

## **Mercedes Benz - Development Variance List**

We hereby request approval of Variances from the Village of Romeoville Code of Ordinances (Title XV: Land Usage) for design items with the applicable section as noted.

### **CODE CHAPTER 19**

1. Cold Weather Requirements (Chapter 19, Section 1905.12)

**Relevant Code Summarized:** Code states that to complete concrete Flatwork after the first frost, the Building Official will determine if work can continue. Further, flatwork is not allowed outside from November 15 to April 1 without approval of the Building Official.

**Variance Request:** The developer requests that they have the ability to pour concrete for foundations, slabs, sidewalks etc. between November 15 and April 1<sup>st</sup> as long as proper cold weather concrete pouring techniques are used including proper frost protection, inclusion of concrete curing accelerators as necessary and temperatures above 25 degrees. The developer will also utilize a third-party tester who will provide the building department with all testing requirements for cold weather pouring throughout this period.

**Note on Variance Request:** This variance request is critical to allow for proper flow in the project schedule due to the anticipated timeline of the work on-site and approval process. If pouring concrete outside of the above times is not permitted, it could potentially lengthen the overall project schedule, increase overall project cost and slow down the opening of the dealership.

### **CODE SECTION 91**

2. Fire Lanes/Emergency Vehicle Access (Chapter 91 Section 91.49 (C)) – Aisle Width

**Relevant Code Summarized:** Code requires all lanes around buildings shall be a minimum of 26 ft wide and allow for fire apparatus to turn in and out of the lane unimpeded. In addition, where hydrants are located on fire lanes, the width of the lane shall be increased to 30 feet to allow passage of other emergency vehicles.

**Variance Request:** The drive aisle widths for the improvements on Lot 2 (Dealership Lot) are a minimum of 26 feet wide (as measured face of curb to face of curb throughout the Lot or end of parking stall to end of parking stall). With the lone exception being the divided right-in/right-out entrance, which has two 14-foot-wide one-way right-in/right-out aisles and a corresponding porkchop striped median. We would note that with this median being striped, that the minimum width of 26 unimpeded feet is maintained. The developer is requesting to maintain a 26-foot drive aisle on the Dealership Lot even in locations where hydrants are located on fire lanes, as well as the right-in/right-out entrance section as proposed. Fire apparatus have allowable space to turn in and out of the lanes unimpeded. Furthermore, the developer is requesting with the exception of the main access drive connecting the Southern Right-In/Right-Out through the wetland crossing and to the Blain's Farm and Fleet service drive, that the drive aisle widths on Lot 3 (Inventory Lot) be 24 feet to allow for additional inventory storage.

**Note on Variance Request:** Truck turn exhibits have been demonstrated to the Fire Department indicating the ability to maneuver throughout the site for all turning movements associated with the respective fire lanes adjacent to the site's fire hydrant locations.

## **CODE SECTION 158**

3. Reinforced Concrete Storm Pipe Alternative (Section 158.030.A.5.a&b; Section 160.014.G).

**Relevant Code Summarized:** The code requires that all storm sewers shall be constructed of reinforced concrete pipe with a minimum pipe size of 12 inches.

**Variance Request:** The developer is requesting a variance to allow for a pipe with diameter smaller than 12" and of a different material than RCP to collect stormwater from the roof downspouts and landscape areas as necessary and pipe it to the storm sewer rather than flowing overland to catch basins.

**Note on Variance Request:** This variance has been previously requested and granted to the Springs at Weber Road development, the Seasons at Romeoville, and other developments in Romeoville. The developer is asking for a smaller pipe to collect stormwater from the roof downspouts and landscape areas as there are some downspouts for the building as a result of the roof architecture that have minimal area and therefore the area and corresponding flow to each individual downspout is significantly less than the capacity of a 12" RCP. The material of pipes less than 12" differs from RCP as a result. The effort is to minimize excess water flowing over sidewalk, drive aisles, or the parking area and creating potential icy conditions in winter on the pedestrian pathways.

