



VILLAGE OF ORLAND PARK

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

Ordinance No: 4258

File Number: 2005-0175

ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO R-1 RESIDENTIAL AND GRANTING A SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT (WOODED PATH ESTATES II - SOUTHEAST CORNER OF 143RD STREET AND CLARIDGE COURT)

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STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 3rd day of July, 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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WHEREAS, a petition for rezoning of and granting a special use permit for certain real estate, as set forth below, has been filed with the Village Clerk of this Village and said petition has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held public hearings on July 12, 2005 and October 11, 2005, on whether the requested rezoning and special use permit should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law, was given of said public hearings by publication not more than 30 days nor less than 15 days prior to said meeting 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 its report of findings and recommendations that the requested rezoning and special use permits be granted with this President and Board of Trustees, and this Board of Trustees have 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 report and findings and recommendations of the Plan Commission of this Village regarding the proposed rezoning and special uses are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearing are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed rezoning and special uses are in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said rezoning and special use are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

VILLAGE OF ORLAND PARK

Ordinance No: 4258

SECTION 2

The Orland Park Land Development Code, as amended, be further amended by reclassifying and rezoning the following described real estate (the "Subject Property"):

PARCEL 1:

LOT 5 (EXCEPT THE WEST 10 FEET THEREOF) AND EXCEPT THAT PART OF THE LAND CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION BY DOCUMENT NO. 97700563) IN ASSESSORS DIVISION OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE WEST 10 FEET OF LOT 5 AND ALL OF LOT 12 IN ASSESSORS DIVISION OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 13 AND 14 (EXCEPT THE SOUTH 300 FEET THEREOF) AND THE WEST 15 FEET OF LOT 15 (EXCEPT THE SOUTH 300 FEET THEREOF) IN ASSESSOR'S DIVISION OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN THE WEST 30 FEET OF LOT 2 AND THE EAST 15 FEET OF LOT 3 IN ASSESSOR'S DIVISION OF AFORESAID IN COOK COUNTY, ILLINOIS.

PIN: 27-12-100-009, 27-12-100-018, 27-12-101-006 and 27-12-101-011

from E-1 Estate Residential District to R-1 Residential District under the Code, as amended.

SECTION 3

VILLAGE OF ORLAND PARK

Ordinance No: 4258

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit for a planned development as follows:

A. The Subject Property contains approximately 15.5 acres and is located within the Village of Orland Park in Cook County, Illinois, generally at the southeast corner of 143rd Street and Claridge Court. The Subject Property is of the type contemplated in Section 6-202(D) of the Code and is being developed in accordance with a site plan best suited for the Subject Property. The plan is to develop the Subject Property for fourteen (14) single-family lots (12 new homes, 2 existing homes and 7 Outlots) under the R-1 Residential Zoning classification, with a major special use for a Residential Planned Development. The site provides for adequate buffering of the proposed uses from surrounding land uses.

B. The proposed use of the Subject Property is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Comprehensive Plan designates this property as Residential. The plan approved herein reflects a net density of 2.2 residential units per acre.

C. The proposed special use will be consistent with the character of the immediate vicinity of the Subject Property. To the south is Cook County Forest Preserve property, to the east is existing residential (unincorporated Cook County), to the north (across 143rd Street) is R-3 Residential, and to the west is single-family residential (R-1 Residential).

D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed special uses will not adversely affect the value of adjacent property.

E. The Petitioners have demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, and schools will be capable of serving the special uses at an adequate level of service. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for.

F. Petitioner has made adequate legal provision, through a conveyance of park/recreation acreage and cash in lieu of land to the Village and home owner covenants, to guarantee the provision and preservation of all open spaces designated on the site plan and other improvements associated with the special use.

G. The proposed use will not adversely affect a known archaeological, historical or cultural resource.

H. The proposed special use shall comply with all additional standards imposed on it by all other applicable

VILLAGE OF ORLAND PARK

Ordinance No: 4258

requirements of the ordinances of the Village and the Annexation Agreement authorized and approved by this Village President and Board of Trustees and dated June 11, 2007 (the “Annexation Agreement”).

SECTION 4

A special use is hereby granted for a single-family Residential Planned Development of the Subject Property described in Section 2 hereof, subject to and conditioned upon the following:

The Subject Property shall be developed by Petitioner substantially in accordance with the final site plan appended hereto and incorporated herein as EXHIBIT B, entitled “STORM SEWER/SITE GRADING PLAN” prepared by MICHAEL J. CAP, LTD., dated February 24, 2006, last revised March 5, 2007, Sheet 4 of 7, subject to the following conditions:

1. The Petitioner obtains all required permits from outside agencies before any Village Permits are issued, including a new Metropolitan Water Reclamation District permit that reflects the latest updated Village approved engineering plan.
2. The Petitioner redefine Outlots G and C to separate the proposed detention pond, Outlot G, from open space, Outlot C;
3. The Petitioner submit a landscape plan, tree survey and mitigation plan that provides slope stabilizing native plants along the steep hills and wetland style detention plantings, for review and Village Board approval within 90 days from the date of the Annexation Agreement;
4. All Outlots and detention pond facilities are deeded by the Petitioner to Orland Park for public ownership and maintenance;
5. The Petitioner must continue to pursue the granting of a utility easement on Lot 10 of Wooded Path Estates I, which adjoins the Subject Property on the west, in order to eliminate the dead-end watermain condition which currently exists there; and
6. All final engineering related issues are met.
7. The Petitioner is at all times in compliance with the provisions of the Annexation Agreement dated June 11, 2007, relative to the Subject Property.
In addition, modifications are hereby granted to permit 15% side yard setbacks rather than the 25% required by the Code.

VILLAGE OF ORLAND PARK

Ordinance No: 4258

SECTION 5

The Petitioner (Permittee) hereunder shall at all times comply with the terms and conditions of the special use permit herein granted 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 and special use as aforesaid.

SECTION 7

That this Ordinance shall be in full force and effect from and after its adoption and approval as required by law.

PASSED this 2nd day of July, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 5 Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Gira, and Village President
McLaughlin

Nay: 0

Absent: 2 Trustee Murphy, and Trustee Schussler

DEPOSITED in my office this 2nd day of July, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 2nd day of July, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 3rd day of July, 2007

/s/ David P. Maher

David P. Maher, Village Clerk