



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)

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**Ordinance No: 4381**

**File Number: 2007-0811**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT  
AND REZONING OF THE PROPERTY (AUTUMN LEAVES OF ORLAND PARK-151ST STREET  
AND 80TH AVENUE)

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 17th day of June, 2008 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

# VILLAGE OF ORLAND PARK

## Ordinance No: 4381

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AND REZONING OF THE PROPERTY (AUTUMN LEAVES OF ORLAND PARK-151ST STREET AND 80TH AVENUE)

WHEREAS, an application seeking rezoning and a special use permit with modifications for a nursing home (assisted living) for certain real estate, as set forth below, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code of the Village of Orland Park, as amended (the "Code"); and

WHEREAS, the Plan Commission of this Village held a public hearing on March 11, 2008, on whether the requested rezoning and special use permit with modifications for a nursing home (assisted living) should be granted, at which times all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice, in the form required by law, was given of said public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in the Southtown Star, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed with the President and Board of Trustees its reports of findings and recommendations that the requested rezoning and special use with modifications for a nursing home (assisted living facility) be granted, and this Board of Trustees has duly considered said report and findings and recommendations;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

### SECTION 1

The Plan Commission has made its reports of findings and recommendations, and such are hereby adopted by reference as findings of this President and Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearings are also incorporated by reference into this Ordinance. This President and Board of Trustees find that the proposed rezoning and special use for a nursing home (assisted living facility) are in the public good and in the best interests of the Village and its residents, are consistent with the Comprehensive Plan of the Village, and are consistent with and foster the purposes and spirit of the Code, as set forth in Section 1-102 thereof.

### SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the

# VILLAGE OF ORLAND PARK

## Ordinance No: 4381

rezoning and special use as follows:

(a) The Subject Property is a 4.05 gross-acre parcel located on the south side of 151st Street west of 80th Avenue. It is zoned Open Lands as to the north portion with the balance now annexed zoned E-1 Estate Residential. The Petitioner is seeking approval of a Major Special Use for a one-story 24,843 square foot, 46-bed assisted living facility (nursing home) specializing in care for the memory impaired, with on-site surface parking, and an on-site detention pond under the R-3 Residential District classification of the Code of the Village of Orland Park, with modifications for lot coverage to exceed the maximum 35% required by the Code, reduction of landscape buffers from the required 15 feet to a minimum of 5 feet, reduction of detention setbacks from the required 25 feet to 4 feet, with a Minor Special Use to exceed the parking requirements of the Code by more than 20%. In addition, the westerly 1.001 acres is to be conveyed by the Petitioner to the Village and rezoned for Open Lands.

(b) Granting the requested modifications will enhance the ability of the overall special use to meet the standards for all special uses, specifically minimizing adverse effects on adjacent properties, by permitting an attractive design with open space areas. Also, the goal of the comprehensive plan which designates the Subject Property as “Commercial/Institutional” is furthered by this project.

(c) The proposed rezoning and the special use will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned R-2 and R-3 Residential to the north and south which areas contain detached single-family uses, to the east is a fire station with a church, parking lot and single family residences across 80th Avenue and to the west open space (the Village owned Boley Farm). The proposed use and zoning will be compatible with these surrounding uses.

(d) The proposed special use, and rezoning of the east 3.05 acres of the Subject Property from Open Lands and E-1 Estate Residential to R-3 Residential and the west 1.005 acres to Open Lands are consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Code. The Comprehensive Plan designates this site as “Commercial/Institutional”. The proposed development is compatible with this designation.

(e) The design of the proposed special use for the nursing home (assisted living facility) will minimize any adverse effects, including visual impacts, on adjacent properties. The building’s location, and having most parking behind the building, increases the visual attractiveness of the Subject Property, thus minimizing adverse effects. The open space, detention pond area and landscaped areas around the building will be an asset to the neighborhood. The design meets most setback requirements and will include attractive landscaping to meet Village standards and open space areas. The urban design principles of the development will enhance the character of the area.

# VILLAGE OF ORLAND PARK

## Ordinance No: 4381

(f) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, will be capable of serving the special use at an adequate level of service. One site totaling 1.005 acres of open space is being donated by the Petitioner to the Village for open space to be used in conjunction with the adjacent Boley Farm. In addition, the development will provide courtyard and open common areas. The building on the overall site will share vehicular access points to and from 151st Street and 80th Avenue.

