatments must extend along the non-primary street for a distance of at least 30 feet.

4.2.2. Street Extensions

The parcels located at the northern ends of North Harvard Avenue and North Yale Avenue, south of the tracks and north of West Division Street, will require street extensions for maximum applicability of the requirements of these regulations. Refer to Figure 4-1 for these locations.

- A. Street frontages are required for all building types. To maximize street frontage in these locations, extension of the existing streets is required per Figure 4-1.
- B. Hammerhead turnarounds can be accommodated at the ends of each street by utilizing parking lot entrances.
- C. On-street parking can be accommodated along the street, in either a parallel or head-in configuration.
- D. Streets must match the existing configurations, including curb, sidewalk, and parkway locations.

Figure 4-2. Primary Streets: Ardmore Ave at Central Blvd



Figure 4-3. Primary Streets: Villa Ave



LEGEND



New Primary Street
or Primary Frontage
Treatment



Existing Street Designated
Primary



New Alley or Street

SEC. 4.3. BUILDING TYPES GENERALLY

4.3.1. General

Many of the MX district regulations are based on building types. All principal buildings must comply with one of the building types allowed in the subject zoning district.

4.3.2. Descriptions

1. **Storefront ~~Building~~ Building**

- a. A Storefront building is a mixed-use building located at the front and corner property lines allowing easy access to passing pedestrians. Parking may be provided in the rear of the lot,

internally in the building, or, in some cases, one double-loaded aisle of parking is permitted in the interior side yard at the front property line.

- b. Ground floor uses are limited to those with some level of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories. Storefronts with large amounts of transparency and regularly spaced entrances off the street are utilized on the ground floor front facade.

2. General Building

A General building is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to Storefront buildings, General buildings are intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double-loaded aisle of parking is permitted in the interior or the side yard at the front property line

3. Row Building

- a. A Row building is a building comprised of multiple vertical units, each with its own entrance to the street. This building type may be organized as townhouses or rowhouses, and may also be live-work units with a publicly accessed ground story.
- b. Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active

4. Civic Building

A Civic building is a more flexible building type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other building types. In contrast to most of the other building types, a minimum setback line is required instead of a build to zone. Parking is limited to the rear in most cases.

4.3.3. Where Allowed

Building types are permitted in the MX districts in accordance with Table 4-2.

Table 4-2: Allowed Building Types (MX districts)

Building Type	MX-1	MX-2	MX-3	MX-T	MX-R1	MX-R2
Storefront Building	P	P	P	-	-	-
General Building	-	-	-	P	P	P
Row Building	-	-	-	P	P	P
Civic Building	P	P	P	P	P	-
P = permitted - = not permitted						

4.3.4. General Regulations

All building types must comply with general regulations of this section.

A. Multiple Principal Buildings on One Lot.

Multiple principal buildings are permitted on all lots in MX districts; however, each building must comply with the applicable building type regulations.

B. Corner Lots

The intersections of two build-to zones at a street corner must be occupied by building.

C. Refuse, Recycling, Utility, and Loading Location

Refuse, recycling, and loading areas are allowed only in rear yards. Utility appurtenances (such as transformers and air conditioner units) may be located only in rear yards or (interior) side yards, and must be completely screened from view from the street.

D. Open Areas on Lot

1. All front yards, build-to zones, side yards, corner side yards, and rear yards not covered by buildings, parking, or driveway shall contain either landscape, patio space, or sidewalk space.
2. Parking areas and driveway locations are permitted in specific locations by building type. Parking is prohibited in street yards, unless otherwise expressly stated.
3. Parking and driveways are prohibited in build-to zones and setbacks except that when driveway access is permitted from streets, driveways may cross perpendicularly through the build-to zone or setback. Two-way driveways may not exceed twenty-two (22) feet in width. One-way driveways and residential driveways serving eight (8) or fewer units may not exceed twelve (12) feet in width.

(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

SEC. 4.4. BUILDING TYPE REGULATIONS

Regulations applicable to each building type allowed in MX districts are presented on the following pages:

4.4.2. Storefront Building

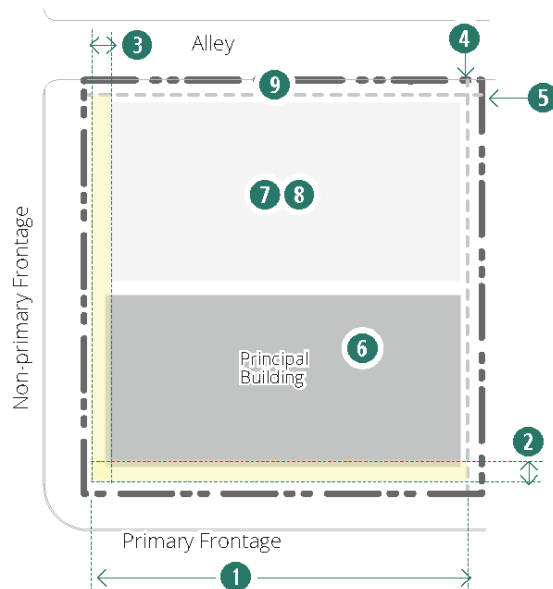
		Permitted Districts			
		MX-1	MX-2	MX-3	References and Additional Requirements
A. Building Siting (Refer to Figure 4-4)					
①	Minimum Primary Frontage Build-to Zone Coverage	95%	95%	50%	Refer to 4.5.1
②	Front Build-to Zone	0' to 5'	0' to 5'	6' to 10'	Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2
③	Corner Build-to Zone	0' to 5'	0' to 10'	0' to 10'	
④	Minimum Side Yard Setback	0'; 5' if adjacent to other building type			
⑤	Minimum Rear Yard Setback	5'; 40' if abutting RS or RD district	5'; 15' if abutting RS or RD district	5'; 40' if abutting RS or RD district	See 9.1.5 for required landscape screening

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(Supp. No. 203)

6	Maximum Impervious Cover Additional Semi-Pervious Cover	75% 25%	75% 25%	75% 25%	
7	Surface Parking or Accessory Parking Structure	Rear yard only	Rear yard only	Rear and limited side yard only	Limited side yard means one double-loaded aisle of parking perpendicular to the street
8	Permitted Driveway Access Locations	Alley; if no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6)			Shared driveways and parking is encouraged
9	Permitted Garage Entrance Location	Rear facade; side facade garage access requires an administrative adjustment		Rear, side, or corner side facade	
B. Height (Refer to Figure 4-5)					
10	Overall: Minimum Height Maximum Height	2 stories 8 stories	1 stories 4 stories	1 stories 4 stories	Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring

Figure 4-4. Storefront Building: Siting



		Permitted Districts			
		MX-1	MX-2	MX-3	References and Additional Requirements
11	Ground Story: Minimum Height Maximum Height	14' 24'	14' 18'	14' 24'	Measured floor to floor; more than 18' in height counts as 2 stories; see 4.5.4 for measuring
12	Upper Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 14'	
C. Uses (Refer to Figure 4-5)					
13	Primary Frontage Ground Story	All permitted non-residential uses.			Refer to Article 6
14	Non-Primary Frontage, Upper Stories, Basement	Any permitted use.			Refer to Article 6
15	Parking within Building	Permitted fully in any basement and in rear of upper floors			
16	Required Occupied Building Space	Minimum 20' deep on all full height floors from any primary street facade; not required in basement			Refer to Sec. 14.2 for definition of occupied building space
D. Facade and Roof Requirements (Refer to Figure 4-6)					
17	Primary Frontage Minimum Ground Story Transparency	75%	70%	65%	Measured between 2' and 9' above adjacent walk grade; see 4.5.5
18	Minimum Transparency Street, Courtyard, Open Space Facade	20%	15%	15%	Measured per story of all stories; see 4.5.5
19	Blank Wall Limitations	Required per floor on all street facades			Refer to 4.5.5
20	Entrance Location and Number	Principal entrance required on primary frontage facade; entrances required a minimum of one per every 60' of building facade			Refer to 4.7.7 for principal entryway
21	Entryway Configuration and Elevation	Recessed between 3' and 8', maximum 8' wide; entrances shall be within 1.5' vertically of adjacent walk elevation.			Refer to 4.7.8 for storefront design
22	Ground Story Vertical Facade Divisions	One 2" deep expression line per every 30' of facade width			
23	Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of the any 5th floor			

24	Permitted Roof Types	Parapet, pitched, flat; tower permitted	Refer to Section 4.6 for roof types
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Figure 4-5. Storefront Building: Height and Use Requirements

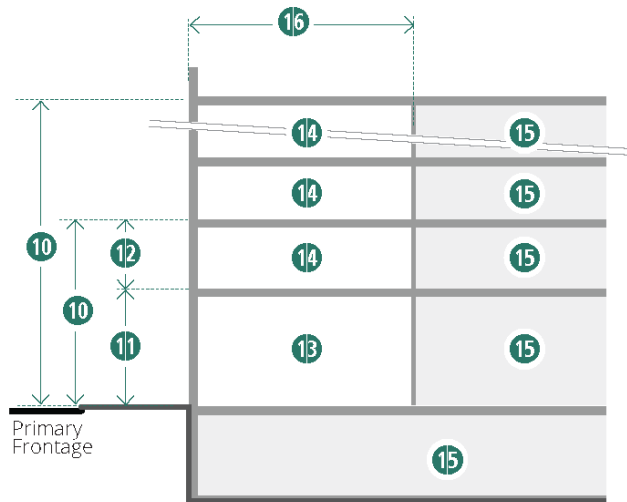
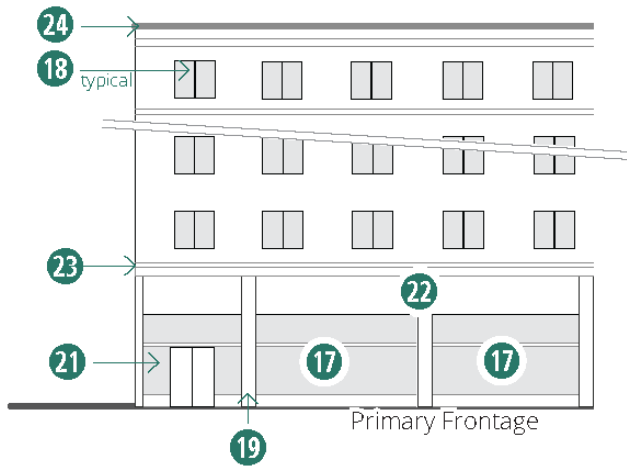


Figure 4-6. Storefront Building: Facade Design Requirements



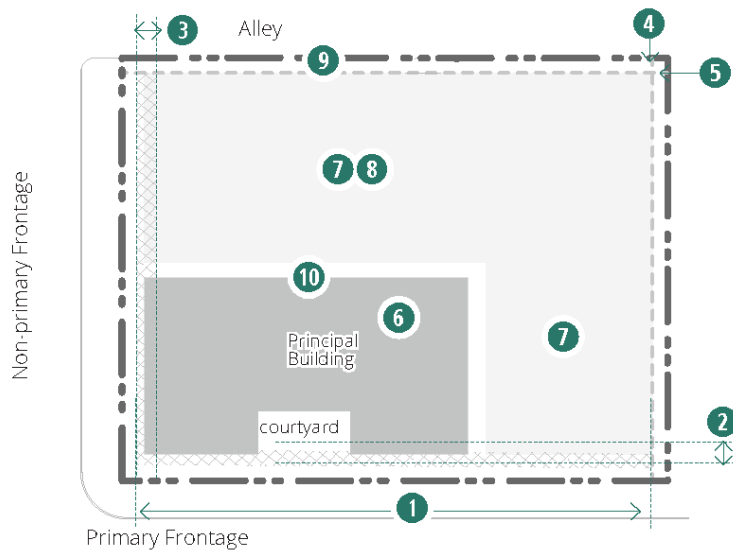
4.4.3. General Building

	Permitted Districts	
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		MX-T	MX-R1	MX-R2	References and Additional Requirements
A. Building Siting (Refer to Figure 4-7)					
1	Minimum Primary Frontage Build-to Zone Coverage	75%	75%	60%	Refer to 4.5.1
2	Front Build-to Zone	5' to 10'	5' to 10'	10' to 20'	Minimum 13 ft. streetscape area is required along street frontages; refer ~~rm~~ to 4.5.2
3	Corner Build-to Zone	0' to 10'	0' to 10'	5' to 15'	
4	Minimum Side Yard Setback	5'	10'	15'	
5	Minimum Rear Yard Setback	5'; 40' if abutting RS or RD district			See 9.1.5 for required landscape screening
6	Maximum Building Width	None	None	120'	
7	Maximum Impervious Cover Additional Semi-Pervious Cover	70% 25%	70% 20%	65% 20%	
8	Surface Parking or Accessory Parking Structure	Rear and limited side yard only	Rear yard only	Rear yard only	Limited side yard means one double-loaded aisle of parking perpendicular to the street
9	Permitted Driveway Access Locations	Alley; if no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6)			Shared driveways and parking is encouraged
10	Permitted Garage Entrance Location	Rear facade; side facade garage access requires an administrative adjustment		rear, side, or corner side facade	
B. Height (Refer to Figure 4-8)					
11	Overall: Minimum Height Maximum Height	2 stories 5 stories	2 stories 6 stories	2 stories 4 stories	Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring
12	Stepped Back Upper Stories	Stories above the third shall be stepped back a minimum of 12 feet from the front facade			

13	All Stories: Minimum Height Maximum Height	9' 14'	8.5' 12'	9' 14'	Measured floor to floor; see 4.5.4 for measuring
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Figure 4-7. General Building: Siting



