

# Request For Board Action

**REFERRED TO BOARD:** September 14, 2020

**AGENDA ITEM NO:** 8 & 9

**ORIGINATING DEPARTMENT:** Community Development

**SUBJECT:** Consideration of a Special Use for PUD and Site Plan approval for 37 townhomes for the property commonly known as Main Street Townhomes.

## **SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

### **Background**

The Village Board directed the Village Attorney to draft an Ordinance for the Planned Unit Development and Resolution for the Site Plan in May 2020. Since that date, Staff has been working with the applicant on some issues related to impact fees. In lieu of seeking any fee waiver, the applicant is now proposing 4 additional units or a total of 37 townhomes. Staff is taking this opportunity to enclose a revised "PUD Agreement" and "Site Plan". The only real change from what was originally reviewed by the Village Board in May is the addition of 4 townhomes or a total of 37 townhomes as part of this proposed Site Plan Review and PUD.

The applicant is proposing a Site Plan and Special Use for a Planned Unit Development for a 2.9-acre site which is currently vacant. The subject site has been zoned for townhomes since its early entitlement. The property is currently zoned Main Street Transitional (MT) and is located within the Villages Form Based Code. There is no maximum density outlined in the Village's Form Based Code and townhomes are a permitted use within the district.

The applicant is proposing to develop 37 rental townhomes which will be located on 2.9 acres of property on Main Street, south of Pamela Court. This proposed development would be Phase II of the original Cedar Point Development which was approved by the Village in September 2000. Originally, 10 townhomes were approved and constructed as part of Phase I of this project. The original project was approved for 48 townhomes.

This matter was reviewed and considered by the PZB in March 2020 and the PZB recommended approval of the Special Use and Site Plan Review by a vote of 5-0.

### **Financial Impact**

None

# Request For Board Action

## **Documents Attached**

- 1) Village Board Staff Report
- 2) Site Plan and Architectural Elevations
- 3) PUD Agreement

In accordance with the above analysis, Staff would make the following recommendation:

## **Recommendation**

*We move that the Village Board approve the herewith attached ordinance for a Special Use for the Main Street Townhomes subject to the following stipulations:*

- 1. Compliance with the requirements of the Village Engineer.*
- 2. Compliance with the requirement of the Antioch Fire Protection District.*

*We move that the Village Board approve the herewith attached Site Plan Resolution subject to the following stipulations:*

- 1. Compliance with the requirement of the Village Engineer.*
- 2. Compliance with the requirement of the Antioch Fire Protection District.*
- 3. Submittal of a revised landscape plan incorporating the requested changes.*

**VILLAGE OF ANTIOCH**

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**ORDINANCE NO.**

***AN ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED UNIT  
DEVELOPMENT FOR MAIN STREET TOWNHOMES  
(PZB 20-02)***

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**ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES**

**OF THE**

**VILLAGE OF ANTIOCH, ILLINOIS**

**ON**

**September 14<sup>th</sup>, 2020**

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**Published in pamphlet form by authority of the Village Board  
of the Village of Antioch, Lake County, Illinois,  
this \_\_\_\_\_ day of September, 2020**

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LAWRENCE M. HANSON	<b>President</b>	JERRY JOHNSON	<b>Trustee</b>
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ROBERT J.LONG	<b>Attorney</b>	ED MACEK	<b>Trustee</b>
		DANIEL YOST	<b>Trustee</b>

**ORDINANCE**

***AN ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED UNIT  
DEVELOPMENT FOR MAIN STREET TOWNHOMES  
(PZB 20-02)***

**WHEREAS**, pursuant to Chapter 15 of Title 10 of the Antioch Village Code, a public hearing was commenced by the Combined Planning Commission and Zoning Board on March 12, 2020 following notification as required by State Law and Village Ordinance to consider a petition for a Special Use allowing for a Planned Unit Development for a townhome development at the property commonly known as 647 and 657 Main Street, Antioch, Illinois.

