



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4243

File Number: 2007-0305

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT
AND REZONING OF THE PROPERTY (CHERRY RIDGE - 153RD STREET AND 108TH
AVENUE)

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STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 22nd day of May, 2007 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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Ordinance No: 4243

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AND REZONING OF THE PROPERTY (CHERRY RIDGE - 153RD STREET AND 108TH AVENUE)

WHEREAS, an application seeking rezoning and a special use permit for a Planned Development 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 public hearings on January 10, 2006, properly continued to January 24, 2006, and again to February 14, 2006, on whether the requested rezoning and special use permit for a Planned Development 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 January 10, 2006 public hearing by publication not more than 30 days nor less than 15 days prior to said hearings in the Orland Park Star and The Daily Southtown, newspapers 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 for Planned Development 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 Planned Development 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 Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

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SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the rezoning and special use for Planned Development as follows:

(a) The Subject Property is a 105-acre parcel located on both the north and the south sides of 153rd Street, between the Norfolk Southern railroad right-of-way and 108th Avenue. It is zoned MFG Manufacturing District, to accommodate the Andrew Corporation Manufacturing facility, within the Village of Orland Park, in Cook County, Illinois. The Petitioner is seeking approval of a special use for a mixed-use Planned Development, which includes 68 single-family residences on 17.46 acres, 250 townhome residences on 8.67 acres, 32 multi-family villas on 3.32 acres, 80 condominium residences on 2.24 acres and a retail/commercial development on .67 acres. In addition, Petitioner seeks rezoning of the detached single-family residential portion from MFG Manufacturing to R-3 Residential, the townhome and condominium portions from MFG Manufacturing to R-4 Residential and the commercial portion from MFG Manufacturing to RSB Residential/ Supporting Business.

(b) Petitioner also requests several modifications specifically, modifications are requested as follows:

1. For all rear loaded single family lots on alleys, front setback modifications from 30 feet to 15 feet and side setback modifications from 15 feet to 8 feet;
2. For rear loaded single family lots in the R4 Zoning District, minimum lot size modifications from 8,500 square feet to a range of 8,123 square feet to 8,375 square feet;
3. For rear loaded townhomes and the condominium buildings, front setback modifications from 30 feet to 15 feet, and side setback modifications from 20 feet to 15 feet;
4. For the two condominium buildings, modifications for parking requirements from 2 per unit to 1.875 per unit; and
5. For the units along 153rd Street, front setback modifications from 45 feet to 30 feet from the future r.o.w., provided that the required parkway trees and landscaping are provided.

(c) Granting the requested modifications will enhance the ability of the overall special use for planned development 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

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plan to encourage mixed use development that offers a variety of housing types within walking distance of commercial and transportation services is furthered by this project.

(d) The proposed rezoning and the special use for Planned Development will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned R-3 and R-4 Residential to the north, south and east which contain detached single-family and townhome uses as well as parking for the 153rd Street Metra Station and Centennial Park, and to the west is the Crystal Tree Country Club clubhouse and open land. The proposed uses and zoning will be compatible with these surrounding uses. The residential portion of the development will abut the existing residential zoning; the landscaped commercial uses will be compatible with the residential and nearby transportation uses.

(e) The proposed special use for Planned Development, and rezoning of Lot 3 from MFG Manufacturing to the R-3 and R-4 Residential as well as the RSB Residential/Supporting Business Districts are 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 Intensity Industrial Distribution north of 153rd Street (which will be inappropriate with the departure of Andrew Corporation) and Residential south of 153rd Street. The proposed mixed-use development is compatible with this designation. The recommended residential density for the area is 6 units per acre. The proposed development has an overall residential density of 5.29 dwelling units per acre. In addition, the proposed development furthers the overall goal of the Comprehensive Plan to encourage mixed use development that offers a variety of housing types within walking distance of commercial services and commuter transportation facilities.

(f) The design of the proposed special use for Planned Development will minimize any adverse effects, including visual impacts, on adjacent properties. The buildings' locations and having most parking behind the buildings increases the visual attractiveness of the Subject Property, thus minimizing adverse effects. The open space, lake area and landscaped areas around the residences will be an asset to the neighborhood. The residential portion of the development abuts existing residential of the same zoning classification. The design meets most setback requirements and will include attractive landscaping to meet Village standards and park areas. The urban design principles of the development will enhance the character of the area.