		Permitted Districts			References and Additional Requirements
		<u>MX-T</u> <u>MX-1</u>	<u>MX-R1</u> <u>MX-2</u>	<u>MX-R2</u> <u>MX-3</u>	
C. Uses (Refer to Figure 4-8)					
14	Ground Story & Basement	All permitted uses <u>are limited to no more than 50% of gross floor area of the story</u> , except commercial service, eating and drinking establishments, and retail sales ~~are limited to no more than 50% of gross floor area of the story~~			Refer to Article 6
15	Upper Stories	Any permitted use except commercial service, eating and drinking establishments, and retail sales			Refer to Article 6
16	Parking within Building	Permitted fully in any basement and in rear of upper floors			

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17	Required Occupied Building Space	Minimum 20' deep on all full height floors from any primary street facade; not required in basement			Refer to Sec. 14.2 for definition of occupied building space
D. Facade and Roof Requirements (Refer to Figure 4-9)					
18	Minimum Transparency Street, Courtyard, Open Space Facade	15%	15%	15%	Measured per story of all stories; see 4.5.5
19	Blank Wall Limitations	Required per floor on all street facades			Refer to 4.5.5
20	Entrance Location and Number	Principal entrance required on primary frontage facade; entrances required a minimum of one per every 90' of building facade			Refer to 4.7.7 for principal entryway
21	Entryway Configuration and Elevation	Entry doors shall be off a stoop, minimum 6' wide and 3' deep; entrances shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required)			Refer to 4.7.8 for storefront design
22	Ground Story Vertical Facade Divisions	One 2" deep expression line per every 60' of facade width			
23	Horizontal Facade Divisions	Within 3' of the top of the ground story, any visible basement, and the bottom of the any 5th floor			
24	Permitted Roof Types	Parapet, pitched, flat; tower permitted	Parapet, pitched, flat; tower permitted	Parapet, pitched; tower permitted	Refer to Sec. 4.6 for roof types

Figure 4-8. General Building: Height and Use Requirements

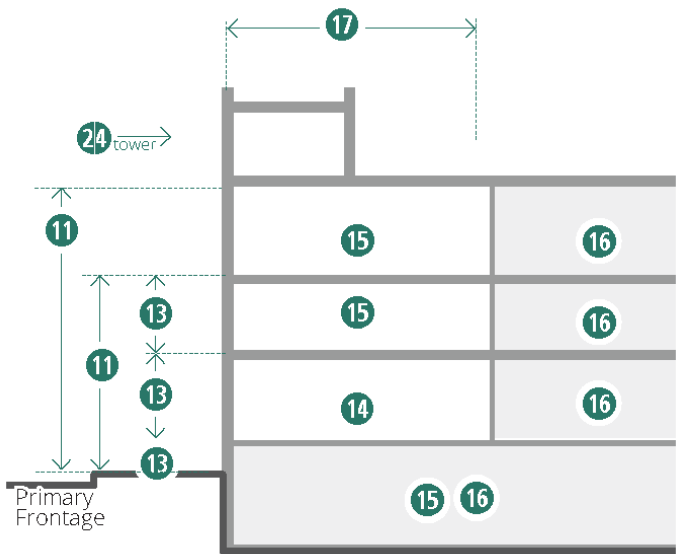
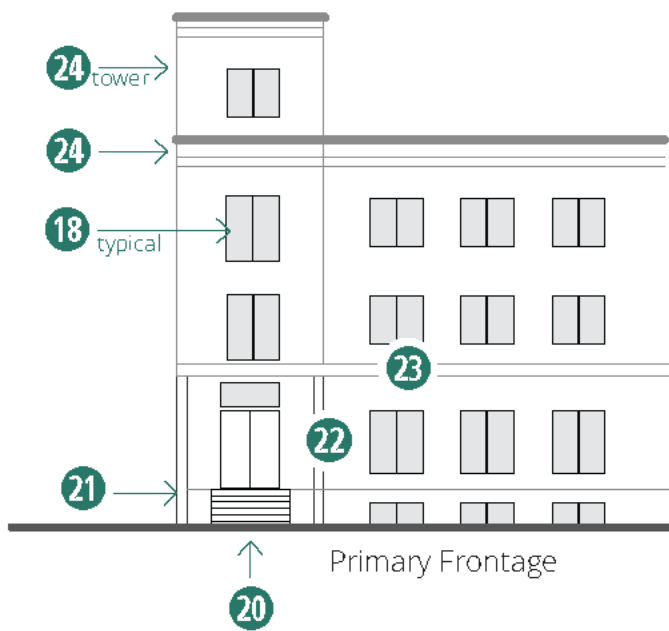


Figure 4-9. General Building: Facade Design Requirements

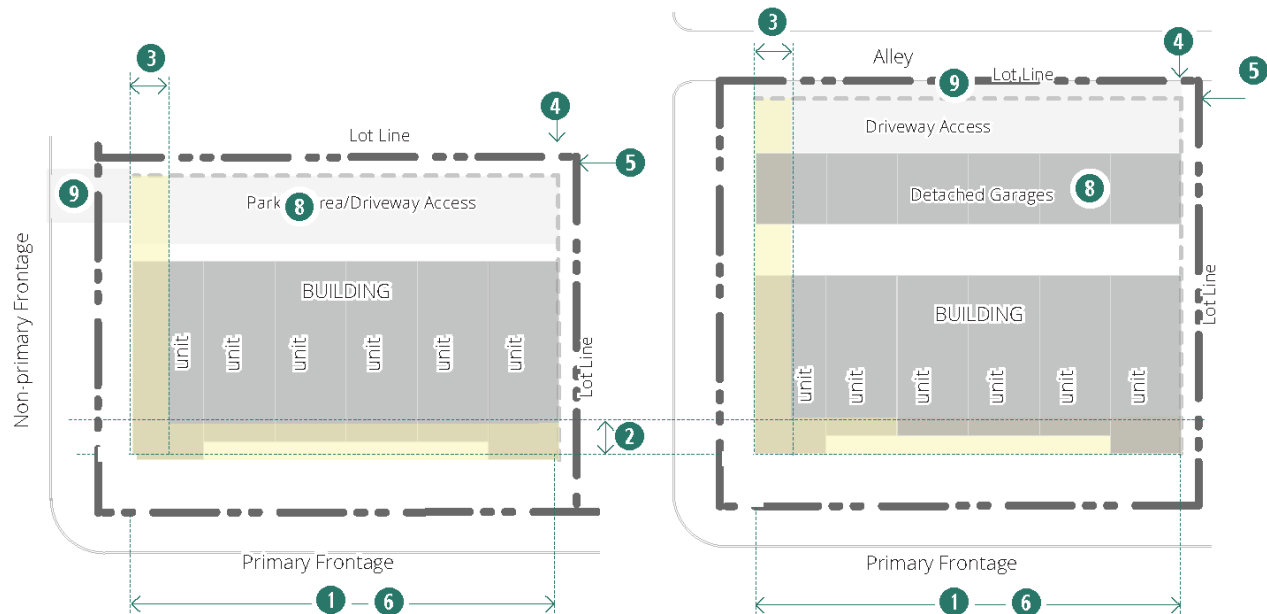


4.4.4. Row Building

	Permitted Districts	
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		MX-T	MX-R1	MX-R2	References and Additional Requirements
A. Building Siting (Refer to Figure 4-10)					
①	Minimum Primary Frontage Build-to Zone Coverage	75%	65%	65%	Refer to 4.5.1
②	Front Build-to Zone	5' to 10'	5' to 15'	10' to 20'	Minimum 13 ft. streetscape area is required along street frontages; refer to 4.5.2
③	Corner Build-to Zone	0' to 10'	5' to 10'	5' to 15'	
④	Units outside Build-to Zone	Each unit shall have a facade located within the primary build-to zone, except 1 of every 3 units may front a courtyard, existing open space/park, or non-primary street with its principal entrance.			
⑤	Minimum Side Yard Setback	0' per unit; 10' between buildings		0' per unit; 15' between buildings	
⑥	Minimum Rear Yard Setback	5'; 25' if no alley exists	5'; 20' if no alley exists	5'; 35' if no alley exists	See 9.1.5 for required landscape screening
⑦	Maximum Building Width	None		8 units per building and 180'	6 units per building and 140'
⑧	Maximum Impervious Cover Additional Semi-Pervious Cover	65% 25%	65% 20%	60% 20%	
⑨	Surface Parking or Accessory Garage	Rear yard only	Rear yard only	Rear yard only	
⑩	Permitted Driveway Access Locations	Alley; if no alley exists, 1 driveway permitted per building off each non-primary street; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6)			Shared driveways and parking is encouraged
⑪	Permitted Attached Garage Entrance Location	Rear facade only; side facade garage access requires an administrative adjustment			

Figure 4-10. Row Building: Siting



		Permitted Districts			
		MX-T	MX-R1	MX-R2	References and Additional Requirements
B. Height (Refer to Figure 4-11)					
12	Overall: Minimum Height Maximum Height	2 stories 3.5 stories	2 stories 3.5 stories	2 stories 3 stories	See 4.5.3 for measuring
13	All Stories: Minimum Height Maximum Height	8.5' 12'	9' 14'	9' 14'	Measured floor to floor; see 4.5.4 for measuring
C. Uses (Refer to Figure 4-11)					
14	Primary Frontage Ground Story	All permitted uses except eating and drinking establishments	All permitted uses		In MX-T, commercial service and retail sales are permitted when located in live-work units at street corners; refer to Article 6
15	Non-Primary Frontage, Upper Stories, Basement	Any permitted use except commercial service, eating	All permitted uses		Refer to Article 6

		and drinking establishments, and retail sales			
16	Parking within Building	Permitted fully in any basement and in rear of upper floors			
17	Required Occupied Building Space	Minimum 20' deep on all full height floors from any primary street facade; not required in basement			Refer to Sec. 14.2 for definition of occupied building space
D. Facade and Roof Requirements (Refer to Figure 4-12)					
18	Minimum Transparency Street, Courtyard, Open Space Facade	15%	15%	12%	Measured per story of all stories; see 4.5.5
19	Blank Wall Limitations	Required per floor on all street facades			Refer to 4.5.5
20	Entrance Location and Number	One entrance required per unit on the primary frontage facade, courtyard, or open space per (4) above; minimum of one principal entrance required per 30' of primary street facade			Refer to 4.7.7 for principal entryway
20	Entryway Configuration	Entry doors shall be off a stoop, minimum 4' wide and 3' deep, OR a porch, minimum 8' wide and 5' deep No more than 2 entry doors may be located off each stoop or porch			Refer to 4.7.8 for storefront design
21	Entryway Elevation	80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with a visible basement (transparency required)			
22	Permitted Roof Types	Parapet, pitched, flat; tower permitted	Parapet, pitched, flat; tower permitted	Parapet, pitched; tower permitted	Refer to Sec. 4.6 for roof types

Figure 4-11. Row Building: Height and Use Requirements

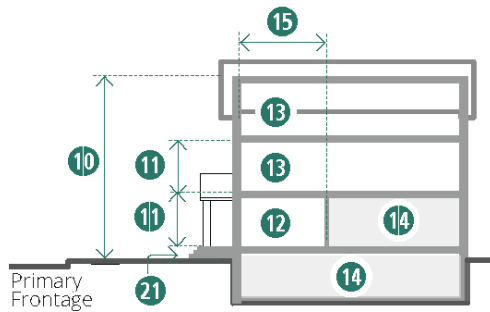


Figure 4-12. Row Building: Facade Design Requirements



4.4.5. Civic Building

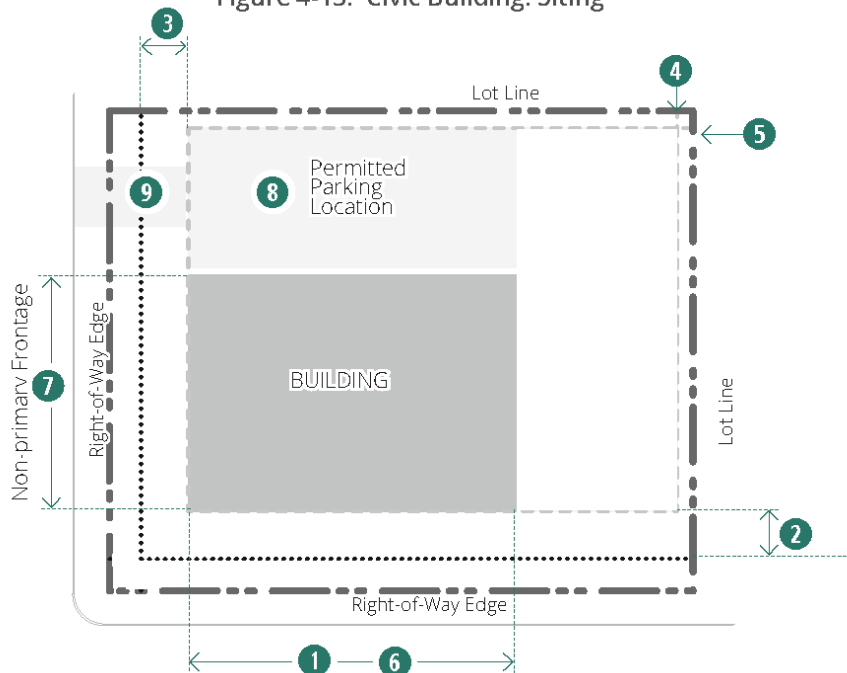
		Permitted Districts		References and Additional Requirements
		MX-1 MX-2 MX-3	MX-T MX-R1	
A. Building Siting (Refer to Figure 4-13)				
①	Minimum Primary Frontage Build-to Zone Coverage	None	None	
②	Front Setback	5'	10'	Minimum 13 ft. streetscape area is required along street frontages
③	Corner Setback	5'	5'	
④	Minimum Side Yard Setback	5'	5'	