4. Swale Side Slopes (Section 158.030.A.7.e)

**Relevant Code Summarized:** The code states that swales in backyards and other areas shall be permitted provided the following conditions are met: the maximum side slopes shall be a six to one (6:1) ratio and appropriate easements provided.

**Variance Request:** The developer requests maximum side slopes can be 4:1 ratio in landscaping areas with the inclusion of a minimum 1' bottom width for any swale areas and appropriate easements provided per 158.030.A.7.f.

**Note on Variance Request:** The developer will provide sufficient erosion control blanket and stabilization measures to ensure the 4:1 slopes are not compromised, as the majority of the swales provided on-site have limited drainage areas and therefore limited flow discharging through the swale in a major storm event which limits the associated impacts of erosion on the swale.

## **CODE SECTION 159:**

5. Parking Aisle Landscape Islands (Section 159.30.D.6.a)

**Relevant Code Summarized:** The zoning code states that all parking lots designed for twenty or more parking spaces shall have a landscaped island at the end of each parking row, as well as located to divide each row of parking having twenty (20) spaces or more.

**Variance Request:** The developer is requesting that landscape island requirements be waived. The developer is requesting to work with staff to determine an appropriate level of landscaping for the project without sacrificing visibility and inventory space.

**Note on Variance Request:** This variance appears to have been previously requested and granted to the Romeoville Toyota Dealership, and other developments in Romeoville. The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards parking and inventory is key to maximize sales on-site.

6. Parking Lot Perimeter Landscape: Front Lot (Section 159.30.D.6.c.i.b)

**Relevant Code Summarized:** When a parking lot is located in or adjacent to a front or corner side yard in a non-residential zoning district, continuous landscaping shall be provided for no less than sixty percent (60%) of the parking lot frontage to a minimum of three feet in height.

**Variance Request:** The developer is requesting that these minimum requirements be waived. The developer is requesting to work with staff to determine an appropriate level of landscaping for the project without sacrificing visibility and inventory space.

**Note on Variance Request:** This variance is being requested in an effort to maximize visibility of inventory along the frontage of the lot in order to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards parking and inventory is key to maximize sales on-site, and visibility of this inventory is key to sales.

7. Foundation Landscaping Requirements (Section 159.30.D.7.b)

**Relevant Code Summarized:** The zoning states that all non-residential and multi family development shall provide perimeter landscaping. A landscaping area not less than ten (10) feet shall be located around the perimeter of all buildings.

**Variance Request:** The developer is asking to waive the foundation landscaping requirements surrounding the Mercedes-Benz building. The developer is requesting to work with staff to determine an appropriate level of landscaping for the project without sacrificing visibility and inventory space

**Note on Variance Request:** This variance appears to have been previously requested and granted to the Romeoville Toyota Dealership, and other similar developments in Romeoville. The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards buildings and inventory is key to maximize sales on-site. It is also their opinion that the façade and overall aesthetics of the intended building will minimize the requirement for foundation landscaping to provide additional aesthetics to the building as well as detract from the visibility of showroom cars within the building itself.

8. Non-Residential Screening Requirements (Section 159.30.D.8.c.i, 159.30.D.6.ii.a)

**Relevant Code Summarized:** The zoning states that all non-residential property that abuts property in a residential district shall have a solid screen 6 feet in height providing 100% coverage along the property line.

**Variance Request:** The developer is asking for a variance that the required 100% continuous landscaping screening coverage along the property line with the adjacent residential property be waived. The developer is requesting to work with staff to determine an appropriate level of landscaping for the project without sacrificing visibility and inventory space.

**Note on Variance Request:** The developer is requesting this variance as the adjoining property lines to the adjacent multi-family development contain either a naturalized buffer in the case of a creek/detention basins or a buffer in the form of an access roadway separating the multi-family development from the commercial development.

