



# 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: 4388**

**File Number: 2006-0636**

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT -CRYSTAL  
SPRINGS UNIT II

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 22nd day of July, 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: 4388**

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT -CRYSTAL SPRINGS UNIT II

WHEREAS, an application seeking an amendment to a special use permit 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; and

WHEREAS, the Plan Commission of this Village held a public hearing on November 14, 2006, on whether the requested special use permit amendment should be granted, at which time 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 thirty (30) days nor less than fifteen (15) days prior to said hearing in the Orland Park Star and The Daily Southtown, newspapers of general circulation in this Village at that time, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed with this President and Board of Trustees its report of findings and recommendations that the requested special use permit amendment 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 report 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 hearing are also incorporated by reference into this Ordinance. This President and Board of Trustees find that the proposed amendment to a special use permit is in the public good and in the best interests of the Village and its residents, is consistent with the Comprehensive Plan of the Village, and is consistent with and fosters the purposes and spirit of the Land Development Code of the Village of Orland Park, 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 amendment to a special use permit for planned development as follows:

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(a) The Subject Property is located at 15100 South 109th Avenue and is zoned E-1 Estate Residential District within the Village of Orland Park, Cook and Will Counties, Illinois. It is a 5-acre site. It will be developed as a part of the Crystal Springs planned development approved by Ordinance 2279. Petitioner has now applied for a special use amendment as described below.

(b) Petitioner proposes a residential subdivision with three (3) single family lots and an outlot for detention.

(c) The Petitioner is proposing this development as an amendment to the Special Use Permit for Planned Development for the Crystal Springs Subdivision located to the north. The proposed lots would become lots 22, 23 and 24 of Crystal Springs and would become part of the homeowners association that maintains the private conservation easement open space and detention facilities. Unlike the rest of Crystal Springs, which is zoned R-1, this site will maintain its current zoning classification of E-1 Estate Residential. This zoning classification is consistent with the density requirements of the comprehensive plan.

(d) The single family lots are accessible via a private drive that is shown within a 28 foot utility, drainage and ingress/egress easement. A 25 foot conservation easement is proposed just south of the driveway area in order to preserve the existing mature trees and the buffer they provide to the lots on the south side of the project. The shared private drives connect to a small cul de sac proposed at the end of 109th Avenue. 109th is a township owned and maintained road and right of way which raises concerns about maintenance, specifically plowing. However, the Public Works Director has indicated that he can work this out with the township.

(e) Preliminary engineering has been approved for this project. The public works and engineering department have agreed to allow a temporary mechanical lift system for the sewer under the condition that the Petitioner construct a sanitary sewer line that stubs into the vacant land to the west (previously approved Spring Meadow). The sanitary sewer line will run south from the proposed project along the east side of 109th, turn west onto the existing 152nd Street right of way and stub to the property line.

(f) At the public hearing, several neighbors expressed concern about flooding in the neighborhood and the additional traffic to be generated by the three (3) houses to be constructed. Petitioner and his engineer addressed the flooding questions and it was pointed out that 109th Avenue is a public street.

(g) Petitioner also requests modification of the detention pond setback from the rear lots of the residential parcels from 25 feet to 5 feet. This modification is necessary because of the unusual shape of the property and the need for detention at the site.

(h) Granting the modification for parking will enhance the ability of the proposed amended special use to

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meet the general standards for all special uses set out in Section 5-105(E) of the Land Development Code. Specifically, granting the requested modification will enable the amended special use to minimize adverse effects on adjacent properties.

(i) The proposed amended special use for planned development is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned R-1 Residential District to the north and contains residences in the Crystal Springs Planned Development. Property to the east is zoned E-1 Estate Residential District and contains single family homes. Property to the south is in unincorporated Cook County and is used for residential purposes. Property to the west is zoned R-3 Residential in the Village and is currently vacant. The proposed use is a permitted uses in the E-1 District, so amending the adopted plan to allow for this layout will be consistent with these surrounding uses.

(j) The amendment to a special use for planned development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code of the Village of Orland Park. The Comprehensive Plan designates this site as residential, 1 dwelling unit/acre. This development is consistent with this designation.

(k) The design of the proposed amended special use for planned development will minimize any adverse effects, including visual impacts, on adjacent properties. It will maintain the mature trees at the south end in a conservation easement.

(l) 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, and schools will be capable of serving the amended special use at an adequate level of service. The three (3) single family lots are accessible by a private drive located within a 28 foot utility, drainage and ingress/egress easement.

(m) 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.

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

(o) The amended special use for planned development as granted shall in all aspects conform to the applicable regulations of this Ordinance, Ordinance 2279 and the Land Development Code of the Village of Orland Park as amended, for the district in which it is located as well as all applicable regulations and ordinances of the Village, unless specifically addressed in this or another Ordinance.

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## SECTION 3

An amendment to the special use permit for the Crystal Springs Planned Development granted by Ordinance 2279 is hereby granted and issued for a three (3) residential lot subdivision with detention on a fourth lot, to be located on property legally described as:

A SUBDIVISION OF PART OF THE SOUTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS;

CONSISTING OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 5 ACRES OF THE EAST 20 ACRES OF THE SAID SOUTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, ALSO EXCEPT THAT PART LYING NORTH OF THE NORTH LINE OF THE SOUTH 5 ACRES OF THE EAST 20 ACRES OF THE SAID SOUTH HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND SAID LINE EXTENDED WESTERLY) ALL IN COOK COUNTY, ILLINOIS.

This amendment to a special use permit for planned development and subdivision approval includes a modification in the detention pond setback from 25 feet to 5 feet and is subject to the condition:

That development is pursuant to the hereby-approved preliminary site plan for Crystal Springs Unit II as shown on the site plan titled "Crystal Springs Unit II of Orland Park," prepared by Raymond E. Derbas & Associates, CADD reference number A05022, dated 09-14-06, latest revision 10-12-06, sheet PSP1.0, subject to the following further conditions:

- a. That the proposed retaining walls on the property meet Village height, setback and construction requirements;
- b. That the Petitioner construct the off-site sanitary line as part of this development;
- c. That the Village enter into an agreement with the Township to plow the proposed cul de sac bulb at the terminus of 109th Avenue;

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- d. That the Petitioner submit a tree mitigation plan with final engineering drawings for review and approval;
- e. That all property titles include accurate information reflecting utility easements, conservation easements and covenants pertaining to the maintenance of the private driveways, open space outlot and detention area;
- f. That the detention facility be planted with native natural plantings appropriate for a conservation easement area; and
- g. That all final engineering related items are met.

### SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use for planned development and Ordinance No. 2279, the original special use for planned development covering the property, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit and this amendment shall be subject to revocation by appropriate legal proceedings.

### SECTION 5

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

### SECTION 6

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 21st day of July, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

**Aye:** 4 Trustee Murphy, Trustee Fenton, Trustee Schussler, and Trustee Gira  
**Nay:** 0  
**Absent:** 3 Trustee O'Halloran, Trustee Dodge, and Village President McLaughlin

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DEPOSITED in my office this 21st day of July, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

APPROVED this 21st day of July, 2008

/s/ Daniel J. McLaughlin

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**Daniel J. McLaughlin, Village President**

PUBLISHED this 22nd day of July, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**