



VILLAGE OF ORLAND PARK

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

Resolution No: 0711

File Number: 2007-0395

A RESOLUTION APPROVING AN APPEAL FROM THE PROVISIONS OF THE ORLAND
PARK BUILDING CODE REGARDING MIXED USE BUILDINGS (COOPER SQUARE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

VILLAGE OF ORLAND PARK

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A RESOLUTION APPROVING AN APPEAL FROM THE PROVISIONS OF THE ORLAND PARK BUILDING CODE REGARDING MIXED USE BUILDINGS (COOPER SQUARE)

WHEREAS, all non-single-family-residential buildings in the Village of Orland Park are considered as being within the fire limits of the Village; and

WHEREAS, the Orland Park Building Code Section 503.2 requires that all buildings within the fire limits of the Village be constructed with non-combustible exterior walls and a fire rated concrete floor between building floors; and

WHEREAS, a certain development in the Village, Cooper Square, desires to construct 33 town home units, with the eight facing 147th Street (Building 6) being mixed-use units, with business use on part of the first floor of each unit and residential use above; and

WHEREAS, the business portion of each unit will be used only by the unit's owner, who will also be the occupier of the residential portion of the unit; and

WHEREAS, because of the business use on part of the first floor, the mixed-use units are considered to be within the fire limits and thus require non-combustible walls and a fire-rated concrete floor between the first and second floor spaces; and

WHEREAS, because the business uses on the first floors of the units in the mixed-use building will occupy only the front of the floor (with garage space behind), which will be only a fraction of each unit's area, it has been determined that a frame structure constructed in accord with the conditions listed below will be equally as good as a structure meeting the requirements of Section 503.2 of the Orland Park Building Code.

The Building Committee of the Village Board has reviewed the request for a frame structure and has recommended permitting such use.

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

SECTION 1

The above provisions are hereby incorporated into this Resolution as fully as if restated in this Section in their entirety.

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SECTION 2

Subject to the conditions enumerated in Section III below, a variance from the strict application of Section 503.2 and Tables 503 and 601 of the Orland Park Village Code is hereby approved to permit a wood frame structure (Type V-A construction) to be used for a mixed-use building, Building 6, in the Cooper Square development located at the NE corner of 147th Street and Ravinia Drive in the Village.

SECTION 3

The variance approved in Section II above is conditioned on the following:

1. Building 6, the mixed-use building, shall consist of eight three-story units with residential on the top two stories of each unit. The uses below the residential uses in Building 6 (hereinafter referred to as “business uses”) are limited to Type B (Business) and Type M (Mercantile) use classifications, except that no food preparation shall be permitted that requires heating by any other means than a microwave or a beverage preparation machine that may include a heating element.
2. The maximum area of the business use below the residences shall be between 295 and 483 square feet, as shown on the architect’s original permit plans and shall not extend into any adjacent units or any required garage space. Residential spaces above the business areas and garages shall be for residential use only.
3. Floor and wall construction between all separate uses shall not be less than 1-hour fire rated assemblies.
4. The business area for each unit shall be individually fire sprinkler protected with conditions that meet the Village Code. Approved Fire Detection is also required for the business area of each unit.
5. Even if the business area of a unit in Building 6 is used for residential purposes, the design elements of that unit shall be adaptable to meet the Illinois Accessibility Code, for possible future business uses.
6. The size of the residential portion of each unit shall meet the requirement of 1400 square feet, as stated in Section 512.1.5.
7. The business area of each unit may be used only by the owner of the unit and his/her employees, and may not be leased out.

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SECTION 4

All other requirements of the Orland Park Building Code not specifically varied by this Resolution, shall be met.

SECTION 5

If any section, paragraph, clause, phrase or part of this Resolution is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this Resolution.

SECTION 6

A certified copy of this Resolution shall be provided to the developer of Cooper Square and to the Orland Park Building Department

SECTION 7

This Resolution shall be in full force and effect from and after its adoption, approval and publication as required by law.

PASSED this 18th day of June, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 5 Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President
McLaughlin

Nay: 1 Trustee Murphy

Absent: 1 Trustee O'Halloran

DEPOSITED in my office this 18th day of June, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

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APPROVED this 18th day of June, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President