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5	Minimum Rear Yard Setback	5'; 30' if abutting RS or RD district		See 9.1.5 for required landscape screening
6	Minimum Lot Width	50'		
7	Maximum Impervious Cover Additional Semi-Pervious Cover	70% 20%	70% 10%	
8	Surface Parking or Accessory Parking Structure	Rear yard and limited side yard only		Limited side yard means one double-loaded aisle of parking perpendicular to the street
9	Permitted Driveway Access Locations	Alley; if no alley exists, 1 driveway permitted off each non-primary streets; if no alley and non-primary street abut the parcel, 1 driveway permitted off a primary street with an administrative adjustment (see Sec. 11.6)		Shared driveways and parking is encouraged
10	Permitted Garage Entrance Location	Rear facade; side facade garage access requires an administrative adjustment		

Figure 4-13. Civic Building: Siting



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		Permitted Districts		References and Additional Requirements
		MX-1 MX-1 MX-3	MX-T MX-R1	
B. Height (Refer to Figure 4-14)				
11	Overall: Minimum Height Maximum Height	2 story 8 stories in MX-1; 4 stories in MX-2 and MX-3	1 story 6 stories	Up to 2 additional stories permitted with special use approval (see Sec. 11.4); see 4.5.3 for measuring
12	Ground Story: Minimum Height Maximum Height	9' 20'	9' 16'	
13	All Stories: Minimum Height Maximum Height	9' 14'	9' 14'	
C. Uses (Refer to Figure 4-14)				
14	All Frontages and Stories	Only public, civic and institutional uses permitted in district		Refer to Article 5
15	Parking within Building	Permitted fully in any basement and in rear of upper floors		
16	Required Occupied Building Space	Minimum 20' deep on all full height floors from any primary street facade; not required in basement		
D. Facade and Roof Requirements (Refer to Figure 4-15)				
17	Minimum Transparency Street, Courtyard, Open Space Facade	12%	12%	Measured per story of all stories; see 4.5.5
18	Blank Wall Limitations	none		
19	Entrance Location and Number	Principal entrance required on primary frontage facade; entrances required a minimum of one per every 150' of building facade		Refer to 4.7.7 for principal entryway
20	Entryway Configuration and Elevation	Entry doors shall be off a stoop, minimum 6' wide and 3' deep; entrances shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required)		
21	Permitted Roof Types	Parapet, pitched, flat; tower permitted	Parapet, pitched, flat; tower permitted	Other roof types permitted by administrative

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				adjustment; refer to Sec. 4.6 for roof types
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Figure 4-14. Civic Building: Height and Use Requirements

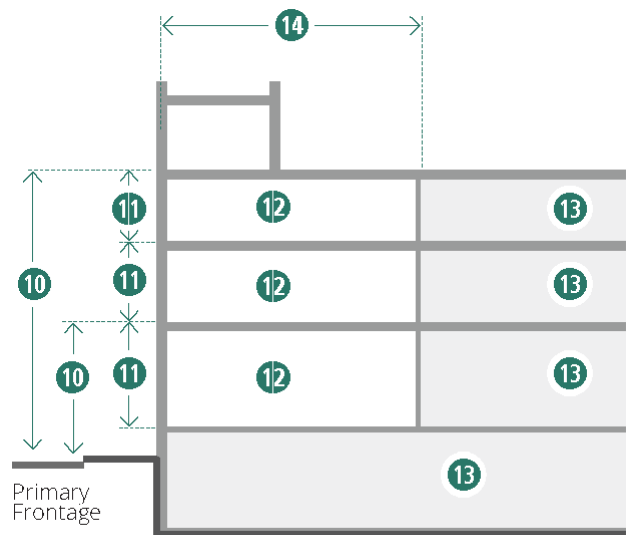
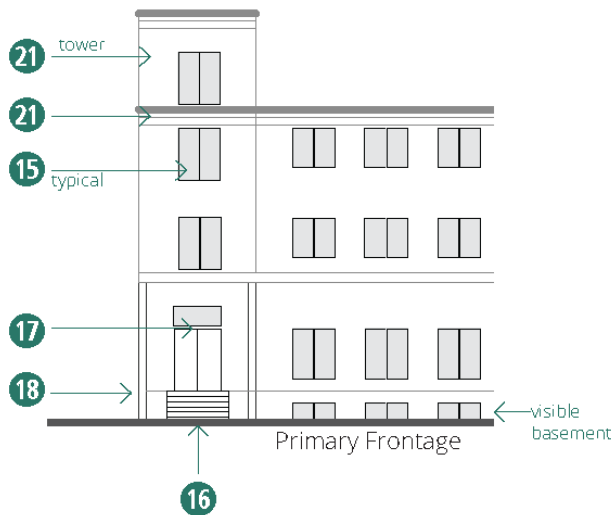


Figure 4-15. Civic Building: Facade Design Requirements



(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

Sec. 4.5. Building types—Measurements

The following explains and further defines the standards outlined on the tables on the previous pages.

4.5.1. Minimum primary frontage lot line coverage.

The minimum percentage of building facade along the primary frontage of a lot is designated on each building type table.

A. Measurement

The width of the principal structures (as measured within the build-to zone along the frontage edge) is divided by the length of the frontage parallel to the property line following the street. Refer to Figure 4-16.

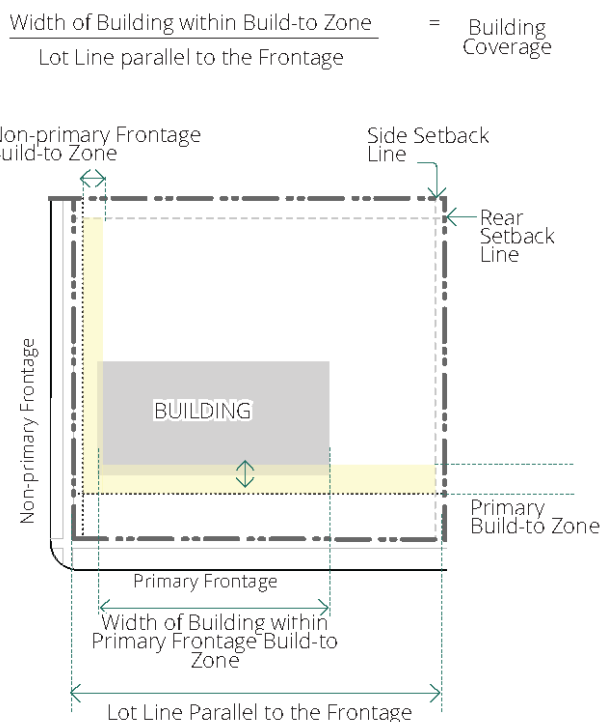
B. Courtyards

Where noted by building type, courtyards, located along the facade in the build-to zone count towards the minimum coverage.

C. Civic Space Type

Open spaces per civic space type requirements are exempt from minimum primary frontage lot line coverage.

Figure 4-16. Minimum Primary Frontage Lot Line Coverage



4.5.2. Build-to Zone

The build-to zone is designated separately for each frontage on each building type table. Refer to Figure 4-17.

A. Measurement

The build-to zone for all frontages is measured from the property line parallel to the frontage, unless otherwise noted.

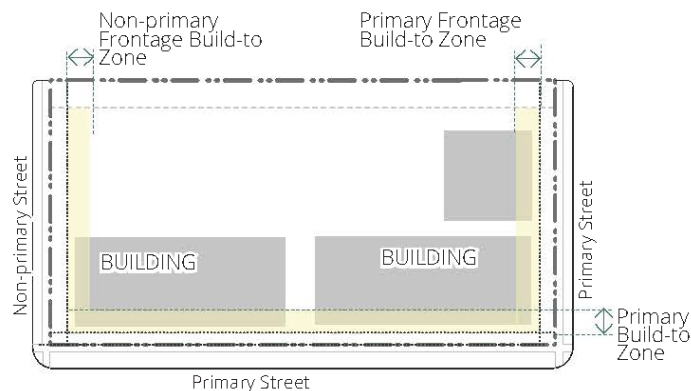
B. Minimum Streetscape Area

When a minimum streetscape area is required, the build-to zone is measured from the edge of the required streetscape onto the site. Minimum streetscape area is measured from back of curb to property line and is intended to accommodate clear sidewalk area and either a landscape/street tree area (parkway) or a furnishings zone at storefront locations. Furnishings zone includes the sidewalk extended to the curb with tree wells or planters for street trees.

C. Encroachments

Awnings, balconies, and building mounted signage may extend up to 3 foot beyond the build-to zone into any yard area, but may not extend into the street right-of-way.

Figure 4-17. Build-to Zones



4.5.3. Heights in Stories

Refer to Figure 4-18.

A. Minimum Overall Height

Minimum heights require a minimum number of stories on the primary frontage facades of the building. The building must meet the minimum required height for the first 30 feet of occupied building space measured from the primary frontage facade into the building.

B. Maximum Overall Height

Maximum heights are specified both in number of stories and overall dimension. This requirement applies to the entire building.

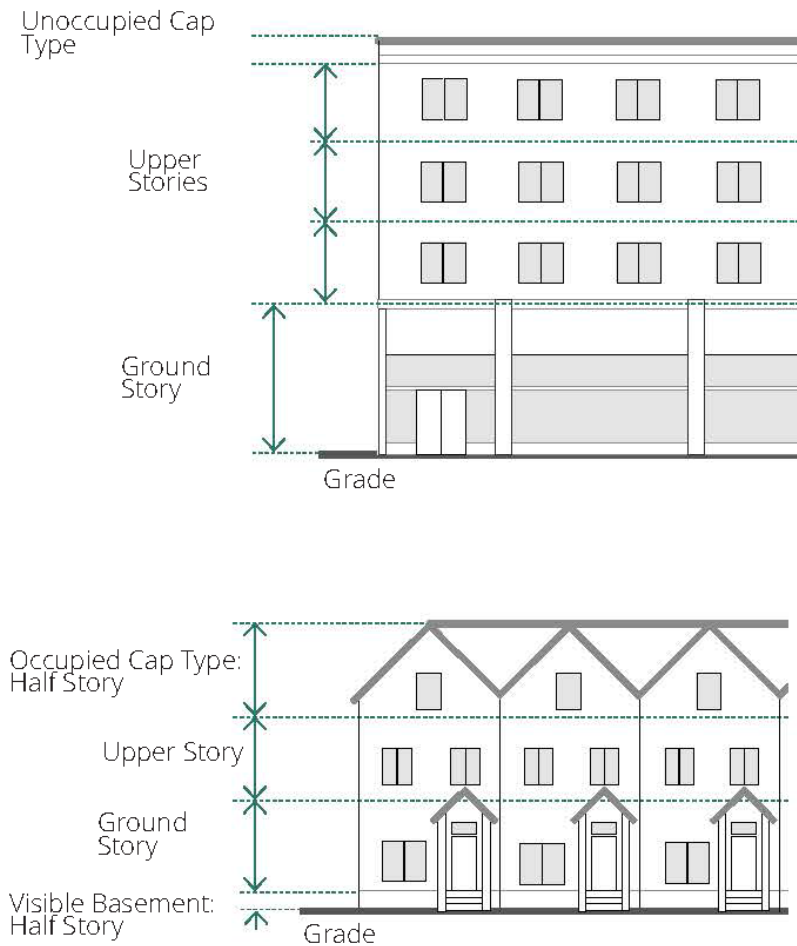
1. Towers. Where noted, towers may exceed the overall maximum height per Subsection .4.6.5.

2. Cap type. Where noted, certain cap types may allow additional height.

C. Two Half Stories

A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

Figure 4-18. Measuring Stories with Floor-to-Floor Height



4.5.4. Minimum and Maximum Height Per Story

Each story is measured with a range of permitted floor-to-floor heights. Refer to Figure 4-18.

A. Measurement

Floor height is measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along facades, a minimum of eighty (80) percent of each story.

B. Single Story Buildings and Top Floor Measurement

For single story buildings and the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per building type and measured from the floor of the story to the ceiling.

C. **Mezzanines**

Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story, including articulation of the story.

D. **Taller Spaces**

Spaces exceeding the allowable floor-to-floor heights of the building are not permitted on primary frontage facades. These spaces are unlimited on interior lots and non-primary frontage facades, but shall be counted as the number of stories that would fit within their height.

4.5.5. Minimum Required Transparency

Per the requirements of each building type, a minimum amount of transparency is required on all stories of all facades.

A. **Measurement**

Minimum facade transparency is measured from floor-to-floor of each story separately. Refer to Figure 4-19. Transparency includes windows and any glass in doors that is highly transparent with low reflectance. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.

B. **Blank Wall Segments**

No more than a 15-foot wide section, measured horizontally, and no more than 30 percent of any story shall be without transparency.

1. Exception. When a facade of any story is located within three (3) feet of a parallel building facade, no minimum transparency is required for that story.

C. **Minimum Ground Story Transparency**

When required by the building type, ground story transparency shall be measured between two (2) feet and either eight (8) or ten (10) feet, as noted, from the average grade at the base of the facade. Minimum ground story transparency supersedes the overall minimum transparency required for the building type.