(g) 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 special use for Planned Development at an adequate level of service. Six sites totaling 32.72 acres of open space and park land are being donated to the Village. In addition, the development will provide 14.81 acres of open common areas. The buildings on the overall site will share vehicular access points to 153rd Street.

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(h) 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.

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

(j) The special use permit for a mixed use Planned Development as granted shall in all aspects conform to the applicable regulations of the Land Development Code of the Village of Orland Park as amended, for the 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 mixed-use Planned Development in the R-3 and R-4 Residential Districts and RSB Residential/Supporting Business District, all subject to the conditions below, is hereby granted and issued to for the construction and operation of multi-use development, on the Subject Property legally described below, and subject to the rezoning granted in Section 4 of this Ordinance:

Phase One (South of 153rd Street):

THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 16 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 2,628.49 FEET (SOUTH 89 DEGREES 50 MINUTES 57 SECONDS EAST, 2,639.23 FEET RECORD) TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 50 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12 EAST, 101.12 FEET (SOUTH 89 DEGREES 50 MINUTES 56 SECONDS EAST, 88.44 FEET RECORD) TO THE WESTERLY LINE OF THE NORFOLK AND WESTERN RAILROAD (FORMERLY THE WABASH, ST. LOUIS AND PACIFIC RAILROAD); THENCE SOUTH 16 DEGREES 42 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE, 218.89 FEET (SOUTH 18 DEGREES 45 MINUTES 55 SECONDS WEST, 221.74 FEET RECORD) TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4,283.00 FEET, AN ARC DISTANCE OF 651.57 FEET AND CHORD BEARING SOUTH 12 DEGREES 20 MINUTES 58 SECONDS WEST, (RADIUS 4061.00 FEET, ARC DISTANCE 634.25 FEET AND CHORD OF SAID CURVE BEARING SOUTH 14 DEGREES 17 MINUTES 27 SECONDS WEST RECORD);

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THENCE SOUTH 07 DEGREES 59 MINUTES 28 SECONDS WEST ALONG SAID WESTERLY LINE, 541.79 FEET (SOUTH 09 DEGREES 48 MINUTES 59 SECONDS WEST, RECORD) FOR THE POINT OF BEGINNING, BEING ON A LINE 50.00 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE SOUTH 07 DEGREES 59 MINUTES 28 SECONDS WEST CONTINUING ALONG SAID WESTERLY LINE, 1,002.21 FEET (SOUTH 09 DEGREES 48 MINUTES 59 SECONDS WEST, RECORD); THENCE SOUTH 88 DEGREES 42 MINUTES 40 SECONDS WEST, 818.32 FEET (NORTH 89 DEGREES 23 MINUTES 39 SECONDS WEST, 818.84 FEET RECORD); THENCE NORTH 39 DEGREES 34 MINUTES 39 SECONDS WEST, 698.23 FEET (NORTH 37 DEGREES 39 MINUTES 03 SECONDS WEST, 698.47 FEET RECORD); THENCE NORTH 01 DEGREE 15 MINUTES 17 SECONDS WEST, 432.80 FEET (NORTH 00 DEGREES 40 MINUTES 03 SECONDS EAST RECORD) TO SAID LINE 50.00 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 22 MINUTES 35 SECONDS EAST, ALONG SAID PARALLEL LINE, 1,412.34 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PIN NO. 27-17-201-013

Phase Two (North of 153rd Street):