9. Off-Street Parking: Parking Setbacks (Section 159.70.E.4.c)

**Relevant Code Summarized:** Code allows for parking within the required front and rear yard areas except that it shall not be closer to any property line than 25'.

**Variance Request:** The developer is asking to reduce the minimum parking setback to 15 feet as measured to edge of proposed improvements (either Back of Curb where curb is present or edge of pavement where curb is not present).

**Note on Variance Request:** The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards buildings and inventory is key to maximize sales on-site.

10. Ingress and Egress (Section 159.70.J.1 & Section 159.70.J.2) Dealership Lot

**Relevant Code Summarized:** The Zoning Code states that maximum width of the ingress/egress points shall be forty (40) feet at the property line and that access is limited to not more than two points of ingress and/or egress per lot except as modified in a PUD.

**Variance Request:** The developer is requesting that three main points of ingress/egress (one right-in/right-out access point direct to Weber Road, two access points to the service drive to the East) be provided for the Dealership Lot and additional point of access be provided for the Dealership Lot to the Service Drive to the East to allow for direct access to the maintenance section of the building and/or to allow for direct access (via ramp or other measures) to the intended second floor use. As this direct access is not at this time fully designed (including appropriate width), the developer is requesting to work with staff to determine appropriate direct access point geometry and location to the Service Drive to the East to maximize serviceability and operations to these elements of the proposed building design/operations.

**Note on Variance Request:** The developer is requesting this variance to allow for operational flexibility and maximize the efficiency of the proposed building design in an effort to dedicate other space onsite to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards buildings and inventory is key to maximize sales on-site, as well as providing sufficient access points to maximize operational efficiency within the building.

11. Rear Yard Setback (Section 159.73.F.7) B-3 Zoning

**Relevant Code Summarized:** The Zoning Code states that Rear yards, shall not be less than thirty (30) feet from the property line.

**Variance Request:** The developer is requesting that the Rear yard (adjacent to the service road on the East side of the property) be reduced to 20 feet and direct connections from the Service Road to the building (including any ramps) be excluded from setback requirements.

**Note on Variance Request:** The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards buildings and inventory is key to maximize sales on-site. Please note that this still provides the requested 20-foot minimum transition yard as described in Section 159.73.F.7.d.iii adjacent to residential lots.

12. Off Street Parking: Parking Stall Dimensions (Section 159.108.C.1.).

**Relevant Code Summarized:** Code requires off-street parking space in all districts shall be at least nine feet six inches in width (WP) and at least 18 feet in length, as measured from edge of pavement.

**Variance Request:** The developer is asking to reduce the minimum stall width from 9.5 feet to 9 feet as measured from Face of Curb. Similarly, the developer is requesting to reduce the length of parking stalls to 18 feet in length as measured to face of curb. The developer is also asking to reduce the pavement width for some sections of the drive aisles from 26 feet, such as the right-in/right-out entrance sections and the drive aisles on the inventory lot.

**Note on Variance Request:** This variance has been previously requested and granted to the Springs at Weber Road Development, Seasons at Romeoville, and other developments in Romeoville. The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. Due to the nature of car dealership development, the amount of land space dedicated towards buildings and inventory is key to maximize sales on-site. The majority of the parking lot will be a private parking lot reserved for car dealership inventory with incentive to avoid any incidents so there will be minimum traffic conflict as opposed to a shopping center that has constant turnover.

**Stormwater Management Variance Request**

We hereby request the approval of variances from the Village of Romeoville Stormwater Management Ordinance (Chapter 160) for the stormwater management design items indicated below, which have been identified as necessary for the development of the subject property.