D. **Tall Stories**

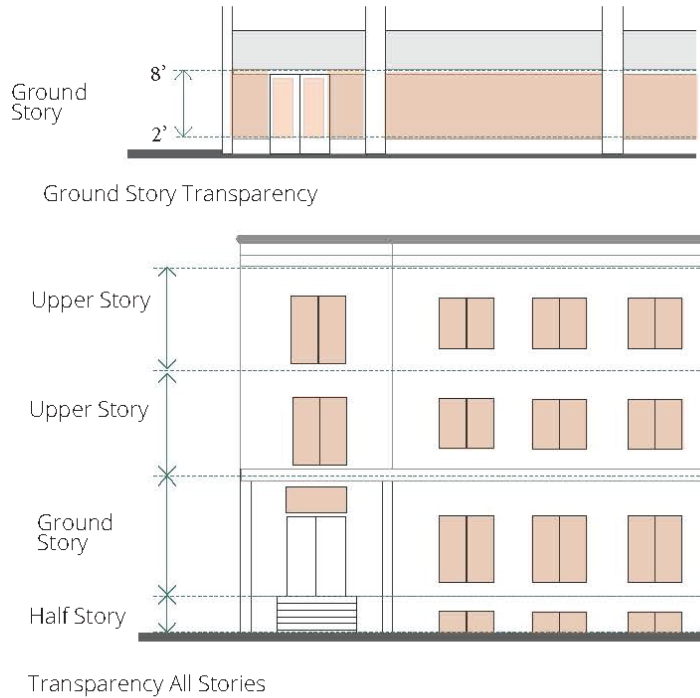
Stories that are eighteen (18) feet or taller in height shall be counted as two (2) stories for the purpose of calculating minimum facade transparency, with each horizontal half of the story calculated separately.

E. **Half Stories**

All half stories located within roof structure and visible basements are required to meet the minimum transparency.

Figure 4-19. Measuring Minimum Facade Transparency

= Transparency Included in Calculation (Numerator)
 = Area of Overall Measurement (Denominator) = Percent Transparency



(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

Sec. 4.6. Roof Types

Roof type standards apply to all building types. Refer to each building type table for permitted roof types.

4.6.1. General

The following provisions apply to all roof types.

- A. One type required. All buildings shall meet the requirements of at least one of the roof types permitted for the building type.
- B. Measuring height. Refer to 4.5.4 for information on measuring building height.
- C. Other roof types. Other building caps not listed as a specific type may be requested with the following requirements:
 1. The roof type shall not create additional occupiable space beyond that permitted by the building type.
 2. The shape of the Roof Type shall be significantly different from those defined in this section 25.2H Roof Types, i.e. a dome, spire, vault.

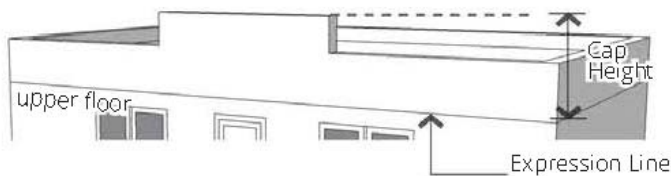
3. The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

4.6.2. Parapet Roof

A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street (refer to Figure 4-~~19~~ 20).

- A. Height is measured from the top of the upper story to the top of the parapet.
- B. Minimum height is two (2) feet with a maximum height of six (6) feet.
- C. The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
 - a. Horizontal expression lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
 - b. Occupied space. Occupied space shall not be incorporated behind this roof type.

Figure 4-20. Parapet Roof Type



4.6.3. Pitched Roof

Pitched roofs are sloped. Slope is measured as the vertical rise divided by the horizontal run (refer to Figure 4-21).

- A. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12, except that slopes of less than 4:12 are permitted on second story or higher roofs. Refer to Figure 4-21.
- B. Configurations.
 1. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
 2. Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
 3. Gambrel and mansard roofs are not permitted.
- C. Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 4-22).
- D. Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the building type.
- E. Occupied Space. Occupied space may be incorporated behind this roof type.

Figure 4-21. Pitched Roof

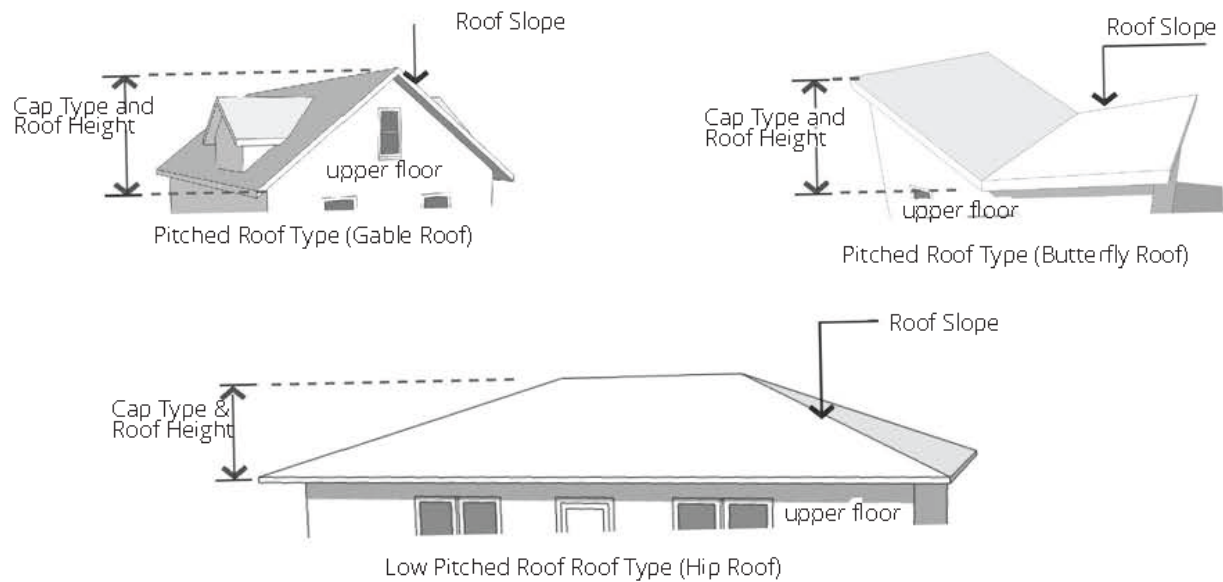


Figure 4-22. Parallel Ridge Line



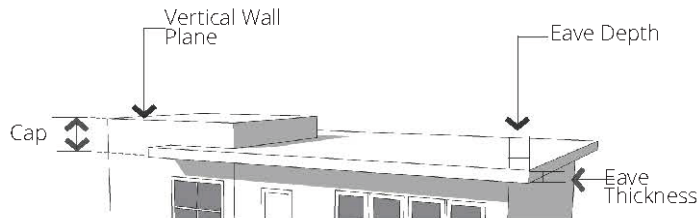
4.6.4. Flat Roof

This flat roof is flat with overhanging eaves (refer to Figure 4-24).

- A. Configuration. Roofs with no visible slope are acceptable. Eaves are recommended on all street facing facades.
- B. Eave depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen (14) inches.
- C. Eave thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight (8) inches thick.
- D. Interrupting vertical walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - 1. No more than one-half of the front facade can consist of an interrupting vertical wall.

-
- 2. Vertical walls shall extend no more than four (4) feet above the top of the eave.
 - E. Occupied space. Occupied space shall not be incorporated behind this roof type.

Figure 4-24. Flat Roof

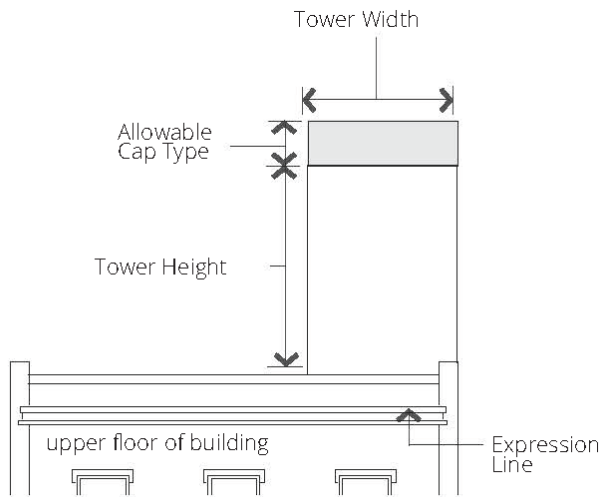


4.6.5. Towers

A tower is a rectilinear or cylindrical, vertical element, that shall be used with other roof types (refer to Figure 4-23)

- A. Quantity. All building types, with the exception of the Civic Building, are limited to one tower per building.
- B. Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- C. Tower Width. Maximum width along all facades is one-third the width of the front facade or thirty (30) feet, whichever is less.
- D. Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential building types.
- E. Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied.
- F. Application. May be combined with all other roof types.
- G. Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat-roof roof types, or the spire may cap the tower.

Figure 4-23. Tower



(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

SEC. 4.7. GENERAL DESIGN REQUIREMENTS

The following outlines the district design requirements that affect a building's appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

4.7.1. Materials and Color

- A. **Primary Facade Materials.** Eighty (80) percent of each facade shall be constructed of primary materials. For facades over one hundred (100) square feet, more than one material shall be used to meet the eighty (80) percent requirement.

Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 4-25).

Figure 4-25. Primary Materials



Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Painted Wood

- B. Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding. Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- C. Roof Materials. Acceptable roof materials include three hundred (300) pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. "Engineered" wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Figure 4-26).

Figure 4-26. Roof Materials



Roof Materials: Asphalt Composite Shingles



Roof Materials: Metal



Roof Materials: Ceramic Tile

- D. Color. Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized for details and accents, not to exceed a total area larger than ten (10) percent of the facade surface area.
- E. Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all building types with the exception of the Row Building and the Yard Building. Refer to Figure 4-27).

Figure 4-27. Doors and Windows



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted: Commercial Grade Doors and Windows on Commercial Buildings.

4.7.2. Windows, Awnings, and Shutters

- A. Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung. Percent of transparency is required per building type. Horizontal or vertical strip windows, tinted or reflective glass, and glass block (refer to Figure 4-28) are prohibited within MX districts.
- B. Security Grills. Grills shall be fully retractable and completely within the interior of the building and inconspicuous to the extent possible. Exterior bars are prohibited on any window. Refer to Figure 4-29.
- C. Awnings. All awnings shall be canvas or metal. Plastic awnings and canopy awnings that extend from the front facade into the right-of-way are prohibited. Awning types and colors for each building face shall be coordinated. Refer to Figure 4-31.

-
- D. Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.

Figure 4-28. Windows



Figure 4-29. Security Grills



Figure 4-30 Balconies Integrate to Facade



Figure 4-31 Awnings



Permitted Awnings: Metal



Permitted Awnings: Canvas



Prohibited Awnings: Canopy awnings that extend from the front facade into the right-of-way

4.7.3. Balconies

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 4-30.

- A. Size. Balconies shall be a minimum of six (6) feet deep and five (5) feet wide.
- B. Connection to Building. Balconies shall be integral to the facade at the street line. Balconies on stepped back stories shall be independently secured and unconnected to other balconies.
- C. Facade Coverage. A maximum of forty (40) percent of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4.7.4. Treatments at Terminal Vistas

Refer to Figure 4-~~33~~ 32. When a street terminates at a parcel, the parcel shall be occupied by one of the following:

- A. If the parcel is open space, any Civic Space Type with the exception of the Pocket Park shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include a stand or grid of trees, a sculpture, or a fountain.
- B. If the parcel is not utilized as ~~an~~ a Civic Space Type, the front or corner side of a building, whether fronting a Primary Street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard. Refer to Figure 4-33 for one illustration of this requirement.

Figure 4-32. Terminal Vista



4.7.5. Building Variety

~~Building~~ Building design shall vary between vertical facade divisions, where required per the building types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following. Refer to Figure 4-32 for one illustration of this requirement.

- A. The proportion of recesses and projections.
- B. The location of the entrance and window placement, unless storefronts are utilized.
- C. Roof type, plane, or material, unless otherwise stated in the building type requirements.

Figure 4-32. Terminal Vista



Figure 4-33 Building Variety



4.7.6. Building Lighting

- A. Exterior lighting should serve only to illuminate entries, signage, adjacent pedestrian areas and displays, or to highlight significant architectural features above the first floor.
- B. Traditional light fixtures and/or appropriately scaled contemporary light fixtures should be used. Fixture color should be muted, and should coordinate with the overall facade and signage color scheme.
- C. Security lighting should be concealed to the extent practical.

4.7.7. Principal Entryway

Principal entrances to buildings or units shall be clearly delineated through one or more of the following (refer to Figure 4-34):

- A. Cap or canopy. The entryway shall be covered by a cap or canopy differentiating it from the overall building cap.
- B. Sidelights and transom. Sidelights and/or transom windows shall be included around the entryway.

- C. Extended articulation. The entryway shall be included in a separate bay of the building extended up at least two stories.
- D. Other design options. The Village Manager may approve different design options that add emphasis and draw attention to the entryway through a minor exception during design review.

Figure 4-34. Examples of Defined Principal Entryway

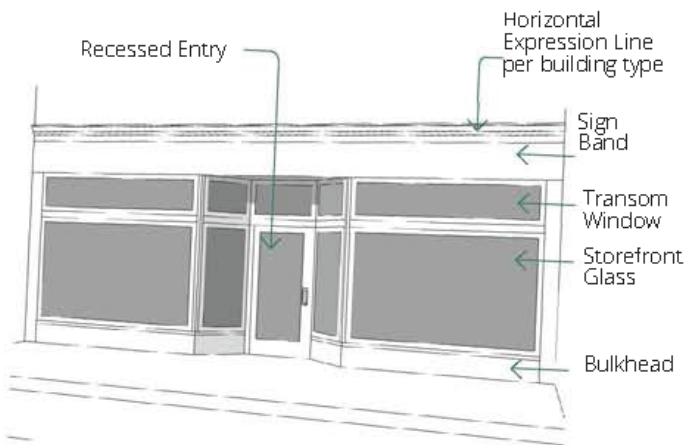


4.7.8. Storefront Design

Refer to Figure 4-35. A storefront is the ground story facade of a building that includes a large window area for display and entranceway into the building, usually associated with retail sales, eating and drinking establishments, and commercial service uses.