**WHEREAS**, the Combined Planning Commission recommended approval of the Special Use for a Planned Unit Development at the March 12, 2020 meeting by a vote of 5-0.

**WHEREAS**, the applicant is proposing to construct 37 townhome units on approximately 2.9 acres of property located at the property commonly known as 647 and 657 Main Street, Antioch, Illinois.

**WHEREAS**, the applicant has submitted a Planned Unit Development Agreement, which hereby attached and incorporated into this ordinance and provides the applicant relief on Village's setback regulations pertaining to front-yards, rear-yards, and building height limitations.

**WHEREAS**, that the applicant in consideration for the setback relief has incorporated substantial architectural upgrades to the proposed townhome elevations as incorporated in the proposed Site Plan and Planned Unit Development from what was approved in the original zoning entitlements for this project.

**WHEREAS**, the Corporate Authorities have concluded and found that the Special Use, subject to and in conformance with the terms and conditions of this Ordinance, conform to a majority of the required standards as required by ordinance, including; a) The special use will not be injurious to the use and enjoyment of other property in the immediate are for the purpose already permitted, not substantially diminish property values within the neighborhood; and b) The establishment of the Special Use will not impede the normal and orderly development and improvement of the adjacent properties for uses permitted in the subject zoning district.

**WHEREAS**, the Corporate Authorities have concluded and found that the Special Use will further enhance economic development within the Village and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

***NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD  
OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS  
FOLLOWS:***

**SECTION I:** The representations, recitations and findings set forth in the foregoing recitals are material to this Ordinance and such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. This Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.

**SECTION II:** That the real estate which is the subject of this ordinance (Subject Property) is legally described as follows:

(See attached legal description)

**SECTION III:** That, subject to the conditions stated below, the Special Use shall be and is hereby approved and shall be binding upon the Village, Petitioner and Owner, and their respective owners successors, and assigns when a true execution copy of this Ordinance is tendered to the Village fully executed by the Petitioner and Owner, and when the Mayor has affixed his signature upon the Ordinance”

**SECTION IV:** The following exhibits shall be attached to and made a part of this Special Use Ordinance and, except as expressly modified by this Ordinance, compliance with all standards, requirements, designs or specifications in such exhibits shall be a condition of the grant of this Special Use Ordinance:

- A. Village Board Staff Report attached as Exhibit A;
- B. Planned Unit Development (PUD) Agreement
- C. Site Plan and architectural elevations

**SECTION V:** Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Antioch, its officials, agents or employees.

**SECTION VI:** If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative

intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not be included.

**SECTION VII:** That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form as provided by law.

**SECTION IX:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

**Passed this \_\_\_\_\_ day of September, 2020**

**Ayes:                      Nays:                      Absent/Abstain:**

Scott A. Pierce  
Daniel Yost  
Ted Poulos  
Ed Macek  
Mary Dominiak  
Jerry Johnson

**APPROVED:**

By: \_\_\_\_\_

Lawerence M. Hanson, Mayor

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Lori K. Romine, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on September \_\_\_\_\_ 2020.



**RESOLUTION NO. 20-**

**A RESOLUTION APPROVING THE SITE PLAN FOR THE MAIN STREET  
TOWNHOMES LOCATED AT 647 and 657 MAIN STREET**

WHEREAS, the Village is considering a proposed a Site Plan for 37 townhomes to be located at the property commonly known as 647 and 657 Main Street Main Street.

WHEREAS, the proposed Main Street Townhomes meet the requirements of the Village's Site Plan Review Ordinance and Downtown Form Based Code.

WHEREAS, the proposed townhomes will be constructed with a combination of vinyl siding, stone veneer, and board and batten and incorporation a minimum amount of architectural articulation as required by the Downtown Form Based Code.

WHEREAS, the Village requires that new townhomes comply with the Village's Site Plan Review Ordinance.