THOSE PARTS OF THE SOUTHEAST QUARTER OF SECTION 8, SOUTHWEST QUARTER OF SECTION 9, NORTHWEST QUARTER OF SECTION 16 AND THE NORTHEAST QUARTER OF SECTION 17, ALL IN TOWNSHIP 36 NORTH, RANGE 12 EAST, OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH 88 DEGREES 16 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 1308.56 FEET (SOUTH 89 DEGREES 50 MINUTES 57 SECONDS EAST RECORD) FOR THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES 13 MINUTES 44 SECONDS WEST, 190.09 FEET (NORTH 00 DEGREES 21 MINUTES 04 SECONDS WEST RECORD); THENCE NORTH 10 DEGREES 44 MINUTES 53 SECONDS EAST, 560.74 FEET (NORTH 12 DEGREES 40 MINUTES 56 SECONDS EAST, 559.95 FEET RECORD) TO A CORNER OF CRYSTAL TREE, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SAID SECTION 8 ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1987, AS DOCUMENTS LR3653642 AND 87520779; THENCE NORTH 00 DEGREES 53 MINUTES 11 SECONDS WEST ALONG A LINE OF SAID SUBDIVISION, 198.33 FEET (NORTH 01 DEGREES 02 MINUTES 07 SECONDS EAST RECORD); THENCE NORTH 89

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DEGREES 16 MINUTES 37 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION AND SOUTH LINE OF WEDGWOOD TRAILS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SAID SECTION 9 ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1979 AS DOCUMENT 25149463, 1601.27 FEET (SOUTH 88 DEGREES 48 MINUTES 05 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID CRYSTAL TREE SUBDIVISION, 1208.71 FEET AND SOUTH 88 DEGREES 48 MINUTES 06 SECONDS EAST ALONG THE SOUTH LINE OF SAID WEDGWOOD TRAILS SUBDIVISION 392.83 FEET RECORD), TO THE WESTERLY LINE OF THE NORFOLK AND WESTERN RAILROAD (FORMERLY THE WABASH, ST. LOUIS AND PACIFIC RAILROAD); THENCE SOUTH 16 DEGREES 42 MINUTES 27 SECONDS WEST ALONG THE WESTERLY LINE OF SAID RAILROAD, 1175.01 FEET (SOUTH 18 DEGREES 45 MINUTES 55 SECONDS WEST, 1177.45 FEET RECORD) TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4,283.00 FEET, AN ARC DISTANCE OF 651.57 FEET AND CHORD BEARING SOUTH 12 DEGREES 20 MINUTES 58 SECONDS WEST, (RADIUS 4061.00 FEET, ARC DISTANCE 634.25 FEET AND CHORD OF SAID CURVE BEARING SOUTH 14 DEGREES 17 MINUTES 27 SECONDS WEST RECORD); THENCE SOUTH 07 DEGREES 59 MINUTES 28 SECONDS WEST ALONG SAID WESTERLY LINE, 440.37 FEET (SOUTH 09 DEGREES 48 MINUTES 59 SECONDS WEST RECORD) TO THE NORTH RIGHT OF WAY LINE OF 153RD STREET AS DESCRIBED IN DOCUMENTS 15558695 AND 15558696 RECORDED MARCH 3, 1953, IN COOK COUNTY, ILLINOIS; THENCE SOUTH 88 DEGREES 22 MINUTES 35 SECONDS WEST, 1,429.17 FEET ALONG NORTH RIGHT OF WAY LINE OF SAID 153RD STREET; THENCE NORTH 01 DEGREES 57 MINUTES 17 SECONDS WEST (NORTH 00 DEGREES 01 MINUTES 19 SECONDS WEST RECORD), 793.01 FEET; THENCE NORTH 54 DEGREES 07 MINUTES 30 SECONDS EAST (NORTH 56 DEGREES 03 MINUTES 28 SECONDS EAST RECORD), 223.86 FEET; THENCE NORTH 74 DEGREES 55 MINUTES 21 SECONDS EAST (NORTH 76 DEGREES 51 MINUTES 18 SECONDS EAST RECORD), 134.31 FEET; THENCE NORTH 02 DEGREES 13 MINUTES 44 SECONDS WEST 320.08 FEET (NORTH 00 DEGREES 21 MINUTES 04 SECONDS WEST, 321.08 FEET RECORD) TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PIN NOS. 27-17-201-013 and 27-08-405-006

Parcels to be conveyed by Village of Orland Park to Developer:

Parcel 1.

THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH,

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RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 16 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 2628.49 FEET (SOUTH 89 DEGREES 50 MINUTES 57 SECONDS EAST, 2639.23 FEET RECORD) TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 50 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12 EAST, 101.12 FEET (SOUTH 89 DEGREES 50 MINUTES 56 SECONDS EAST, 88.44 FEET RECORD) TO THE WESTERLY LINE OF THE NORFOLK AND WESTERN RAILROAD (FORMERLY THE WABASH, ST. LOUIS AND PACIFIC RAILROAD); THENCE SOUTH 16 DEGREES 42 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE, 218.89 FEET (SOUTH 18 DEGREES 45 MINUTES 55 SECONDS WEST, 221.74 FEET RECORD) TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4,283.00 FEET, AN ARC DISTANCE OF 651.57 FEET AND CHORD BEARING SOUTH 12 DEGREES 20 MINUTES 58 SECONDS WEST, (RADIUS 4061.00 FEET, ARC DISTANCE 634.25 FEET AND CHORD OF SAID CURVE BEARING SOUTH 14 DEGREES 17 MINUTES 27 SECONDS WEST RECORD); THENCE SOUTH 07 DEGREES 59 MINUTES 28 SECONDS WEST ALONG SAID WESTERLY LINE, 1544.00 FEET (SOUTH 09 DEGREES 48 MINUTES 59 SECONDS WEST, 1559.19 FEET RECORD); THENCE SOUTH 88 DEGREES 42 MINUTES 40 SECONDS WEST, 818.32 FEET (NORTH 89 DEGREES 23 MINUTES 39 SECONDS WEST, 818.84 FEET RECORD) FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE SOUTH 88 DEGREES 42 MINUTES 40 SECONDS WEST, 188.02 FEET; THENCE NORTH 01 DEGREES 37 MINUTES 25 SECONDS WEST, 150.62 FEET; THENCE SOUTH 39 DEGREES 34 MINUTES 39 SECONDS EAST, 191.89 FEET (SOUTH 37 DEGREES 39 MINUTES 03 SECONDS EAST, RECORD) TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING AN AREA OF 8,888 SQUARE FEET OR 0.204 ACRES, MORE OR LESS.

PIN NO. 27-17-201-012 (Part)

Parcel 2.

THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 16 MINUTES 23 SECONDS EAST ALONG THE

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NORTH LINE OF SAID NORTHEAST QUARTER, 2628.49 FEET (SOUTH 89 DEGREES 50 MINUTES 57 SECONDS EAST, 2639.23 FEET RECORD) TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 50 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12 EAST, 101.12 FEET (SOUTH 89 DEGREES 50 MINUTES 56 SECONDS EAST, 88.44 FEET RECORD) TO THE WESTERLY LINE OF THE NORFOLK AND WESTERN RAILROAD (FORMERLY THE WABASH, ST LOUIS AND PACIFIC RAILROAD); THENCE SOUTH 16 DEGREES 42 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE, 218.89 FEET (SOUTH 18 DEGREES 45 MINUTES 55 SECONDS WEST, 221.74 FEET RECORD) TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4,283.00 FEET, AN ARC DISTANCE OF 651.57 FEET AND CHORD BEARING SOUTH 12 DEGREES 20 MINUTES 58 SECONDS WEST, (RADIUS 4061.00 FEET, ARC DISTANCE 634.25 FEET AND CHORD OF SAID CURVE BEARING SOUTH 14 DEGREES 17 MINUTES 27 SECONDS WEST RECORD); THENCE SOUTH 07 DEGREES 59 MINUTES 28 SECONDS WEST ALONG SAID WESTERLY LINE, 1544.00 FEET (SOUTH 09 DEGREES 48 MINUTES 59 SECONDS WEST, 1559.19 FEET RECORD); THENCE SOUTH 88 DEGREES 42 MINUTES 40 SECONDS WEST, 818.32 FEET (NORTH 89 DEGREES 23 MINUTES 39 SECONDS WEST, 818.84 FEET RECORD); THENCE NORTH 39 DEGREES 34 MINUTES 39 SECONDS WEST, 230.00 FEET (NORTH 37 DEGREES 39 MINUTES 03 SECONDS WEST, RECORD) FOR THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 22 MINUTES 35 SECONDS WEST, 124.06 FEET, THENCE NORTH 01 DEGREES 37 MINUTES 25 SECONDS WEST, 117.79 FEET AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 120.00 FEET, AN ARC DISTANCE OF 79.49 FEET AND CHORD BEARING NORTH 20 DEGREES 36 MINUTES 02 SECONDS WEST; THENCE SOUTH 39 DEGREES 34 MINUTES 39 SECONDS EAST, 242.99 FEET (SOUTH 37 DEGREES 39 MINUTES 03 SECONDS EAST, RECORD) TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING AN AREA OF 10,049 SQUARE FEET OR 0.231 ACRES, MORE OR LESS