**APPLICATION FOR VARIANCE: Based on Section 160.186(B) of the Ordinance:**

B. An application for variance shall set forth:

1. The common addresses and legal descriptions of all lands comprising the development;  
**Information incorporated on Plat of Subdivision, Plat of Annexation, and as additional exhibits incorporated in the Annexation Agreement.**
2. The names and addresses of all owners of record of the legal title of all lands comprising the development;  
**Ownership Information is listed on Plat of Subdivision, Plat of Annexation, and as additional exhibits incorporated in the Annexation Agreement.**
3. If title to any of the land comprising the development is held in trust, the names and addresses of all beneficiaries of the trust;  
**Ownership Information is on file with the Village of Romeoville.**
4. The names and addresses of the developers of the land, if different from the owner;  
**Information incorporated on Plat of Subdivision, Plat of Annexation, and as additional exhibits incorporated in the Annexation Agreement.**
5. The names and addresses of all consultants retained by the developer in connection with the application for a variance;  
**Information is on file with the Village of Romeoville.**
6. The names and addresses of all property owners within 250 feet of the development;  
**Information is on file with the Village of Romeoville.**
7. The specific feature or features of the development that require a variance;  
**See individual variances in Code Section 160 below for the specific feature(s) of the development which require a variance.**
8. The specific provision of this chapter from which a variance is sought and the precise extent of the variance therefrom;

**See individual variances in Code Section 160 below for the specific provisions of this chapter which a variance is sought.**

9. A statement of the characteristics of the development that prevent compliance with the provisions of this chapter;

**The stormwater variances being requested are necessary in order to ensure a viable development given the site constraints and the natural topographical features of the site.**

10. A statement that the variance requested is the minimum variance necessary to permit the development;

**The stormwater variances being requested are the minimum variances necessary to ensure a viable site to permit the development.**

11. A statement as to how the variance requested satisfies the standards set forth in 160.189 of this chapter.

**See individual variances in Code Section 160 below for statements as to how the variance requested satisfies the 160.189 standards of this chapter.**

## **CODE SECTION 160**

### 13. Stormwater Basin Design (Section 160.035.H.2) – Allowable Bounce

**Relevant Code Summarized:** Code requires that the maximum allowable bounce between NWL and HWL for residential areas be 4 feet for 100-year detention requirements (with industrial/commercial being greater based on approval by Administrator) and 1 foot for 2-year detention requirements.

**Variance Request:** Site Runoff and Storage Facility Design (160.035). i) a reduction in the required area for the Normal Water Level (NWL) from 1.0 acres to the NWL as indicated in the plans; and ii) an increase in the maximum bounce to 7.5 feet for a 100-year storm event and from 1 foot to 3 feet for a two-year storm event for the detention basins located South of the Creek adjacent to the inventory lot. These basins will be included in the perimeter protection surrounding the inventory lot area.

**Note on Variance Request:** This variance has been previously requested and granted to the Blain's Farm and Fleet and Panattoni Industrial Developments in close proximity to this site and other developments in Romeoville. The developer is requesting this variance to provide sufficient parking and inventory space to make the project economically feasible and to allow for sufficient space to provide all additional requirements of the development, including but not limited to parking, fire lanes, sidewalks, entrances, etc. This is partially driven due to the floodplain, wetland, and topographic constraints of the Dealership Lot/Inventory Lot limiting overall buildable space and space to provide parking/inventory. Due to the nature of car dealership development, the amount of land space dedicated towards inventory is key to maximize sales on-site. As this detention basin is for the inventory lot, and as a result will see limited if any pedestrian traffic in close proximity to the detention basin, there is limited risk due to the depth of the detention basin requested.

### 14. Stormwater Basin Design (Section 160.035.H) – Side Slope Requirements

**Relevant Code Summarized:** Code requires that the sides slopes from the 2-year water level to 1.5 feet below the NWL should be a maximum of 8:1 (Horizontal to Vertical) for naturalized basins and that side slopes from Freeboard Elevation to 1.5 feet below the NWL should be a maximum of 5:1.