- A. Amount of Glass. Storefront glass quantity is required by building type.
- B. Clear Windows. Windows shall be unobstructed during the daytime and evening hours. Either displays or occupied space shall be located inside the building, viewable from outside the window.
- C. Transom Windows. Transom windows above doors and above storefront windows are encouraged.
- D. Bulkhead. A bulkhead, minimum height of twelve (12) inches and maximum height of thirty (30) inches is required. The bulkhead may be constructed of wood, metal, concrete, or masonry. Concrete masonry units may not be exposed.
- E. Sign Band. A wall sign band or location, minimum eighteen (18) inches in height, is required to be designed into the facade.

Figure 4-35. Storefront Design

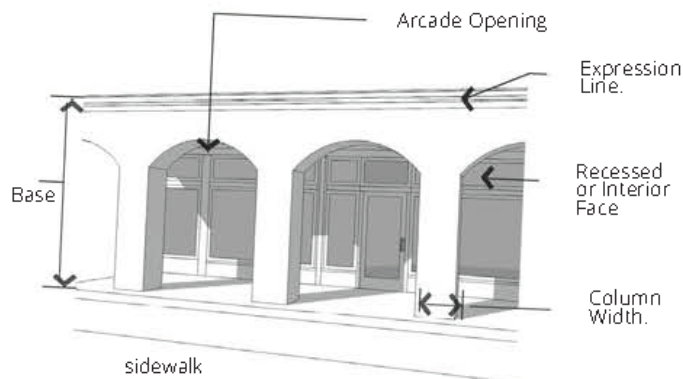


4.7.9. Arcade Design

Refer to Figure 4-36. An arcade is a covered pedestrian walkway within the recess of a ground story.

- A. An open-air public walkway is permitted from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet.
- B. Build-to Zone. When the arcade is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.
- C. Column Spacing. Columns shall be spaced between 10 feet and 12 feet on center.
- D. Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.
- E. Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- F. Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- G. Visible Basement. A visible basement is not permitted.

Figure 4-36. Arcade Design

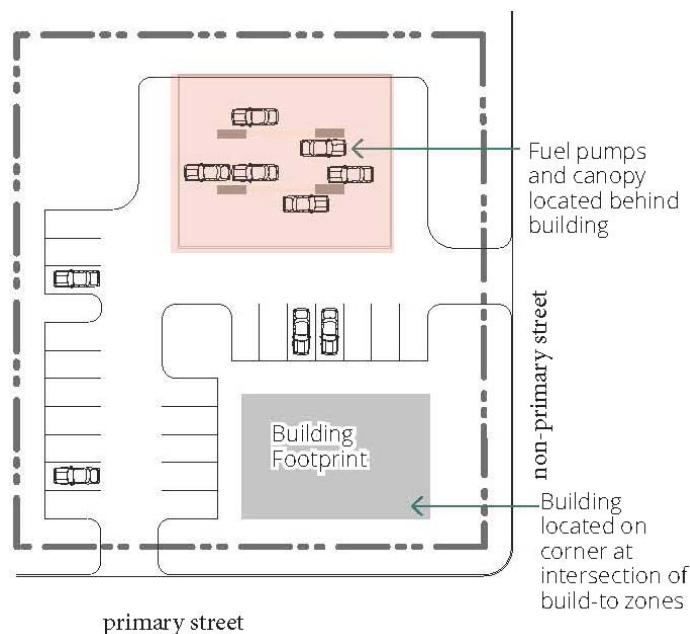


4.7.10. Fuel Stations and Car Washes

Fueling stations and car washes require a special use permit (refer to Article IX) and shall meet the following. Refer to Figure 4-37 for one illustration of a compliant Fuel Station.

- A. Location of Pumps. Any fueling pumps shall be located in the rear or interior side yard.
- B. Convenience Store/Building. A building on the premises of a fueling station shall be located in the build-to zone and shall occupy any corner. The building shall fulfill all requirements of the building type with the exception of the Minimum Primary Build-to Zone Coverage and the Minimum Height Requirement.
- C. Car Wash Facility. Any car wash facility shall be located in the rear of the lot. Vehicle entrance doors may be located on the rear facade, non-primary street facade, or an interior facade not visible from the primary street. Vehicular entrances are prohibited on the primary street facade, unless otherwise approved through a minor design exception.
- D. Additional Drive Entrance. One driveway entrance, in addition to the driveways permitted by building type, is permitted on the lot, maximum width 22 feet. With a minor design exception, the driveway may be located on the primary street.

Figure 4-37. Example of Fuel Station



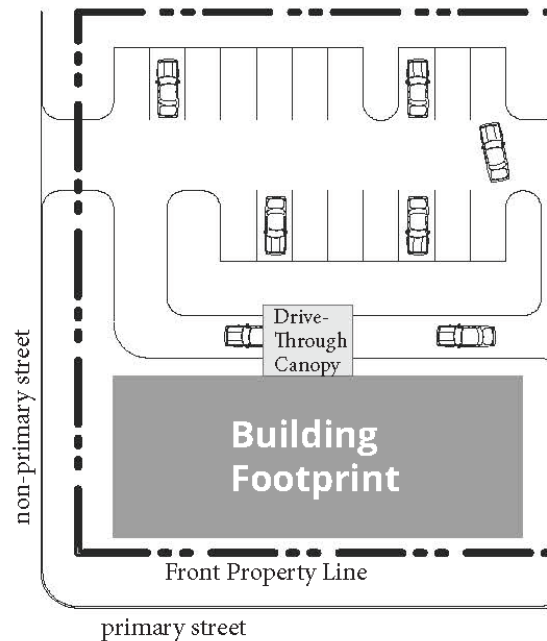
4.7.11. Drive-Through Structures

Refer to Figure 4-38 for one illustration of the following requirements.

- A. Structure/Canopy. Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.

- B. Stacking Lanes. Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
- C. The canopy and structure shall be constructed of the same materials utilized on the building.

Figure 4-38. Drive-Through Facility Layout



(Ord. No. 4036 , § 2(Exh. A), 6-11-18)

SEC. 4.8. STREETSCAPE GUIDELINES

The following guidelines apply to all streets adjacent to MX districts with the intent of creating pedestrian oriented, multimodal streets.

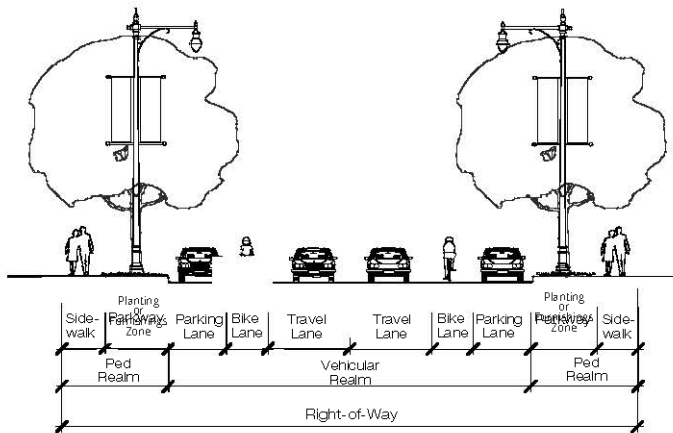
4.8.1. Typical Street Elements

All street rights-of-way should include the following vehicular and pedestrian realm considerations. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 4-39.

- A. Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.
 - 1. Refer to Public Works requirements for all lane widths.
 - 2. Refer to this section for additional information on on-street parking and bicycle facilities.
- B. Pedestrian Realm. The pedestrian realm is comprised of pedestrian facilities, such as sidewalk. A buffer area that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one of the following:

1. Landscape Zone. A landscape area between the back of curb to the sidewalk in which street trees, stormwater swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.
2. Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

Figure 4-39. Typical Right-of-Way Elements



- C. **Bicycle Facilities.** Bicycle facilities should be included on any streets based on the Village's bicycle plan. The following types of bicycle accommodations are appropriate in the vehicular realm. Refer to Figure 4-40.
 1. **Dedicated Bicycle Lane.** Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be four (4) to five (5) feet wide.
 2. **Designated Shared Lane.** A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum thirteen (13) feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a "sharrow"). This improvement occurs in both directions.
 3. **Shared Lane.** A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.
- D. **On-Street Parking.** On-street parking should be included on both sides of all streets. Parallel, back-in diagonal, or head-in diagonal are the most appropriate types.
- E. **Parkway Trees.** Street trees are required along all street frontages. Street trees shall be located in either a Landscape Zone (within a planting bed or lawn) or a Furnishings Zone (in trees wells with grate as required).
 1. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this article.

2. Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the radius of the tree's mature canopy, measured from the trunk out to the dripline.
3. Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 4-3 for details.
4. Permeable area for one tree cannot count toward that of another tree.
5. When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.

Figure 4-40. On-Street Bicycle Facilities

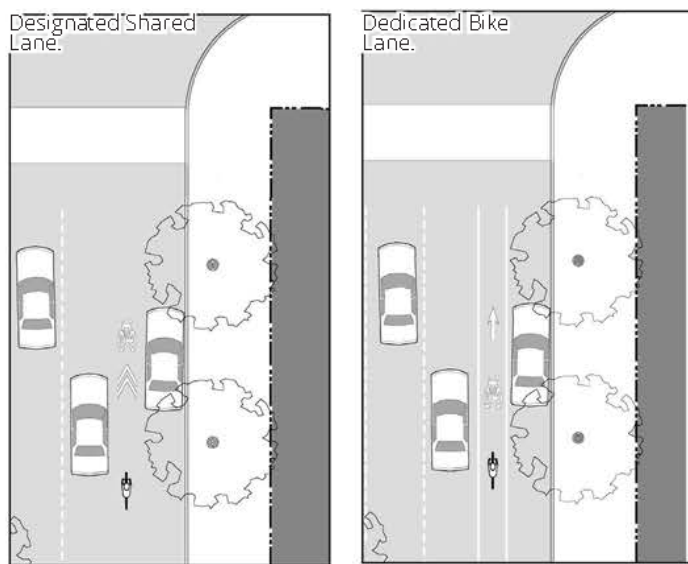


Table 4-3: Minimum Recommended Soil Volumes and Permeable Area per Planted Tree

Tree Size Type	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
Medium	2,852	1141 (approx. 34' x 34')	225 (15' x 15')
Large	6,532	2681 (approx. 50' x 50')	400 (20' x 20')

4.8.2. Street Configurations

The following street configurations are provided to assist in the redesign or repaving of Ardmore Avenue to better serve the MX-1 district.

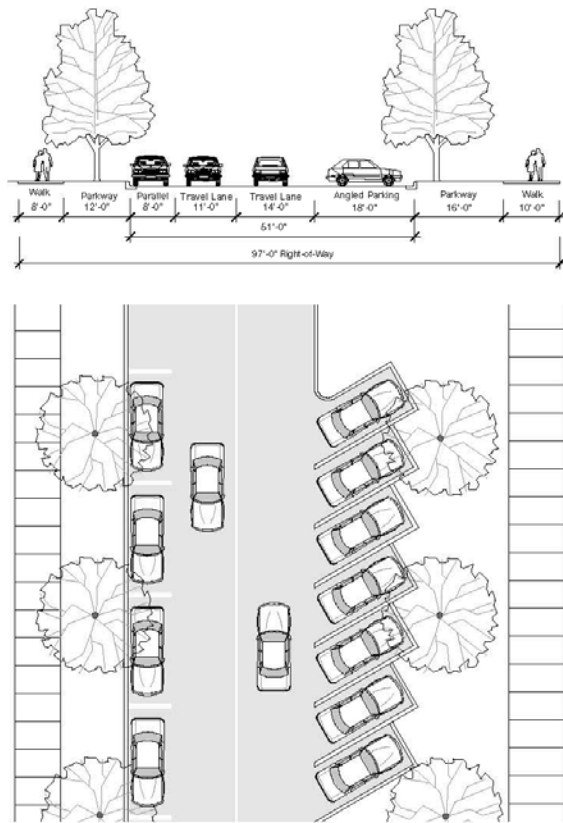
- A. Ardmore Avenue, ninety-seven (97) feet right-of-way. The following alternatives are suggested for Ardmore Avenue north of the Metra Tracks with a ninety-seven (97) feet wide right-of-way.

1. Alternative 1. (Refer to Figure 4-41). This alternative provides new on-street parking with 60° angled parking on the east side and parallel parking on the west side. Two travel lanes are provided and a left turn lane is permitted at intersections. Parkways with trees buffer pedestrians on the sidewalks.
 2. Alternative 2. (Refer to Figure 4-42). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes. Parkways with trees buffer pedestrians on sidewalks.
 3. Alternative 3. (Refer to Figure 4-43). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes. Parkway with a furnishings zone buffers pedestrians on the west side of the street. On the east side, a large parkway of permeable pavers over a parkway tree structural soil system improves stormwater infiltration and tree health.
- B. Ardmore Avenue, sixty-two (62) feet right-of-way. The following alternatives are suggested for Ardmore Avenue south of the Metra Tracks with a sixty-two (62) feet wide right-of-way.
1. Alternative 1. (Refer to Figure 4-44). This alternative provides new on-street parallel parking on both sides of the street with two travel lanes for traffic. Parkways with parkway trees buffer pedestrians on sidewalks.
 2. Alternative 2. (Refer to Figure 4-45). This alternative provides one side of new on-street parallel parking. Two (2) shared travel lanes are wide enough for cars and bicycles.

