



VILLAGE OF ORLAND PARK

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

Ordinance No: 4128

File Number: 2005-0453

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - ALDEN
NURSING HOME EXPANSION (16450 SOUTH 97TH AVENUE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 18th day of April, 2006 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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NURSING HOME EXPANSION (16450 SOUTH 97TH AVENUE)

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 October 11, 2005, on whether the requested amendment to a special use permit 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 Star and The 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 this President and Board of Trustees its report of findings and recommendations that the requested amendment to a special use permit 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. This President and Board of Trustees find that the proposed amendment to a special use 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 to allow the expansion of a nursing center to accommodate 164 units

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(272 beds) as follows:

(a) The Subject Property is located within the Village of Orland Park in Cook County, Illinois, at 16450 South 97th Avenue. The Petitioner is seeking an amendment to a special use permit to expand an 88,684 square foot nursing facility by the construction of a 68,000 square foot, four-story addition.

(b) The proposed addition will house an assisted living wing with 68 primarily one-bedroom units (four will be two bedroom units) for senior citizens. The addition will be attached to the existing skilled nursing facility and will share the kitchen facilities, but will operate separately.

(c) Although the proposed addition will be four stories in height, it will actually not be any taller than the three-story nursing home. That is because the nursing home has much larger distance between floors to accommodate oxygen tanks and other medical equipment.

(d) A concern of the persons attending the public hearing was parking, particularly parking for the employees of the facility. Presently there is employee parking on the streets adjoining the facility, which inconveniences the neighbors. The proposed plan includes additional parking, bringing the total number of spaces available to 178. This is an increase over the number of spaces required by the Land Development Code, and so Petitioner has requested a modification to the parking requirements to permit a total of 178 spaces.

(e) Granting the requested modification will increase the ability of the proposed special use amendment to meet the standards for all special uses, specifically the standard regarding minimizing adverse effects on adjoining properties. Granting the modification will reduce what is perceived to be an existing adverse effect, and thus have a positive effect on the entire neighborhood.

(f) The proposed amendment to a special use is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan(s) and the Land Development Code of the Village of Orland Park. The Comprehensive Plan designates this site as Planned Mixed-Use Commercial/Residential. The property is zoned COR Mixed-Use District, and indeed supports a variety of uses, from the nursing home to residential areas to the Marcus Theaters.

(g) The proposed amendment to a special use will be consistent with the character of the immediate vicinity of the Subject Property. The Subject Property was surrounded by farmland when the nursing home was built, but other uses have been constructed since then. Property to the north, south and east is zoned COR Mixed Use Core District (the zoning of the Subject Property) and now contains the Charlton Condominiums to the north, Tiara Glen (residential) Subdivision to the south, and Marcus Theaters parking garage to the east. Property to the west is zoned E-1 Estate Residential and contains both vacant land and

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the Good Shepherd Cemetery. The proposed addition to the nursing home will be compatible with these mixed uses.

(h) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The height of the addition will match the height of the existing nursing home, even though the new wing will have four stories. The design of the new wing is planned to be similar to the nearest residential units for visual consistency. The addition of a considerable amount of parking will be an improvement for the area and efforts will be made to improve the trash enclosure, to have the trash receptacles closed at all times and to pick up trash that may blow out of the enclosure, daily if necessary.

(i) The Petitioner has 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 use at an adequate level of service. Utilities are available on site. Access to the site is via 97th Avenue to the east and 165th Street to the south. A fire lane will be constructed around the building to facilitate emergency access to the site. The increased parking will be an asset to the neighborhood.

(j) 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. A retention pond is located in the center of the site and is served by a sidewalk for residents and visitors. Walking paths are available.

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

(l) The special use shall in all aspects conform to the applicable regulations of 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.

SECTION 3

An amendment to the special use permit granted by Ordinance 2510, approved January 17, 1994, is hereby granted and shall be issued for the construction of a 68,000 square foot, four-story addition to the nursing home facility on the Subject Property, which is legally described as follows:

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4; THENCE N 89 DEGREES, 45', 56" W ALONG THE

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SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4, 684.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89 DEGREES, 45', 56" W ALONG THE LAST DESCRIBED LINE, 644.79 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4; THENCE N 0 DEGREES, 6', 57" E ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4, 525.00 FEET; THENCE N. 89 DEGREES, 45', 56" W, 721.22 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 600.00 FEET AND A CHORD THAT BEARS S 13 DEGREES, 18', 4" W, A CHORD DISTANCE OF 100.31 FEET AND AN ARC DISTANCE OF 110.46 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1000.00 FEET AND A CHORD THAT BEARS S 9 DEGREES, 17', 31" W, A CHORD DISTANCE OF 322.64 FEET AND AN ARC DISTANCE OF 324.06 FEET; THENCE S 0 DEGREES, 00', 30" W, 98.92 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE SOUTH 45.00 FEET TAKEN FOR ROADWAY PURPOSES PER DOCUMENT NO. 98-515248, ALL IN COOK COUNTY, ILLINOIS, CONTAINING 8.0549 ACRES MORE OR LESS.

This Special Use Permit Amendment includes a modification to the parking requirements of the Land Development Code to permit 178 parking stalls on the Subject Property, instead of the 146 stalls otherwise permitted, and is subject to the following conditions:

1. Construction shall be pursuant to the final plan entitled "Alden Gardens of Orland Park-Final Site Plan," prepared by Alden Design Group, Inc., dated June 21, 2005, last revised December 14, 2005, date stamped February 9, 2006, Sheet No. A-1, subject to and expressly conditioned upon the following:
 - a. That a sidewalk connection from the detention pond to the existing sidewalk along 97th Avenue be provided with signs stating this is private property, and that the site plan also be revised to show a 5-foot public sidewalk along the south side of the property;
 - b. That a Landscape Plan based on final engineering drawings that also addresses issues raised in this report is submitted for separate review and Board approval within sixty (60) days of final engineering approval; and
 - c. That this approval be subject to final engineering approval.
2. Building Elevations shall be constructed pursuant to the Building Elevations Plans entitled, "Alden Gardens of Orland Park," prepared by Alden Design Group, Inc., dated June 21, 2005, last revised December 14, 2005, Sheet A-4, subject to and expressly conditioned upon the following conditions:

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- a. That the trash enclosure is compatible in materials, color and design as the main building on the site, subject to staff review and approval; and
- b. That Building Code related items are met.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit granted by Ordinance 2510, and this special use permit amendment, and in the event of non-compliance, said permit and amendment shall be subject to revocation by appropriate legal proceedings.

SECTION 5

The zoning map of the Village of Orland Park, Cook County, Illinois, 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.

PASSED this 17th day of April, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 6 Trustee Murphy, Trustee Dodge, Trustee Gira, Trustee Schussler, Trustee O'Halloran, and Village President McLaughlin

Nay: 0

Absent: 1 Trustee Fenton

DEPOSITED in my office this 17th day of April, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 17th day of April, 2006

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

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PUBLISHED this 18th day of April, 2006

/s/ David P. Maher

David P. Maher, Village Clerk