(g) The Petitioner has made adequate legal provisions to guarantee the provision and development of any open space and other improvements associated with the proposed development.

(h) The development will not adversely affect a known archaeological, historical or cultural resource.

(i) The special use permit for a nursing home (assisted living facility) granted shall in all aspects conform to the applicable regulations of the Code as amended, for the zoning districts in which they are located as well as all applicable regulations and ordinances of the Village, unless specifically addressed in this or another Ordinance.

### SECTION 3

A special use permit for a nursing home (assisted living facility) in the R-3 Residential District and Open Lands District, with modifications as set forth in Section 2(a) above, all subject to the conditions below, is hereby granted and issued to the Petitioner for the construction and operation of a nursing home (assisted living facility) on the Subject Property legally described below, and subject to the rezoning granted in Section 4 of this Ordinance:

THE NORTH 450 FEET OF THE EAST 607 FEET (EXCEPT THE NORTH 233 FEET OF THE EAST 183 FEET THEREOF) OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPTING THEREFROM THAT PART OF THE LAND CONVEYED TO THE COUNTY OF COOK BY WARRANTY DEED RECORDED AS DOCUMENT 0020607726, DESCRIBED AS FOLLOWS: THE SOUTH 66.142 METERS (217 FEET) OF THE NORTH 137.160 METERS (450 FEET) OF THE WEST 5.182 METERS (17 FEET) OF THE EAST 15.240 METERS (50 FEET) OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.)

PIN NO. 27-14-201-013 and -014

# VILLAGE OF ORLAND PARK

## Ordinance No: 4381

This special use permit granted and issued herein is subject to the following conditions:

A. The Subject Property shall be developed by Petitioner substantially in accordance with the site plan appended hereto and incorporated by reference herein entitled "AUTUMN LEAVES ASSISTED LIVING PROPOSED SITE PLAN," prepared by SAS ARCHITECTS AND PLANNERS dated March 17, 2008, subject to and expressly conditioned upon the following:

1. The Petitioner shall work with Village staff for final location and configuration of depressional storm water storage on the 1.005 acres being conveyed or dedicated to the Village; the Petitioner will publicly dedicate the sufficient right of way shown on the Site Plan for 151st Street, so that the 151st Street right of way along the frontage of the Subject Property matches the right of way along the frontage of the adjacent fire station property as extended west;
2. The Petitioner will show on its engineering plans a right lane taper extension on 151st Street and include this in the Cook County permit application that will be required for the new curb cut along 151st;
3. A final landscape plan, meeting all Village Codes, is to be submitted for review and approval within 60 days of final engineering approval. This is to include additional plant material in the 5' buffer along 80th Avenue; and
4. All final engineering related items are met.

The Subject Property must further comply with the approved Elevations titled "AUTUMN LEAVES ASSISTED LIVING EXTERIOR ELEVATIONS" prepared by SAS ARCHITECTS AND PLANNERS, last revised March 3, 2008, subject to and expressly conditioned upon the following:

1. Dumpster and storage shed must be constructed of brick to match the building and are shown on the elevations; and
2. All mechanical equipment must be screened either at grade level with landscaping or hidden behind the roof line or parapet that matches the building materials.

#### SECTION 4

The Code, as amended, shall be further amended by classifying and rezoning the west 1.005 acres (proposed Lot 1A) of the Subject Property to the Open Lands District, and the balance of the Subject Property (proposed Lots 1 and 2) to R-3 Residential District.

# VILLAGE OF ORLAND PARK

**Ordinance No: 4381**

## SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit herein granted as well as the Annexation Agreement between Petitioner and the Village approved by the Village on May 5, 2008, pursuant to Ordinance No. 4361, and in the event of non-compliance, said permit shall be subject to revocation by appropriate legal proceedings.

## SECTION 6

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the rezoning of a portion of the Subject Property and granting of the special use permit as aforesaid.

## SECTION 7

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

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PASSED this 16th day of June, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

**Aye:** 7 Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler,  
Trustee Gira, and Village President McLaughlin

**Nay:** 0

DEPOSITED in my office this 16th day of June, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

APPROVED this 16th day of June, 2008

/s/ Daniel J. McLaughlin

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**Daniel J. McLaughlin, Village President**

# VILLAGE OF ORLAND PARK

**Ordinance No: 4381**

PUBLISHED this 17th day of June, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**