Ardmore Avenue 97' ROW—Alternative 1	
Location	North of Metra Tracks
Typical ROW Width	97'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	11-14 feet
Allowable Turn Lanes	Left permitted in place of parking at intersections
Parking Lanes	Parallel required on west side of street. 60° angle required on east side of street
Pavement Width	51 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
Pedestrian Facilities	Minimum 8-foot sidewalk both sides
Street Buffer	Minimum 12 feet wide Parkway

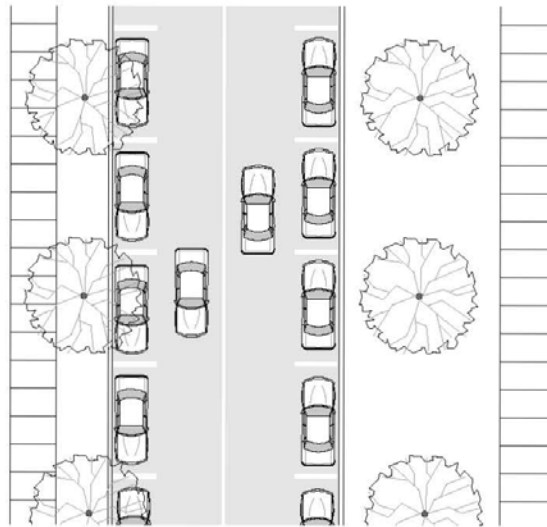
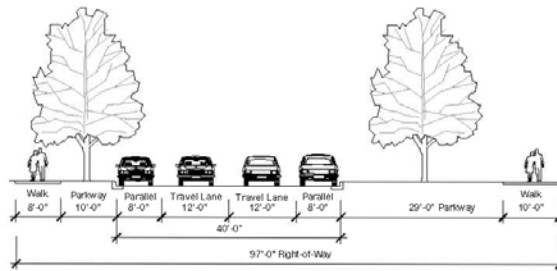
Figure 4-41. Ardmore avenue 97' ROW—Alternative 1

Figure 4-41. Ardmore Avenue 97' ROW - Alternative 1



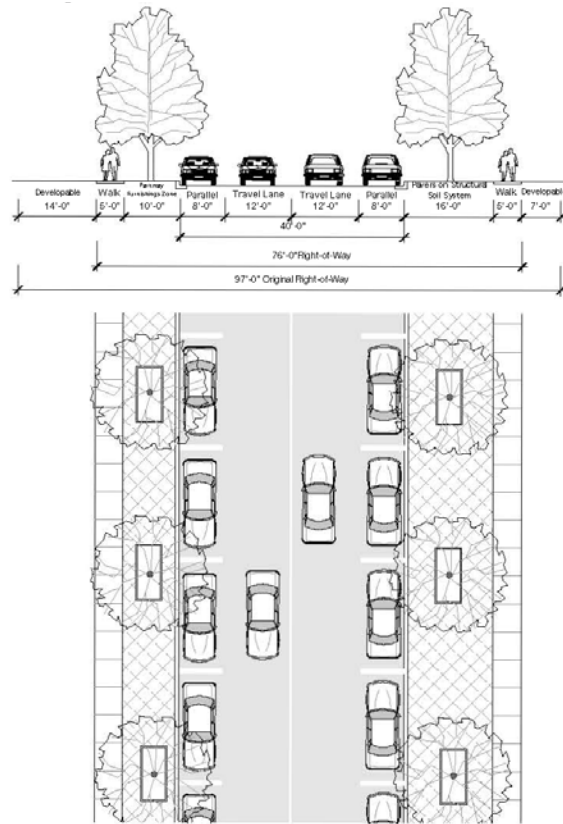
Ardmore Avenue 97' ROW—Alternative 2	
Location	North of Metra Tracks
Typical ROW Width	97'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	12 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required on both sides of street.
Pavement Width	40 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
Pedestrian Facilities	Minimum 8-foot sidewalk both sides
Street Buffer	Minimum 10 feet wide Parkway

Figure 4-42. Ardmore avenue 97' ROW - Alternative 2



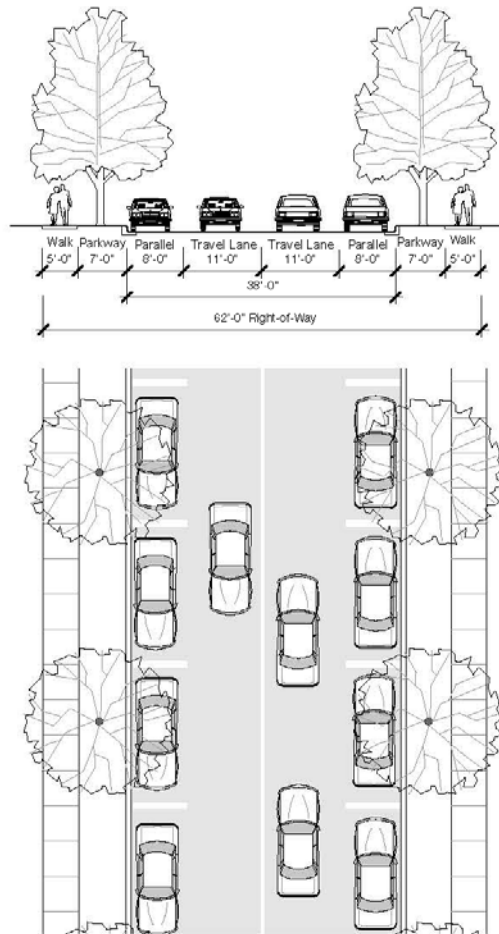
Ardmore Avenue 97' ROW—Alternative 3	
Location	North of Metra Tracks
Typical ROW Width	97'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	12 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required on both sides of street.
Pavement Width	40 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
Pedestrian Facilities	Minimum 5-foot sidewalk both sides
Street Buffer	Minimum 10 feet parkway or furnishings zone on west side of street Minimum 16' permeable pavers on parkway tree structural soil system.

Figure 4-43. Ardmore avenue 97' ROW - Alternative 3



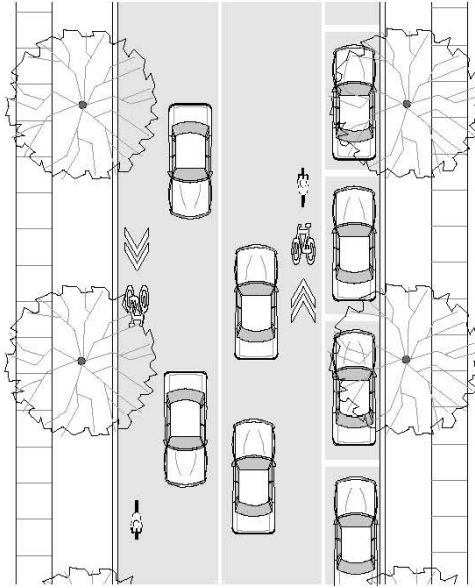
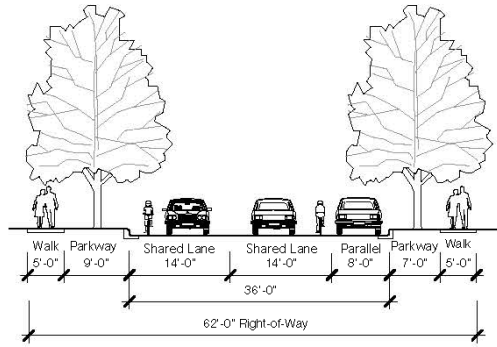
Ardmore Avenue 62' ROW—Alternative 1	
Location	South of Metra Tracks
Typical ROW Width	62'
Vehicular Realm	
Travel Lanes	2 travel lanes
Lane Width	11 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required both sides of street.
Pavement Width	38 feet
Bicycle Facilities	Not applicable
Pedestrian Realm	
Pedestrian Facilities	Minimum 5-foot sidewalk both sides
Street Buffer	Minimum 7-foot parkway both sides

Figure 4-44. Ardmore avenue 62' ROW - Alternative 1



Ardmore Avenue 62' ROW - Alternative 2	
Location	South of Metra Tracks
Typical ROW Width	62'
Vehicular Realm	
Travel Lanes	2 shared travel lanes
Lane Width	14 feet
Allowable Turn Lanes	Not applicable
Parking Lanes	Parallel required on one side of street
Pavement Width	36 feet
Bicycle Facilities	1 shared lane in each direction
Pedestrian Realm	
Pedestrian Facilities	Minimum 5-foot sidewalk both sides
Street Buffer	Minimum 9-foot parkway both sides

Figure 4-45. Ardmore avenue 62' ROW - Alternative 2



G. VISIBILITY REQUIREMENTS – CORNER LOTS

No structure, wall, fence, shrubbery, or trees shall be erected, maintained, or planted on any lot which will obstruct the view of the driver of a vehicle approaching an intersection, excepting that shrubbery and low retaining walls not exceeding two (2) feet in height above the curb level and shade trees where all branches are not less than eight (8) feet above the street level will be permitted. For residential corner lots, this unobstructed area shall be a triangular section of land formed by the two street right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of said right-of-way.

H. PERMITTED ENCROACHMENTS IN REQUIRED YARDS

1. Residential Zoning Districts:

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards in lots residentially zoned (R-1, R-2, R-3, R-4, R-5, R-6, and R-7) as specified:

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Accessory structures, including but not limited to: accessory sheds, carports, detached garages, equipment shelters, and playhouses		P	P			See additional regulations in Section III. I.
Arbors	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Athletic courts, including but not limited to: basketball or tennis courts			P			All athletic court areas shall be subject to Village review to ensure the court is properly designed, graded, and constructed. In no case shall an athletic court be placed closer than fifteen (15) feet to any property line.
Awnings and canopies	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of any property line.
Balconies	P		P	P	P	Not projecting more than five (5) feet into the required yard.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Breezeways			P			
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into the required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences		P	P			See additional regulations within Section III.J.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three- and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	
Mechanical equipment, including but not limited to: air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line.
Outdoor fireplaces			P		P	In no case shall an outdoor fireplace be placed closer than five (5) feet to any property line.
Patios		P	P			In no case shall a patio be placed closer than five (5) feet to any property line.
Pergolas			P			Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. In no case shall porches or porticos extend more than fifteen (15) feet from the exterior wall. Handrails and guardrails shall conform to Village Building Code Regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.
Private swimming pools and hot tubs			P			Pools are to be placed in rear yards only. In no case shall a pool be placed closer than five (5) feet to any property line, including transitional grading, accessory items such as pavers or concrete, and equipment.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.

2. Commercial Zoning Districts:

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards in lots commercially zoned (B-1, B-2, B-3, B-4, and B-5) as specified:

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Accessory structures, including but not limited to: accessory sheds, carports, detached garages, equipment shelters, and playhouses			P			See additional regulations in Section III. I.
Arbors	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Awnings, canopies, marquees and other projections that create shaded and protected entrances	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of the side or rear property line. Awnings and canopies with signage must conform to the Sign Regulations in Section IX.
Balconies	P		P	P	P	Not projecting more than five (5) feet into a required yard.
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into a required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences and walls		P	P			See additional regulations within Section III.J.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three-and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	
Mechanical equipment, including but not limited to; air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line. Equipment shall be screened to comply with the Village Landscape Ordinance.
Patios	P	P	P	P	P	In no case shall a patio be placed closer than five (5) feet to any property line.
Pergolas	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. Handrails and guardrails shall conform to Village Building Code Regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.
Projecting blade signs	P	P	P	P	P	See additional regulations in Section IX.
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	

a. Additional Allowable Encroachments:

In commercially zoned lots (B-1, B-2, B-3, B-4, and B-5) that front streets or major interior access lanes, front yard areas will be primarily used for landscaping and other pedestrian-oriented uses including:

- (1) Widened sidewalks and entranceways;

- (2) Plazas, outdoor gardens, patios, and outdoor seating areas;
- (3) Water features, including bioswales or other stormwater management elements; and
- (4) Public art or outdoor architectural features like clock towers, pergolas, etc.

It is the intent of this Ordinance to help create a stronger pedestrian scale. As such, in addition to the design elements specifically permitted above, other architectural or landscape features not enumerated herein that create a stronger pedestrian connection may be permitted to extend into the required yard up to ten (10) feet. These encroachments may be approved by the Plan Commission during Site Plan Approval.

3. **Industrial Zoning Districts:**

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards, in lots industrially zoned (ORI, M-1, and MU-1) as specified:

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Accessory structures, including but not limited to: accessory sheds, carports, detached garages, equipment shelters, and playhouses			P			See additional regulations in Section III. I.
Arbors	P		P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Athletic courts, including but not limited to: basketball or tennis courts			P			All athletic court areas shall be subject to Village review to ensure the court is properly designed, graded, and constructed. In no case shall an athletic court be placed closer than fifteen (15) feet to any property line.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Awnings, canopies, and other projections that create shaded and protected entrances	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of the side or rear property line. Awnings and canopies with signage must conform to the Sign Regulations in Section IX.
Balconies	P		P	P	P	Not projecting more than five (5) feet in front yards.
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into a required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences and walls		P	P			See additional regulations within Section III.J.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three- and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	
Mechanical equipment, including but not limited to: air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line. Equipment shall be screened to comply with the Village Landscape Ordinance.
Patios	P	P	P	P	P	In no case shall a patio be placed closer than five (5) feet to any property line.
Pergolas	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. Handrails and guardrails shall conform to Village Building Code regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Primary Front Yard	Secondary Front Yard	
Projecting blade signs	P	P	P	P	P	See additional regulations in Section IX.
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	

I. ACCESSORY STRUCTURES AND USES

1. All accessory structures shall be subject to the following:
 - a. Accessory structures and uses shall be compatible with the principal use;
 - b. Accessory structures and uses shall not be established prior to the establishment of the principal use;
 - c. Accessory structures which are structurally attached to a main or principal building shall be subject to all regulations of this Ordinance and the Village Building Code which are applicable to the principal building;
 - d. Accessory structures shall not be located less than ten (10) feet from a principal building unless the accessory structure meets all regulations of this Ordinance and the Village Building Code which are applicable to the principal building;
 - e. When a side yard is required, no part of any accessory structure shall be located closer than five (5) feet to the side lot line along such side yard; and
 - f. When a rear yard is required, no part of any accessory structure shall be located closer than five (5) feet to the rear lot line or to those portions of the side lot lines abutting such required rear yard.
2. Residential accessory structures serving single- or two-family residences in any Residential Zoning District, and all accessory structures in the R-1 through R-5 Zoning Districts, inclusive, shall conform to the following:
 - a. All conditions of Subsection III.I.1 above must be satisfied;
 - b. The maximum floor area shall be seven hundred twenty (720) square feet;
 - c. The maximum height shall be eighteen (18) feet to the peak of the structure;
 - d. The pitch of the roof shall be found by the Zoning Administrator to be architecturally compatible with the pitch of the main roof element of the principal structure, provided that subsection (c) above shall be met;

- e. Detached or attached garages and accessory structures shall not be utilized as living space;
 - f. Detached or attached garages and accessory structures shall not be utilized for any business related activity; and
 - g. Detached garages and accessory structures shall not be serviced by water, sanitary sewer, or natural gas.
3. Second detached garages serving single- or two-family residences in any Residential Zoning District and in the R-1 through R-5 Zoning Districts, inclusive, shall conform to the following:
- a. All conditions of Subsections III.I.1 and III.I.2 above must be satisfied for each garage;
 - b. The property must be a minimum of fifteen thousand (15,000) square feet in lot area and ninety (90) feet in lot width; and
 - c. Both garages must be fully accessible by way of a driveway in conformance with Section 309 of the Village Building Code.