**Variance Request:** The developer is seeking a variance for all side slopes throughout the site to allow for a maximum of 4:1 slope, with 10:1 average slopes from the NWL to 1.5' below the NWL (Safety Shelf) for all applicable detention basins.

**Note on Variance Request:** This variance has been previously requested and granted to the Blain's Farm and Fleet Development, Seasons at Romeoville Development, and other developments in Romeoville (including the Village Place Apartments which had similar safety shelf requirements) and is essential to allow for the necessary detention requirements for the inventory lot be met to allow for a viable development given the site constraints and Mercedes Benz dealership requirements.

15. Stormwater Basin Design (Section 160.035.H.2) – Detention Basin Minimum Area

**Relevant Code Summarized:** Code requires that the minimum area for a naturalized detention basin would be 8,000 SF at NWL.

**Variance Request:** The developer is seeking a variance to allow a naturalized detention pond to be less than 8,000 SF at the NWL for Basins adjacent to the Inventory Lot, provided that a 5 year management and monitoring plan be developed and provided to the Village with a separate bond posted to cover the long-term maintenance, monitoring, and performance of the basins to be released upon achieving the requirements as described in the 5 year management and monitoring plan.

**Note on Variance Request:** This variance has been requested as these Basins will serve the access road connections that are critical for traffic flow on the inventory lot, and having these as naturalized detention basins assists in pursuing the necessary best management practice requirements for the development to be met. Due to site constraints and other necessary requirements to allow for a viable development, no additional area can be provided to allow the NWL area to exceed 8,000 SF for each individualized basin.

16. Stormwater Basin Design (Section 160.035.H.2) – Maximum Draw Down Time

**Relevant Code Summarized:** Code requires that the maximum draw down time to within 0.5 feet of the NWL for detention basins to be 72 hours for the 100-year storm and 36 hours for the 2-year storm.

**Variance Request:** The developer is seeking a variance to allow for the flexibility for pond drawdown time to be extended to 110 hours for a 2-year storm and 120 hours for a 100-year storm should this extended drawdown time be required similar to the variance that was granted to Blain's Farm and Fleet, however would note that no request is being made for an adjustment to the required release rate in conjunction with this drawdown request.

**Note on Variance Request:** This variance has been requested to provide flexibility in drawdown times to meet the required release rates for the 2-year and 100-year storm while allowing for flexibility in basin design/layout and the corresponding previously requested 7.5' of bounce to allow for the necessary detention requirements for the inventory lot be met to allow for a viable development given the site constraints and Mercedes Benz dealership requirements.

## **VILLAGE STANDARDS**

17. Detectable Warning Plates (Section 1.d.i) – Alternate Materials

**Relevant Code Summarized:** Village Standards require East Jordan Inserts, Heavy Duty Load Rating, Brick Red Powder Coating RAL3016 as the Detectable Warning Plate Material.

**Variance Request:** For this development, the developer is requesting to utilize Tuftile 2'x4' Polymer, Color: Brick Red, or approved equivalent as the Detectable Warning Material

**Note on Variance Request:** This variance is being requested to synchronize this development with the adjacent Seasons at Romeoville Development and the maintenance responsibility for the private sidewalks on-site falls to the developer not the village should the life of the sidewalk detectable warning section be reduced as a result of this variance.

## **CLARIFICATION SECTION**

We do not believe the item below requires a Variance or Administrative Approval, but we are providing a summary for clarification purposes.

### **Clarification Item #1**

Basin Setbacks (IDOT Public Act 86.616): The code requires that Detention basins adjacent to Public Roadways follow IDOT Public Act 86.616. As no roadways internal or external to the development with the exception of Weber Road adjacent to the West Property line are public, this setback requirement does not apply. Sufficient landscaping and buffer has been provided from all detention basins to provide a sufficient factor of safety for all pedestrian and vehicular traffic adjacent to the basins.

