



VILLAGE OF ORLAND PARK

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

Ordinance No: 4130

File Number: 2005-0599

ORDINANCE REZONING PROPERTY AND GRANTING A SPECIAL USE PERMIT - THE
SHOPS AT 88 (SOUTHEAST CORNER 88TH AVENUE AND 159TH STREET)

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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Ordinance No: 4130

ORDINANCE REZONING PROPERTY AND GRANTING A SPECIAL USE PERMIT - THE SHOPS AT 88 (SOUTHEAST CORNER 88TH AVENUE AND 159TH STREET)

WHEREAS, an application seeking 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 25, 2005, properly continued to February 14, 2006, on whether the requested 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 October 25, 2005 public hearing by publication not more than 30 days nor less than 15 days prior to said hearing 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 this President and Board of Trustees its report of findings and recommendations that the requested 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 into this Ordinance. This President and Board of Trustees find that the proposed 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 requested special use permit for a planned development known as The Shops at 88, on property proposed

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to be rezoned to BIZ General Business District as follows:

- a. The Subject Property is located at the southeast corner of 159th Street and 88th Avenue, and is currently zoned E-1 Estate Residential District and R-1 Residential District within the Village of Orland Park, Cook and Will Counties, Illinois. The Petitioner, Praedium Development Corporation, developer of the Subject Property, is seeking rezoning to BIZ General Business District and a special use permit for a planned development on the Subject Property, which is itself a major special use in the BIZ General Business District. Additionally, the carwash use planned for the Subject Property is a major special use in its own right, and a modification is requested to reduce the detention setback from 25 feet to 15 feet.
- b. Petitioner proposes a planned development on the 5.72 acre Subject Property, to consist of 40,000 sq. ft. of commercial space in five (5) buildings (four, one-story buildings and one, two-story building), with detention and surface parking.
- c. The plan shows the one-story buildings along 88th Avenue and 159th Street and the two-story commercial building at the rear of the site. Two outdoor plaza areas were originally shown on the plan and should be included in the final plan. A detention area is at the back corner. Sidewalks should be provided throughout the site to facilitate pedestrian movement.
- d. The plan shows access from both 88th Avenue and 159th street with 194 parking spaces including 8 accessible spaces. If the two-story building is an office building, 184 spaces are required. If it is a commercial use, 200 spaces would be needed.
- e. Petitioner seeks a modification of the detention setback requirement from 25 feet to 15 feet. Granting this modification will enhance the ability of the project to meet the standards for all special uses, specifically reducing adverse effects on neighboring property, because permitting the reduced setback allows the efficiency of the parking to be maximized and more landscape buffer to be provided around the sloped pond areas.
- f. Rezoning of the parcel from E-1 and R-1 to BIZ is consistent with the Comprehensive Plan which shows this location as Local Commercial, and is in the best interests of the Village and its residents. As this area develops the services provided will be utilized by residents and workers in the area.
- g. The proposed special uses will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned BIZ General Business District to the north (across 159th Street) and east. To the south, land is zoned R-4 Residential District and contains the Highlandbrook Subdivision. To the west, across 88th Avenue is land in Orland Hills. The proposed planned development

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will be compatible with these surrounding uses.

h. The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. Landscaping will be extensive, with a mix of deciduous and evergreen material to provide seasonal color and interest. A requirement to substitute additional evergreens for some of the deciduous trees in the south bufferyard will create a more solid screen from adjacent residence.

i. 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 at an adequate level of service. The site is located at the corner of 159th Street and 88th Avenue, and has access to both streets.

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.

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

l. The special use 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 district in which it is located as well as all applicable regulations and ordinances of the Village, unless specifically addressed in this or another Ordinance.

SECTION 3

The Subject Property described below is hereby rezoned from E-1 Estate Residential District and R-1 Residential District to BIZ General Business District under the Land Development Code of the Village of Orland Park, as amended.

The Subject Property is legally described as follows:

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (EXCEPT THE WEST 1 ROD OF THE NORTH 80 RODS THEREOF) OF SECTION 23, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF 159TH STREET AS DEDICATED PER DOCUMENT NO. 10909314, AND NORTH OF A LINE BEING 876.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

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SECTION 4

A special use permit subject to the conditions below is hereby granted and issued to Praedium Development Corporation, for the construction and operation of a planned development consisting of 40,000 sq. ft. of commercial space in five (5) buildings on a single lot on the Subject Property.

The Subject Property is legally described in Section 3, above.

This special use permit for planned development includes a modification to reduce the detention setback from 25 to 15 feet, includes permission for a carwash use and is subject to the following conditions:

1. That construction be pursuant to the hereby-approved site plan titled "The Shops at 88 Orland Park Illinois," prepared by Tech 3 Consulting Group, Inc., job number 05011, dated November 1, 2005, latest revision 02-09-06, and the building elevations titled "Proposed Commercial Development Orland Park Illinois," prepared by Adime Architecture, Inc., project number 02432, dated 06-01-02, latest revision 11-15-04, Sheet A.4 that shows a two-story building, and Sheet A.4 that shows a one-story building, subject to the following conditions:
 - a. The Petitioner submit a landscape plan per Village Code, within sixty (60) days for final engineering approval for separate review and Village Board approval.
 - b. That the final landscape plan substitute 50% of the required Deciduous Bufferyard Trees with Evergreen trees along the South Bufferyard in order to create a more solid screen from the adjacent residences.
 - c. That all final engineering related items are met.
 - d. That the Petitioner submit elevations of the proposed carwash for an appearance review within ninety (90) days.
2. That the hereby-approved subdivision of the Subject Property, consolidating two lots into one 5.72 acre lot, subject to the same conditions as outlined above, be recorded with the Cook County Recorder's Office.

SECTION 5

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the granting of the special use permit as aforesaid.

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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

PUBLISHED this 18th day of April, 2006

/s/ David P. Maher

David P. Maher, Village Clerk