J. FENCE REGULATIONS

1. Permit Required

- a. A building permit is required for all work performed in association with the construction, alteration, or relocation of a fence except as outlined in Section III.J.1.b.
- b. Exemptions: The following circumstances do not require a building permit; however, they are subject to the regulations within Section III.J.2.:
 - (1) Repairs of not more than one (1) eight foot (8') section of fencing per year on a legally permitted fence; and
 - (2) Fences two feet (2') in height or less.

2. Regulations for All Zoning Districts

a. Location

(1) Permitted Fence Location

Village of Villa Park

Community Development Department, 11 W. Home Avenue, Villa Park, IL 60181



TO: Planning & Zoning Commission
FROM: Community Development Department
DATE: May 12, 2022
RE: Petition PZ-22-0006 / Village Code Amendments to Zoning Ordinance (Appendix C)

The Commission continues to discuss zoning text amendments to Appendix C of the Village Code which will clarify code requirements, address best practices and/or current development trends. Since the project began in February of 2021 individual code sections have come back for review. It appears that four ordinances amending the Zoning Ordinance were passed by the Village Board (two in the same evening which appear to be essentially the same):

ORD 4247 (October 11, 2021) –

- o Replaced Sect 6.11.2.H Temporary Outside Storage Containers in its entirety, to address both Temporary and Permanent Outside Storage containers:
 - Updated Sec. 6.12.A Temporary Outdoor Storage Containers in Non-Residential Property to include 13 requirements: building permit required; 1 per property; no stacking; lot must contain a principal building; limits to 60 days/ year; limits size to 8' and 130 s.f., on hard surface; not obstructing traffic; not on public property; no signage; must be maintained; cannot be used to store hazardous materials; and cannot be used for purpose of conducting business.
 - Updated Sec. 6.12.B Permanent Outdoor Storage Containers in Non-Residential Property with 13 requirements: building permit required; lot must have principal building; not placed in front of principal building yard; must be on paved surface; cannot be placed outside in side or rear yard setback; no stacking; must be screened; cannot take up required parking; cannot be on public property or obstruct traffic; cannot contain advertising; must be maintained; cannot be used to store hazardous materials; and cannot be used for purpose of conducting business.
- o Updated definitions under "S."

ORD 4248 (October 11, 2021) – Re-numbers and re-words sections in ORD 4247 .

ORD 4262 (December 13, 2021) –

- o Adds 2.6.5, making reference to 14.1.9.c encroachment table.
- o Updates lot coverage in R Districts.

ORD 4275 (February 28, 2022) –

- o Removed the restriction on outside entertainment in the outdoor dining section.

- o Permits for Outdoor dining on public property are valid March 1 through November 30 and must be renewed annually.
- o Occupancy permit for outdoor dining on private property does not need annual permit.
- o Extended the permitted time of temporary outdoor storage containers to 90 days per year.
- o Increased the size of temporary outdoor storage containers.
- o Grandfathered in existing containers not on a paved surface.
- o Defined shipping container.

This memorandum addresses sections first proposed in February 2021 for amendment, plus some additional items discussed at the March 10, 2022 and April 14, 2022 Planning & Zoning Commission meetings.

This memorandum does not contain a final recommendation, but seeks to confirm Commission consensus on individual items. Topics presented are per the “Public Notice” which was printed in the Daily Herald on Wednesday, April 27, 2022 as follows:

- Zoning Ordinance (Appendix C) – Article 2 “Residential Uses”, Article 3 “Office, Commercial and Industrial Districts”, Article 6 “Uses”, and Article 14 “Measurements and Definitions” – Adding regulations, definitions, and clarification including permitted locations, height, size, and number of permitted accessory structures per lot.
- Zoning Ordinance (Appendix C) – Article 4 “MX Districts”, Article 7 “Parking”, Article 9, Section 9.3 “Visibility Triangle”, and Article 14 “Measurements and Definitions - Adding regulations, definitions, and clarification including on the width of driveways and driveway approaches, landscaping requirements, visibility triangle requirements, and width for service walks.
- Zoning Ordinance (Appendix C) – Article 4 “MX Districts” to correct various scrivener’s errors.

The Community Development Department and Village Staff continue to research best practices and review the code for inconsistencies. Zoning Codes from our surrounding communities of Addison, Carol Stream, Elmhurst, Oakbrook Terrace, and Lombard have been consulted. Some items below remain for discussion, others are a definitive suggestion with the proposed zoning text amendment shown in **red**.

1. SCRIBNER ERRORS – Article 4. MX Districts (Article 4 Sec 4.1 through Sec. 4.8.2)

Attachment 1 is a redlined version of Article 4. MX Districts. Changes include typos, mis-labeling of figures, and simplification of the MX-2 District (not MX-2a and MX-2b).

Please discuss a recommended new definition for ground story and basement within General Buildings. 4.4.3C.14 Ground story & Basement reads:

4.4.3 - General Building

Permitted Districts		MX-T	MX-2	MX-3	References and Additional Requirements
C. Uses (Refer to Figure 4-8)					
14	Ground Story & Basement	All permitted uses except commercial service, eating and drinking establishments, and retail sales are limited to no more than 50% of gross floor area of the story			Refer to Article 6

Is the intent of the ordinance to allow “mixed-use” on different levels, or to require a mixed use on the first floor? If so, the following is recommended:

“All permitted uses are limited to no more than 50% of gross floor area of the story, except commercial service, eating and drinking establishments, and retail sales.”

As proposed, this would limit the residential on first floor of a general building in MX-T, MX-R1, and MX-R2 districts, creating a “mixed use” on the first floor and differentiating the district from the MX-R1 and MX-R2 Districts which are primarily residential and the MX-1, MX-2, and MX-3 Districts which do not permit residential on the first floor. Without the differentiation, the building may be all residential, and not a mixed-use.

2. Consideration of “ACCESSORY USES AND STRUCTURES” (Sec. 6.10.)

Topic was first introduced in 2021 so regulations could be updated to be consistent with surrounding communities, meet current trends and petitions, and to provide flexibility. Planning, Engineering, and Building staff have met to discuss and consider zoning and building code requirements. Previously the Commission discussed a different treatment for open structures without walls, such as pergolas, possibly not counting these towards maximum accessory structure, unless they are enclosed. However, floor area of open structures with a solid floor would count towards lot coverage. Setbacks for enclosed accessory structures consistent with garage setbacks.

Development staff is of the opinion that use of the term “Accessory Building” and “Accessory Structure” can be interchangeable, but differentiated from an “Accessory Use.” All are incidental and supporting of the Principal Structure and Principal Use on the property. The code currently uses the terms interchangeably, but definitions don’t clarify that.

Zoning is the predominant means of restricting private land use for the benefit of a community and must contain a legal nexus to the “health, safety, and general welfare” of the population. In regulating accessory structures, several objectives are considered, including:

- Maximum lot coverage to control stormwater run-off on to neighboring property
- Aesthetics as a means to improve property values
- Negative externalities associated with outdoor land use – noise, food, odor from cooking, etc.

- Safety through application of Fire protection (building separations and fire rating of materials) and Building Code requirements (safe construction)
- Health - Air and Light through a property.

Accessory structures can add great enjoyment to quality of life – protecting us from the elements with gazebos and pergolas, garages and sheds to store garden tools, and lawn furniture, and other belongings, limiting clutter and debris on a property. Outdoor dining areas and BBQ's enhance gatherings and outdoor meals.

Section 6.10 Accessory Uses and Structures details which are permitted and prohibited, requires a principle use to be in place, and requires compliance with lot and building regulations – set back at least 5 feet from the rear and side lot lines and at least 20 feet from street lot lines. Additionally each is to be set back at least 10 feet from any principle building. Section 6.10.2 Residential Accessory Structures discusses “accessory “buildings” and limits each lot to one accessory building but defines lot coverage as the cumulative total coverage of all accessory structures, including garages.

Article 7 Parking requires each residential dwelling unit to have a minimum of 2 parking spaces within a garage. Height, size, and location are regulated through Section 6.10.4 Residential Garages and Carports.

Detached garages are common in Villa Park. Only one attached or detached garage is allowed on any RS-zoned lot. Some communities permit a second garage on larger lots and modern life continues to increase desire for storage. The Village routinely receives requests for additions onto garages and expanded sheds. Staff recommends that the Zoning Code permit:

- 1 detached garage
- 1 shed (if lot coverage is met)
- 1 gazebo (if lot coverage is met)
- Any combination of other accessory structure/buildings – again, if lot coverage is met.

In discussing this recommendation, staff considered stormwater control through lot coverage to be the main goal, balanced with aesthetics and need for a modern household to store items inside, thereby keeping a property neat and free from debris.

Staff recommends that each property be permitted one garage (at maximum size), one shed, and other accessory structures which would be permitted to the extent that the property can still meet the maximum lot coverage. Placement on the site would be regulated based on building code. And, whether an accessory structure counts towards lot coverage is based on whether the structure/building has a roof and/or if the accessory is being placed on an already impervious surface – such as a gazebo on a deck (avoiding a “double count”). Garages, Sheds, and Gazebos could be defined as buildings, or all could be termed “accessories.”

The main consideration is whether or not the structure impacts the imperviousness of the site. The following table organizes our thoughts in how to structure the code. You will note the size of sheds and gazebos is at 200 s.f. as previously discussed. Distances are based on the Building and Fire code regulations, and would be subject to fire rating of materials.

Proposed – Regulation of Accessory Structures

	Max Area	Bldg or Structure	Count To Lot Coverage	Number Allowed	Roof	Subject to 5' Min. Setback	Dist to Principal Structure	Dist to Detached Garage
GARAGE	864	B	YES	1	YES	YES	5	N/A
SHED	200	B	YES	1	YES	YES	10	5
GAZEBO, open wall	200	S	YES*	N/A^	YES	YES	10^^	5
GAZEBO, enclosed	200	B	YES*	1	YES	YES	10^^	5
DECK	N/A	S	NO**	N/A^	N/A	YES	0	0
PERGOLA, open roof	200	S	NO**	N/A^	N/A	YES	10^^	5
PATIO	N/A	S	YES	N/A^	N/A	YES	0	0
SWIMMING POOL	N/A	S	NO	N/A^	N/A	YES	5	5
SIDEWALK	N/A	S	YES	N/A^	N/A	NO	0	0
DRIVEWAY	N/A	S	YES	N/A^	N/A	NO	0	0

* - IF LOCATED ON HARD SURFACE

** - IF NO HARD SURFACE UNDER DECK, subject to the determination of the Village Engineer

^ - SUBJECT TO BULK REGS AND MAXIMUM LOT COVERAGE

^^ - UNLESS STRUCTURALLY ATTACHED TO THE HOUSE

The Commission is asked to please provide direction on these questions

- *Would two garages would be permissible on the RS-10 lots – again, if lot coverage could be met and the detached garage was in the rear?*
- *Would a 10' door be acceptable on a garage in the rear (purpose being to park work trucks, RV's, and larger vehicles in a confined building)?*
- *Would a 10' door be acceptable on a garage in an attached garage with the garage door visible from the street, where a second garage is not an option? (purpose being to park work trucks, RV's, and larger vehicles in a confined building). Second garages, if permitted would require a paved driveway.*

A formal recommendation is not presented here this evening, pending Commission discussion and input. As discussed in April, how does the Commission wish to word the placement of accessory uses? Please review the following table and confirm whether the encroachment should be permitted into a specific yard. Pending discussion, a proposed text amendment will be brought to the June meeting.

The Encroachment table for Tinley Park, Illinois is presented as Attachment 2 in your packet so you can view an alternative scenario which identifies “permitted encroachments into permitted yards” vs. our convention of “permitted setback obstructions/encroachments.” If this approach is preferred, Table 13-1 in Section 14.1.9 could be modified to discuss encroachments in the “yard” and not the “setbacks.”

Note, the table below has been modified to be consistent with Village practice of allowing up to a maximum five foot (5') private sidewalk width.

Private Side Walk Width (Article 14 – Measurements and Definitions, Section 14.1.9, Table 13-1: Permitted Setback Obstructions/Encroachments)

C. Permitted Obstructions and Encroachments

Setbacks in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 13-1, which identifies features that are allowed to encroach into required setbacks in R zoning districts. "Yes" indicates that obstruction is permitted. "No" indicates that the identified structure is prohibiting from obstructing or encroaching into the respective setback area. Bracketed numbers refer to supplemental conditions immediately following the table.