PIN NO. 27-17-201-013(Part)

This special use permit for a Planned Development includes the following modifications:

1. For all rear loaded single family lots on alleys, front setback modifications from 30 feet to 15 feet and side setback modifications from 15 feet to 8 feet;

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2. For rear loaded single family lots in the R4 Zoning District, minimum lot size modifications from 8,500 square feet to a range of 8,123 square feet to 8,375 square feet;
3. For rear loaded townhomes and the condominium buildings, front setback modifications from 30 feet to 15 feet, and side setback modifications from 20 feet to 15 feet;
4. For the two condominium buildings, modifications for parking requirements from 2 per unit to 1.875 per unit; and
5. For the units along 153rd Street, front setback modifications from 45 feet to 30 feet from the future r.o.w., provided that the required parkway trees and landscaping are provided.

The special use permit for Planned Development is subject to the following conditions:

A. The Subject Property shall be developed in two phases, as aforesaid, substantially in accordance with the Site Plan titled “Preliminary Site Plan Cherry Ridge Orland Park” dated April 18, 2006, revised May 1, 2006, prepared by Land Vision Inc. The Petitioner agrees that the Subject Property shall be developed substantially in accordance with said Site Plan as approved or as may be subsequently amended and approved by the Village, and in accordance with supporting preliminary and final engineering drawings and plans to be submitted to the Village for review and approved subject to the following:

1. All lots in the R-3 Zoning District meet the 35% maximum impervious coverage requirement;
2. All final engineering and building review items are met;
3. That a landscape plan and a signage plan are submitted for review and approval;
4. The Petitioner ensures that the height of the condominium units are consistent with the approved height for the Colette Highlands condominiums which are 53 feet in height; and
5. The Petitioner has reimbursed the Village for the Village’s consultant/engineering design cost for the relocation of the traffic signal along 153rd Street to the location shown on the Site Plan and that Petitioner shall pay sixty percent (60%) of the cost to install the traffic signal in accordance with Village and County of Cook specifications. The traffic signal shall be installed within one (1) year after it is warranted pursuant to the Village’s determination that warrants are met.

B. The subject Property shall be subdivided by Developer in two phases, as aforesaid, consistent with the Site Plan (Exhibit B) shown in the drawing titled “Preliminary Site Plan Cherry Ridge Orland Park” dated

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April 18, 2006, revised May 1, 2006, by Land Vision Inc. and subject to the condition that the Petitioner revises the plat to incorporate all private open spaces within the other parcels and not show these as separate lots shall be recorded with the Cook County Recorder's Office.

SECTION 4

The Orland Park Land Development Code, as amended, shall be further amended by classifying and rezoning the property described as: the detached single-family residential lots on the recorded Plat of Subdivision of the Subject Property from the MFG Manufacturing District to the R-3 Residential District, the townhome and condominium lots on the recorded Plat of Subdivision of the Subject Property from the MFG Manufacturing District to the R-4 Residential District, and the commercial lot on the recorded Plat of Subdivision of the Subject Property from the MFG Manufacturing District to the RSB Residential/Supporting Business District, all under Article 6 of the Land Development Code of the Village of Orland Park, as amended.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit for Planned Development as well as the Development Agreement between Petitioner and the Village dated March 8, 2007, and in the event of non-compliance, said permits 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 for Planned Development as aforesaid.

SECTION 7

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

PASSED this 21st day of May, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 6 Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

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Nay: 0

Absent: 1 Trustee O'Halloran

DEPOSITED in my office this 21st day of May, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 21st day of May, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 22nd day of May, 2007

/s/ David P. Maher

David P. Maher, Village Clerk