



VILLAGE OF ORLAND PARK

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

Ordinance No: 4316

File Number: 2005-0835

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT
AND REZONING TO R-1 RESIDENTIAL (RODAO POINT UNIT 2 - 15180 RODAO DRIVE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 20th day of November, 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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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AND REZONING TO R-1 RESIDENTIAL (RODAO POINT UNIT 2 - 15180 RODAO DRIVE)

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 February 28, 2006, and March 28, 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 February 28, 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 (the "Code"), 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 2.5-acre parcel located at 15180 Rodao Drive (165 feet west of Rodao Drive at 152nd Street). It is zoned E-1 Estate Residential District within the Village of Orland Park, in Cook County, Illinois. The Petitioner is seeking approval of a special use Planned Development. In addition, Petitioner seeks rezoning of the parcel from E-1 Estate Residential to R-1 Residential to accommodate four (4) single-family residential lots (including an existing residence) and an outlet for stormwater detention and modifications for right-of-way and cul-de-sac width as well as front, rear and side yard setbacks, as set forth in (b), below.

(b) Petitioner has applied for several modifications (variances) specifically, modifications are requested as follows:

- a) a reduction in the right-of-way width from 60 feet to 30 feet;
- b) a reduction in the cul-de-sac right-of-way width from 120 feet to 92 feet;
- c) a reduction in the detention pond setback from 25 feet to 0 feet; and
- d) a reduction in the setbacks, to conform to existing R-1 zoning regulations, as follows:

- (i) the rear yard setback for Lot 2 from 45 feet to 27 feet;
- (ii) the side yard setback for Lot 4 from 25% (approximately 31 feet) to 10 feet; and
- (iii) for Lot 5, the front yard setback from 40 feet to 25 feet and the rear yard setback from 45 feet to 40 feet.

(c) Petitioner proposes to rezone the Subject Property from E-1 Estate Residential to R-1 Residential to accommodate the four (4) single-family residential lots.

(d) 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.

(e) The proposed rezoning and the special use for Planned Development with the modifications will be consistent with the character of the immediate vicinity of the Subject Property. The Village Comprehensive Plan designates the parcel as "Residential." The property to the north is zoned R-1 residential, to the south is LSPD Large Scale Planned Development, to the east is R-2 Residential and to the west is R-1

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Residential.

(f) The proposed special use for Planned Development and rezoning are consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Code.

(g) The design of the proposed special use for Planned Development with the modifications for the right-of-way and cul-de-sac widths as well as front, rear and side yard setbacks will minimize any adverse effects, including visual impacts, on adjacent properties. The residential locations increase the visual attractiveness of the Subject Property, thus minimizing adverse effects. The design meets most setback requirements and will include attractive landscaping to meet Village standards.

(h) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, schools, police protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, will be capable of serving the special use for the Planned Development at an adequate level of service.

(i) 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.

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

(k) The special use permit for a Planned Development with the variances (modifications) as granted shall in all aspects conform to the applicable regulations of the Code 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 Planned Development and the right-of-way and cul-de-sac width modifications as well as front, rear and side yard setback modifications in the R-1 District, all subject to the conditions below, is hereby granted and issued to Rodao Point Unit #2, on the Subject Property legally described below, and subject to the rezoning granted in Section 4 of this Ordinance:

THE SOUTH 2-1/2 ACRES OF THE WEST 5 ACRES OF THE EAST 10 ACRES OF THE
NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 36 NORTH, RANGE
12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN No. 27-18-101-005

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This special use permit for the Planned Development includes the modifications as set forth in Section 2(b), above.

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

1. The Subject Property shall be developed substantially in accordance with the final land plan appended hereto and incorporated herein as EXHIBIT B entitled "RODAO POINT PUD - PRELIMINARY ENGINEERING PLAN" prepared by KDC CONSULTANTS, INC., Project No. 05-05-106-PRELIM, dated December 2, 2005, last revised September 27, 2006, or as may be subsequently amended and approved by the Village, subject to the following:
 - a. The Village shall have no responsibility for the maintenance or repair of the developed roadways and stormwater detention facility, and a Special Service Area shall be formed by the Village in the event the lot owners or association fail to maintain the roadway and detention facilities;
 - b. The Petitioner shall revise the plans to show additional utility easements along proposed Lot 1 and Lot 2 as highlighted in the August 4, 2006 engineering review letter prepared for the Village by CHRISTOPHER P. BURKE ENGINEERING, LTD.
 - c. Petitioner shall submit a landscape plan for separate Village review and approval, based on final engineering drawings, that addresses tree mitigation, naturalized detention basin plantings and ecological improvements to the existing conservation easement, or as such easement shall be revised as approved by the Village.
 - d. All property titles include accurate information reflecting deed restrictions, drainage, utility, and tree easements, and covenants pertaining to the future maintenance of the roadways and detention areas by the property owners and not the Village.
 - e. All final engineering related items are met.
 - f. All building code related items are met.
 - g. Within six (6) months from the date hereof, the Petitioner shall annex, or cause to be annexed, to the Village the following described property:

The North 2-1/2 acres of the West 5 acres of the East 10 acres of the Northeast ¼ of the Northwest ¼ of Section 18, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

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h. Petitioner shall submit a new subdivision plat for Rodao Point and re-subdivision plats for the existing Canterbury Court Subdivision and the single-family lot referred to in g, above, for Village review and approval.

i. The Village will not approve any additional set-back reductions or variations, other than those set forth in SECTION 2(b), above, and the Petitioner shall record a binding covenant to run with the land, the form and content to be approved by the Village attorney, prohibiting future owners from applying for any such reductions or variations.

SECTION 4

The Code shall be further amended by classifying and rezoning the property from the E-1 Estate Residential District to the R-1 Residential Zoning District under Article 6, Section 6-202 of the Code.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit for Planned Development and in the event of non-compliance, said permits shall be subject to revocation by appropriate legal proceedings. The Petitioner shall also comply with all terms and conditions of the Annexation Agreement between Petitioner and the Village.

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 19th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

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Aye: 4 Trustee Fenton, Trustee O'Halloran, Trustee Schussler, and Village President McLaughlin
Nay: 1 Trustee Gira
Absent: 2 Trustee Murphy, and Trustee Dodge

DEPOSITED in my office this 19th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 19th day of November, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 20th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk