

Exhibit C-3 "Exceptions List"

5/1/24

LIST OF DEPARTURES

Edward Rose Project on the Ward Property at the SE Corner of Weber Road & 135th Street

Zoning Ordinance

- 1. Section 159.68(A)** states that the maximum allowable density in R-7 districts shall not exceed twelve (12) dwelling units per net buildable acre.

Our project proposes two development scenarios, each with different densities. The variation in the acreage and density is dependent upon whether the Village acquires the 8.9 acres of land abutting the southwest boundary of our site. If the Village acquires the 8.9-acre site, then 5.1 acres of our property would be dedicated for municipal park expansion thereby reducing the number of multi-family buildings from 25 to 22. Under either scenario, the 180-unit senior living building remains unchanged. In both scenarios the land used to calculate density is exclusive of the .69-acre ROW dedication.

Scenario #1 includes 5.1 acres of land in the southeast corner of the site developed with four multiple family buildings containing 120 dwelling units with an overall total of 888 units. The buildable area of land is 66.65 acres resulting in a density of 13.3 dwelling units per acre. Therefore, a 1.3% departure from the maximum density requirement is requested.

Scenario #2 contemplates the 5.1 acres of land in the southeast corner of the site for dedication as parkland resulting in this area being developed with a single 36-unit multiple family building with an overall total of 804 units. The buildable area of land is 61.55 acres resulting in a density of 13.1 dwelling units per acre. Therefore, a 1.1% departure from the maximum density requirement is requested.

We propose that the additional density requested is justified due to the following:

- Because we are building vertically, we are able to reduce the overall building footprint allowing for our project to meet and/or exceed the following open space related standards for developments in the R-7 district:
 - Section 159.68(F)(4) Building Coverage: The maximum permitted building coverage shall not exceed 40%.
 - Scenario #1 proposes 15.9% building coverage.
 - Scenario #2 proposes 15.5% building coverage.
 - Section 159.68(F)(7) Floor Area Ratio (F.A.R.): The maximum permitted F.A.R. is 0.65
 - Scenario #1 proposes a F.A.R. of .42
 - Scenario #2 proposes a F.A.R. of .41
 - Section 159.68(F)(8) Lot Coverage: The maximum permitted lot coverage is 50%.
 - Scenario #1 proposes 50% lot coverage.
 - Scenario #2 proposes 49% lot coverage.

- Section 158.68(F)(9) Minimum Landscape Coverage: The minimum permitted landscape coverage is 50%.
 - Scenario #1 proposes 50% landscape coverage.
 - Scenario #2 proposes 51% landscape coverage.
- The figures provided above for Scenario #2 are exclusive of the 5.1 acres of land designated to be dedicated to the Village for use as parkland. Since our development proposal is one single project and the 5.1 acres of land would be used for parkland, we feel that it is worth considering how our development would be affected if the 5.1 acres of parkland were to be included in the land area under Scenario #2:
 - The proposed density would be 12.1 dwelling units per acre.
 - The building coverage would be 14.3%.
 - The F.A.R. would be 37.9.
 - The lot coverage would be 45.6%.
 - The landscape coverage would be 54.3%.

2. Section 159.60(H)(1)(a): The primary façade of each home shall face the public street.

Weber Road frontage: There are a total of five (5) apartment buildings fronting Weber Road. The primary/front facades of three (3) of the buildings face Weber Road, the side façades of two (2) of the building face Weber. The buildings are designed to be accessed from and face the internal private road network. Additionally, the rear facades of the apartment buildings are provided with ample windows and walk out patios as depicted in the preliminary architectural renderings that will provide an aesthetically pleasing view of the buildings from Weber Road. The side facades include windows and variation in exterior siding materials.

W. Romeo Road/135th Street frontage: The primary/front façade of the senior living building faces W. Romeo Road/135th Street. The side of one (1) apartment building faces W. Romeo Road. This building is setback approximately 128' from the public roads and the primary façade will face the internal private internal road network.

Apart from the ingress/egress points from the public roads, the proposed development is designed to be accessed from, and is oriented to, the internal private road network. Landscape elements are provided around the entire perimeter of the site along both public road frontages.

3. Section 159.60(H)(4): Windows must cover 15% of the façade for living areas and accessory structures such as garages.

The proposed garages do not have windows (see item 8 below). However, the fronts are provided with varied roof lines and variety of façade materials including a brick knee wall around the entire rear and side facades and part of the front facades. Foundation landscaping will be provided for all accessory structures. In addition to the ornamental parkway trees to be planted in the Weber Road ROW, a variety of evergreen and deciduous trees are provided in the internal greenbelt between the rears of the garages and Weber Road. A greenbelt buffer including both deciduous

trees, evergreen trees and foundation plantings is provided along the eastern property boundary line.

4. **Section 159.60(H)(5)(b):** A minimum two-car garage shall be incorporated into each dwelling unit.

The development does not provide a minimum of two attached garage spaces per unit. Parking is provided via a combination of surface parking and detached garages. It is not typical for multi-family developments with multiple stories to provide two-car garages for all dwelling units. 15.5% of the required parking spaces for the senior living building and 16% of the spaces for the apartments are garage spaces.

5. **Section 159.50(H)(5)(d):** All garage doors must include raised panels and windows in order to reduce their monotonous appearance.

For privacy and security reasons, windows are not proposed for the garage doors. Security for a garage door at a detached single-family home may not be a major concern because it is on private property less accessible to the public. However, due to the shared nature of the road system within a multi-family community presenting greater exposure to the general public, the security of our residents' property is of heightened importance. The garage doors will have raised panels.

Stormwater Ordinance

6. **Section 160.035:** (i) A reduction in the required area for the Normal Water Level (NWL) from 1.0 acres to 0.5 acres; and (ii) an increase in the maximum bounce from 4 feet to 5 feet for a 100-year storm event and from 1 foot to 2 feet for a two-year storm event; and (iii) a reduction in required side slope from 5:1 to 4:1; and (iv) an increase in the allowable drawdown time as a function of the existing site outfall.

Requested deviations to the stormwater ordinance including bounce and side slopes are consistent with the Village Place Apartments approval and are consistent with exhibits shared and discussed with the Village for the proposed site in 2023. The requested deviations would allow for additional efficiency in the stormwater basins, more useable open space, more attractive curvature of the stormwater basin footprints, and greater buffers around the stormwater management areas. Requested deviations to wet bottom pond surface area and drawdown requirements are a result of the size of the existing northwest basin which is being converted to a wet bottom pond at the request of the Village to enhance the aesthetics of the Weber Road / 135th Street intersection. The proposed footprint is consistent with one of the suggested wet pond concepts provided by the Village for consideration.