WHEREAS, the applicant's proposed Site Plans for the 37 townhomes went before the Planning and Zoning Commission in March 2020 and received a favorable recommendation from the PZB.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Trustees of the Village to Approve a Resolution for the Site Plan Review approval for the Main Street Townhomes to be located at the property commonly known as 647 and 657 Main Street.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of September 2020.

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Lawrence M. Hanson  
Mayor

ATTEST:

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Lori K. Romine  
Village Clerk



**REPORT TO:** VILLAGE PRESIDENT and BOARD OF TRUSTEES  
**FROM:** MICHAEL S. GARRIGAN, AICP, CNU-A, Community Development Director  
**DATE:** September 8, 2020  
**SUBJECT:** REPORT TO VILLAGE BOARD

**CASE:** Main Street Townhomes  
20-01

**REQUEST:** Special Use for PUD  
Site Plan Review

**LOCATION:** 649 S. Main Street

**APPLICANT:** Mark Peterson

**ZONING:** MT (Main Street Transitional)

**COMPREHENSIVE PLAN:** Downtown District

Pursuant to previous Village Board direction, Staff is bringing a proposed Special Use and Site Plan Review Ordinance for the Main Street Townhome project. The applicant has modified their plan to add one additional building 4 units. Based on this change, the applicant is now proposing a total of 37 units, well below the 48 units which were approved as part of the original concept plan.

The applicant is proposing a Site Plan and Special Use for a Planned Unit Development for a 2.9-acre site which is currently vacant. The subject site has been zoned for townhomes since its early entitlement in 2000. As highlighted above, the applicant is now proposing to develop 37 rental townhomes which will be located on 2.9 acres of property on Main Street, south of Pamela Court. This proposed development would be Phase II of the original Cedar Point Development which was approved by the Village in September 2000. Originally, 10 townhomes were approved and constructed as part of Phase I of this project. Again, a total of 48 units were approved as part of the original entitlement for this project.

The subject site is in the Village's Form Based Code and the property is zoned Main Street Transitional (MT). Townhomes are a permitted use in the Main Street Transitional District and there is no minimum lot size required. In addition, the Form Based Code does not incorporate a maximum density for the subject 2.9 acres of property.

The focus of the Form Based Code is how these buildings will be configured on the subject site and whether the proposed development is consistent with the existing character of the Main Street Transitional Zone.

### *Existing Character*

As outlined in the Comprehensive Plan and the Form Based Code, the subject site is part of the Downtown planning area and it is critically important that any development of this 2.9-acre vacant site fits into the existing character of Main Street. The development of the surrounding area dates to turn of the 20<sup>th</sup> century and this is reflected in the number of historic houses that remain on Main Street. Historically, this area of Main Street developed in a single-family character. This fact can still be seen by the number of single-family homes on the west side of Main Street. The area was greatly altered in the 1970s when several insensitive apartment complexes were constructed which have rapidly deteriorated over the years.

The subject site is currently surrounded by a mix of uses. To the north, east, and south are apartment buildings and across the street is several single-family homes. The first phase of this project generally blends in with the existing character of the area and the existing townhome are oriented at an angle and awkwardly face the street.

As highlighted in the Village's Comprehensive Plan, the long-term plan is to redevelop Joanna Court into a mixed-use project that would contain rowhouses. The development of this vacant lot into the proposed 37 townhomes would potentially increase the area's market value and create an opportunity for new infill development. The goal of the Village is to seek the redevelopment of Joanna Court into a new mixed-use development.

### **Special Use**

The applicant is seeking relief from some of the outlined setbacks in the Form Based Code and therefore is proposing a Planned Unit Development (PUD). All Planned Unit Developments require a Special Use application.

When reviewing any proposed Special Use, it is important to look at the surrounding uses and determine whether what is being proposed is consistent with the character of the area. Therefore, it is necessary to look at the site's context, the nature of the surrounding uses and potential impact that the Special Use will have.