### **Clarification Item #2**

Posting of Fire Lanes (Section 91.49.B) As all drive aisles surrounding the dealership building are classified as fire lanes, the developer is seeking to post one "No Parking Fire Lane" sign in the immediate vicinity of each fire hydrant on-site to meet the requested ordinance request that all fire lanes shall be designated with all weather signs "No Parking Fire Lane" identifying their location. No additional signage is to be provided and the location of these signs will be coordinated with the Fire Marshal or Assistant Fire Marshal.

### **Clarification Item #3**

Ingress and Egress (Section 159.70.J.2.) The maximum width of the ingress/egress points shall be forty (40) feet at the property line. The width of the right-in/right-out entrances to the Dealership Lot and Inventory Lot is 55 feet at the property line, whose geometry is in conformance with the standard Will County Right-In/Right Out detail but it includes a striped porkchop median and therefore only provides for 28 feet of pavement (14 for each leg of the entrance) and therefore no more than the maximum ingress/egress width.

### **Clarification Item #4**

Maximum Lot Coverage (Section 159.73.F.5) B-3 Zoning. The Zoning Code states that the lot coverage/impervious surface shall not exceed 60% of the lot. Lot coverage plus impervious surface coverage shall not exceed a total of 85% of the lot. For the purposes of this evaluation for the site development area, the site shall be treated as 1 Lot (regardless of potential subdivisions of the development area) as the site has 1 Owner and 1 intended use and any lot subdivisions are for tax delineation purposes only.

### **Clarification Item #5**

Handicapped Parking (Section 159.111.1) Parking stalls used for inventory shall be excluded from Handicap Parking space requirement calculations for the site.

### **Clarification Item #6**

Signage (Section 159.127) Signage and any associated deviations from code will be addressed as part of the Mercedes Benz Signage packages provided under a separate Exhibit.



### **Clarification Item #7**

General Provisions – Area Affected (Section 160.091): The code states that if new drainage courses, lakes, ponds or wetlands are created as part of a development, the requirements for setbacks and uses within setbacks, and the criteria for watercourse relocation and minor modification shall apply. The District shall be amended as appropriate to include these areas.

160.091.3.a: Absolutely no development activity may occur within the minimum setback. The minimum setback, should be vegetated buffer strip, preferable planted within native plant species, shall be maintained or restored around the periphery of the area in question. The width of the buffer strip shall be as follows:

Seventy five feet for a tributary length over 500 feet. Note: the tributary length is the maximum length (measured prior to subdividing the parcel) of the project limits to the sensitive area or the length from a drainage divide to the sensitive area.

The minimum setback shall be measured between the ordinary high water mark of streams, lakes, and ponds, or the edge of wetlands, or within a designated depressional area. In no case shall the setback be less than the boundary of the 100-year floodway as defined by FEMA. These setback requirements do not apply to a stream in a culvert unless the stream is taken out of the culvert as part of the development activity. If a culvert functions as a low-flow culvert, where water is intended to periodically flow over it, the setback requirements apply.

Review of proposed development activity within the minimum setback area will consider the following:

Land surface modification within the minimum setback shall be permitted for the development of stormwater drainage swales between the developed area of the site (including a stormwater detention facility on the site) and a stream, lake or pond, or wetland. Detention basins within the setback are generally discouraged, unless it can be shown that the resultant modifications will not impair water quality, habitat or flood storage functions.

**Note on Clarification:** The proposed project is adjacent to an existing creek. The distance measured from the center of the creek/floodplain limits to the proposed grading (south boundary line) of the stormwater varies, but overall, the 75' setback requirement is met with the exception of the proposed Creek Crossing which is unavoidable for the feasibility of the development. The site development is greater than 75' away for the remainder. An exhibit showing dimensions to the centerline of the creek to proposed grading/ property line is included for reference. The project has also been submitted to the US Army Corp of Engineers (USACE) and as correspondence is received from the USACE related to an associated permit, it will be provided to the Village of Romeoville for their records.