Table 13-1: Permitted Setback Obstructions/Encroachments

	Street (Front or Side)	Interior Side	Rear
Air conditioners, window	Yes	Yes	Yes
Air conditioning condensers	No	Yes [1]	Yes
Arbors and trellises, detached	No	No	Yes
Arbors and trellises, attached	Yes	Yes	Yes
Awnings and canopies, attached	Yes [2]	Yes [2]	Yes [2]
Balconies, open	Yes	No	Yes
Basketball goal and net	Yes [3]	No	Yes
Bay windows	Yes [4]	Yes [4] [5]	Yes [4]
Carports (See also 6.10.4)	No	No	Yes
Chimneys, attached	Yes	Yes [5] [6]	Yes [6]
Clotheslines	No	No	Yes
Compost container	No	No	Yes
Decks, open - no more than 4 feet above ground level	No	No	Yes [2][7]
Dog run or pet enclosure (See also 6.10.5)	No	No	Yes
Driveways	Yes	Yes	Yes

	Street (Front or Side)	Interior Side	Rear
Eaves, sills, cornices, gutters or downspout	Yes [8]	Yes [6]	Yes [8]
Fences, walls, or hedges (See also Sec. 9.2)	Yes	Yes	Yes
Fireplace, fire pit or permanent grill/barbecue structure	No	No	Yes
Firewood	No	Yes [6]	Yes
Flagpole	Yes	Yes	Yes
Garages, detached (See also 6.10.4)	No	Yes	Yes
Gardens (vegetable) and garden structures including cold frames, hoop houses and greenhouses	No	Yes	Yes
Geothermal heat pumps	No	No	Yes
Lawn furnishings, such as benches, sundials, porch swings, bird baths, and similar non-permanent architectural features	Yes	Yes	Yes
Light standards, ornamental	Yes	Yes	Yes
Parking, off-street (See also Article 7)	Yes	Yes	Yes
Patios, terraces, open - no more than 4 feet above ground level	No	No [5]	Yes
Ponds and waterfalls	No	No	Yes
Porches, open	Yes [2]	No	No
Private service walks up to (5) feet wide unless connecting to existing sidewalks which are wider in which case the width shall be the same as the existing sidewalk.)	Yes	Yes	Yes
Rain barrel or rainwater collection device	No	Yes	Yes
Recreational, playground equipment and playhouses	No	No	Yes
Refuse containers	No	Yes	Yes

	Street (Front or Side)	Interior Side	Rear
Satellite receiving antenna (See also 6.10.8)	No	No	Yes
Sheds (See also Sec. 6.10)	No	Yes	Yes
Solar energy equipment, building-mounted	Yes	Yes	Yes
Solar energy equipment, ground-mounted	No	No	Yes
Stairways or steps, open	Yes	Yes	Yes
Sump pump discharge pipe extensions	Yes	No	Yes
Swimming pools and sports courts	No	No	Yes [5]
Swing sets	No	No	Yes
Television or radio towers or antennas (See also 6.10.10)	No	No	Yes
Tennis courts, other paved recreational areas	No	No	Yes
Trees, shrubs, ground cover and flowers	Yes	Yes	Yes
Treehouse	No	No	Yes
Wheelchair ramp or accessibility feature	Yes	Yes	Yes

3. Consideration of “DRIVEWAY WIDTHS” (Article 7)

Dimensions should be consistent with standard width for 1-2 cars and engineering recommendations. As discussed in 2021, landscape material requirement are proposed to be modified to minimize pavement appearance from road and provide year round screening.

Article 7 – Parking, Section 7.8.4. - Width

A. Driveways must be at least ~~eight (8)~~ **nine (9)** feet in width measured at the property line and may not exceed the maximum driveway width specified in [7.9.6](#).

B. Except as otherwise expressly stated in this section, driveways in street yards may not exceed the width of the garage to which the driveway leads or thirty (30) feet, whichever is less. Driveways in street yards leading to off-street parking areas in rear yards may not exceed twelve (12) feet in width when leading to one parking space or ~~twenty-two (22)~~ **twenty-four (24)** feet in width when leading to two (2) or more spaces.

Driveways in street yards leading to off-street parking areas in rear yards may not exceed twelve (12) feet in width when leading to one parking space or **twenty-four (24) feet** in width when leading to two (2) or more spaces.

Circular Driveway width (Article 7 – Parking, Section 7.8.5)

- A. Circular drives are permitted only on lots with at least seventy-five (75) feet of street frontage.
- B. Circular drives may not exceed **twelve (12) feet in width**, excluding flares, except for that portion of the drive leading to a required off-street parking area.
- C. The interior radius of a circular drive must be at least thirty (30) feet.
- D. Low-growing **evergreen shrubs must be installed and maintained along the length of the circular drive.**

Driveway Design (Article 7 – Parking, 7.8.7.)

Added reference to the underlying zoning district's maximum lot coverage/impervious surface. This would be easier to find.

- A. Adequate provisions must be made for the disposal of stormwater so that water will not flow into adjacent property. To keep water runoff on site and prevent runoff towards adjacent properties, new or replacement driveways must meet existing grades along the property line and then slope 1/8-inch to 1/4-inch per foot away from the property line and toward the center of the driveway. Any curbs along driveway must be constructed so as to not dam water on adjacent properties.
- ~~B. On lots of less than seven thousand five hundred (7,500) square feet in area, the total of all impervious surfaces on the lots, including driveways, may not exceed fifty six (56) percent of the lot area. On all other lots, the total of all impervious surfaces, including driveways, may not exceed fifty (50) percent of the lot area.~~ **Maximum lot coverage (impervious site coverage) shall comply with Table 2-3: Lot and Building Regulations (R districts).**
- C. Residential driveways and parking areas must comply with the surfacing requirements of 7.9.4.
- D. All new off-street parking facilities, including driveways, must meet the requirements of this section. Except as otherwise expressly stated in this section, all existing driveways not in conformance with this section must come into conformance at any time that 50% or more of a driveway is surfaced or resurfaced
- E. Attached garages may not be converted into a living area unless the required off-street parking spaces are being provided for elsewhere on the lot and the existing driveway in front of the converted area is removed.
- F. Driveways may not be designed or constructed in any manner that will interfere with planned or existing parkway or right-of-way improvements or in a way that will create traffic hazards.

4. Consideration of PARKING AREA DESIGN Parking (Article 7)

The following modification was discussed, to be consistent with Village practice and following Village Engineer's recommendations.

Parking Area Design (Article 7 – Surfacing, 7.9.4.)

All open off-street parking areas and driveways must be improved with all-weather, hard surface pavement consisting of the following minimum specifications:

- A. A ~~2.53~~-inch bituminous concrete surface course on a ~~4six~~-inch compacted ~~crushed stone aggregate~~ base. For replacement driveways, the base material must be inspected for adequate compaction ~~and subsurface drainage~~.
- B. A ~~four~~5-inch Portland cement concrete (P.C.C.) surface on a four-inch thick compacted ~~crushed stone aggregate~~ base. For replacement driveways, the base material must be inspected for adequate compaction ~~and subsurface drainage~~.
- C. Concrete ribbon strips are permitted only if constructed of concrete in accordance with all applicable village regulations.
- D. Brick paver or block driveways and parking areas are permitted if construction is done in accordance with the manufacturer's specifications.

- E. The placement of granular fill or other non all-weather parking surface is prohibited. This provision is not intended to prohibit the continued use and maintenance of any existing non all-weather surface.

5. Consideration of “Site Triangles” (Article 9)

As discussed at the April 2022 meeting, a site triangle is not possible with certain building types that may be built at a zero lot line, or with some of the front build to lines in the MX Districts:

9.3.1. Intersections

On corner lots in all zoning districts, except C-1, C-2, MX-1, MX-2, and MX-3, **MX- T, MX-R-1, and MX-R2** nothing may be erected, placed, planted, or allowed to grow between a height of three (3) feet and ten (10) feet above grade within the required intersection visibility triangle, which is formed by two (2) lines that begin at the point of intersection of the subject lot's street lots lines and extend for a distance of twenty (20) feet along each street lot line and a third connecting line that forms the triangle (see Figure 9-5). Any plantings or other vegetation located within or overhanging this intersection visibility triangle must be at all times trimmed, maintained or removed to maintain clear visibility between a height of three (3) feet and ten (10) feet above grade.

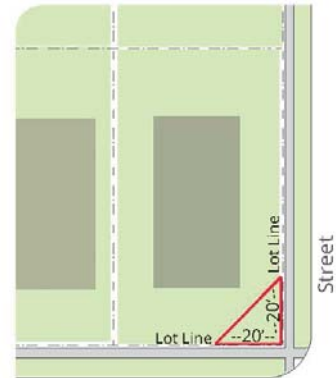


Figure 9-5. Intersection Visibility Triangle

6. Consideration of “Driveway Visibility Triangles” and the conflict with Fence regulations (Article 9)

Section 9.1.5.C Landscaping and Screening requires a solid screen along the entire length of a property line when non-residential or multi-family residential development occurs on property abutting any RS or RD district. This may potentially conflict with 9.3.2 Driveways which requires a site triangle at a driveway.

Section 9.1.5.C Landscaping and Screening

C. Perimeter Landscaping

Perimeter landscape buffers must be provided in accordance with the following requirements:

1. **Abutting RS or RD Zoning**

When nonresidential or multi-family residential development occurs on property abutting any RS or RD district, a landscape buffer with a minimum width of ten (10) feet must be provided within the required setback. Landscaping must be provided within the required buffer as follows:

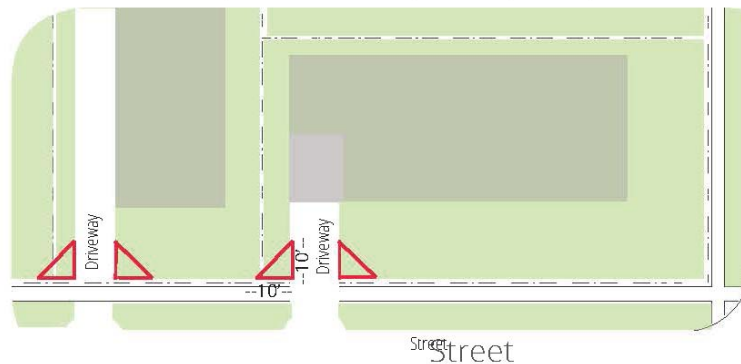
- a. A solid screen at least six (6) feet in height must be provided along the entire length of the abutting property line. Such screen must consist of a solid wood fence, berm, trees, evergreens, shrubbery, or other live plant materials that provide complete (one hundred (100) percent) visual screening. **The determination of fence location shall be reviewed by the Zoning Administrator and determined by the Director of Community Development.**

9.3.2. - Driveways

Solid fences and other visual obstructions exceeding three (3) feet in height are prohibited within driveway visibility triangles. Driveway visibility triangles are required along both sides of driveways. The triangles are formed as follows:

- A. One side of the triangle extends from the intersection of the street and the driveway edge for a distance of ten (10) feet along the lot line abutting the street.
- B. The second side of the triangle extends from the intersection of the street and the property line for a distance of ten (10) feet inward from the lot line along the driveway edge.
- C. The third side of the triangle connects the other two (2) sides (see Figure 9-6).

Figure 9-6. Driveway Visibility Triangle



7. Consideration of Definitions and Measurements (Article 14)

As discussed at the April 14, 2022 meeting, not all definitions related to lot coverage were adopted. All three definitions are recommended for adoption, but should not be adopted until the maximum lot coverage percentages in the M District are adjusted.

Definition (Article 14 – Measurements and Definitions)

14.1.8. - Lot Coverage

Lot coverage is measured as the total cumulative area of a lot that is covered by **impervious surface, including** all principal and accessory buildings on the lot, as measured at the point where such buildings **and structures** meet the ground (i.e., building footprint).

14.2.13. - Words and Terms Beginning with "I"

A. Impervious Site Coverage: The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, **patios, ponds, wooden or composite planked decks with impervious area underneath, and swimming pools.**

14.2.22. C. Semi-pervious surface: Also referred to as semi-pervious material. A material that allows for at least forty (40) percent absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, other permeable surfaces (must be installed according to manufacturer's specifications to achieve permeability). Gravel surfaces used for landscaping or storage of materials may be counted only 60% impervious provided aggregate gradation has a high porosity.

The determination of whether a surface is impervious or pervious shall be reviewed by the Village Engineer and determined by the Director of Public Works.

Additional Definitions suggested below can be discussed at the meeting.

14.2.10.B – Words and Terms Beginning with “F”

Fence: A freestanding structure of metal, masonry, composition or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement or screening. Any plantings, shrubbery, hedges or other vegetation, whether used individually or in combination with a freestanding structure of metal, masonry, composition or wood, that is installed to provide an effective visual barrier constitutes a "fence" under this ordinance if it is more than ten (10) feet in length. **Decorative lattice is not intended to be used as a fence.**

Consideration

Text amendments are subject to Section 11.2.9. Review and Approval Criteria as follows:

A. Zoning Ordinance Text Amendments

The decision to amend the zoning ordinance text is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about zoning ordinance text amendments, the planning and zoning commission and village board must consider at least the following factors:

1. Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan; and
2. Whether the proposed zoning ordinance text amendment corrects an error or inconsistency in the zoning ordinance, meets the challenge of a changing condition or is necessary to implement established village policy.

Staff Request

Staff requests discussion of the memorandum and further direction. The item is a Public Hearing and has been published as such.

Recommended Motion

PZ Petition 22-0006 to be continued date certain to the June 9, 2022 meeting.

	AYES	NAYS
Planning and Zoning Action: Majority of quorum		
Village Board Final Decision Required: Two-thirds of all member of the Village Board		

Attachments:

Attachment 1: Redlined Article 4 MX Districts

Attachment 2: Excerpt of Zoning Code from Tinley Park, Illinois