North: Residential (Townhomes)  
South: Residential (Multi-Family)  
East: Residential (Multi-Family)  
West: Residential (single-Family)

In accordance with Section 10-2-12, the following standards must be met by the applicant before the Village Board can support the proposed Special Use:

- a) The special use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish property values with the neighborhood; and



## **Site Plan Review**

The applicant is proposing to use the existing access point that once served the subject site as the main entrance into this proposed development. The proposed road to these 37 townhomes would connect to Pamela Court to the north. The proposed roadway incorporates a width of 22 feet which mirrors the exact width of existing Pamela Court. With the connection to Pamela Court, this development would incorporate two access points on Main Street.

### *Parking*

The Village's Zoning Ordinance requires 1.5 parking space per dwelling unit (townhome) and based on this the required 37 units would require 56 parking spaces. The applicant has incorporated 37 single-bay garages and each driveway in front of the garage could contain another 37 vehicles. In addition, the applicant is providing for 31 visitor parking spaces which comes to a total of 104 spaces.

### *Site configuration*

The Form Based Code requires that buildings be placed within the "build-to-zone" which incorporates a minimum front setback of 30 feet and a maximum front setback of 45 feet.

- 1) All buildings must be oriented to primary or secondary street with street facing windows and doors.
- 2) In order to provide articulation to building facades should consider porticos, stoops, arcades or other form of defining entries.

The applicant has generally met this design criteria. The building placements face the main roadway and the applicant has made several design efforts to incorporate prominent entrances.

One of the major changes to the proposed Site Plan is the incorporation of three townhome units facing Main Street. This new configuration avoids the previous configuration of having side elevations of the townhomes facing Main Street. By facing three units towards Main Street, the development will be respecting the character of the street through the front-loading of residential units toward the street.

The proposed height of these units would be approximately 37 feet which would mirror the height of existing townhomes to the north.

### *Architecture*

The Village's Site Plan Review Ordinance requires that "all townhomes be constructed out of a combination of face brick, stone and vinyl. Fiber cement board shall also be permitted." In addition, the ordinance requires that all garage doors facing the street be recessed and incorporate windows.

Additionally, townhome units should incorporate prominent front entrances into their designs and incorporate balanced window placement that provides symmetry and balance to the architectural elevations.

The applicant has incorporated “Mission Style “design elements to these proposed three-story units and the applicant has attempted to incorporate a variety of design elements to create architectural interest to the elevations.

The units would incorporate cultured stone on the first floor of the front elevation along with a combination of vinyl and stucco. A series of “Timber structured trusses” have been incorporated along the roofline to create some architectural interest to the roofline. The roofline incorporates a low-pitched gable roof and a series of brackets have been placed under the eave line to create additional architectural interest.

In addition, the applicant has incorporated a well-balanced window placement on the side and rear elevations and the third-floor areas of the units incorporate a combination of board and batt siding and stucco.

Overall, the architecture as proposed by the applicant is far more interesting than the existing townhome units which were previously constructed. As previously highlighted, Staff would request the following modification:

### *Landscape*

The applicant has submitted a landscape plan as part of this proposed development. A major component of this proposed plan is the incorporation of a small pond at the entrance which will serve as a landscape design element.

Based on the Village’s landscape ordinance, the 162 feet of frontage along Main Street would require a total of 5 shade trees and 81 shrubs.

- The applicant is proposing to plant 2 shade trees and 25 shrubs. Based on this fact, the applicant will be required to add an additional 3 shade or ornamental trees and 56 shrubs.
- In addition, the applicant’s proposed plan lacks foundation plantings along the front of these individual units or any shade trees in the front yards. A minimum of 2 shade trees should be added to each building along the proposed street. It is important that some additional street trees be added to this proposed plan.

The applicant has added extensive landscaping along the southern and eastern property line to provide the units with a natural buffer with the deteriorating apartments to the south and east of this development. In addition, the applicant is proposing to introduce a privacy fence along the southern and eastern property line.

