



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
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Ordinance No: 4194

File Number: 2005-0259

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED
DEVELOPMENT-- SOUTHMOOR COMMONS, FORMERLY KNOWN AS CHASE PLAZA

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 17th day of October, 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 GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED DEVELOPMENT-- SOUTHMOOR COMMONS, FORMERLY KNOWN AS CHASE PLAZA

WHEREAS, an application seeking an amendment to a special use permit for certain real estate, as set forth below, to include, among other things, a minor special use for bank drive-in service facilities, 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 June 14, 2005, January 24, 2006, properly continued to March 14, 2006, and September 5, 2006, on whether the requested amendment to a special use for planned development 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 the June 14, 2005, January 24, 2006 and September 5, 2006 public hearings by publication not more than thirty (30) days nor less than fifteen (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 this President and Board of Trustees its report of findings and recommendations that the requested amendment to a 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 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 amendment to a special use permit 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.

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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 amendment to a special use permit for planned development, including a minor special use for a bank drive-in service facility, as follows:

(a) The Subject Property is located at the southeast corner of 131st Street and LaGrange Road and is zoned BIZ General Business District within the Village of Orland Park, Cook and Will Counties, Illinois. It is an 8.52-acre site. The site was originally planned for commercial development as a part of the Southmoor special use for planned development approved by Ordinance 3732, February 3, 2002. Petitioner has now re-applied for a special use amendment as described below.

(b) The proposed commercial development is to include six (6) buildings with a total of approximately 62,000 square feet of space, and a corner plaza to create an attractive gateway feature for the Village.

(c) The use of Building 1 on the Site Plan for a Chase Bank or other financial and banking facility is a permitted use in the BIZ District and is consistent with the use provisions of the Annexation Agreement. The bank drive-in service facility proposed for Building 1 on the Site Plan also is consistent with the use provisions of the aforesaid Annexation Agreement and is an enumerated minor special use in the BIZ District, in Section 6-207 of the Land Development Code. Said bank drive-in service facility meets the general standards for all special uses set forth in Section 5-105(E) of the Land Development Code.

(d) Modifications in the building and parking setback requirements are appropriate in order to permit parking between the building facades of Buildings 5 and 6 and the adjacent streets. These modifications are necessary because recent changes in the Land Development Code prohibit parking between the front façade of a commercial building and an adjacent street. In this case Buildings 5 and 6 face the internal parking area, and so of course have parking between the front of the building and the adjacent streets.

(e) Granting the modification for parking will enhance the ability of the proposed amended special use to meet the general standards for all special uses set out in Section 5-105(E) of the Land Development Code. Specifically, granting the requested modifications will enable the amended special use to minimize adverse effects including visual effects on adjacent properties. Most of the parking will be within the commercial center, not seen from LaGrange Road on 131st Street.

(f) The proposed amended special use for planned development, including a minor special use for bank drive-through service facility, is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned R-4 Residential District to the south and east and contains

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residences and condominiums in the Southmoor Planned Development. Commercial uses at this corner enhance that development. Property to the west is zoned E-1 Estate Residential District and contains Carl Sandburg High School. The proposed uses in the Commons are permitted uses in the BIZ District, or are permitted in accordance with the use provisions of the Annexation Agreement, including Exhibit D thereto, so amending the adopted plan to allow for a revised layout will be consistent with these surrounding uses.

(g) The amendment to a special use for planned development, including a minor special use for bank drive-in service facility, is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code of the Village of Orland Park. The Comprehensive Plan designates this site as private open space, but the adoption of Ordinance 3732 approving residential and commercial planned development of the area effectively changed that part of the Plan. This revised development is consistent with the originally-approved commercial uses for this location.

(h) The design of the proposed amended special use for planned development, including a minor special use for a bank drive-through service facility, will minimize any adverse effects, including visual impacts, on adjacent properties. Landscaping will be extensive. There is an attractive gateway to the Village feature at the northwest corner of the development.

(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 amended special use at an adequate level of service. Parking is expected to be adequate.

(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 amended special use for planned development, including a minor special use for bank drive-in service facility as granted shall in all aspects conform to the applicable regulations of this Ordinance, Ordinance 3732 and 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 proposed Plat of Subdivision of Southmoor Commons Subdivision ("Plat of Subdivision") dated

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September 15, 2006 prepared by Woolpert, Inc, showing the property legally described as:

LOT 1 OF SOUTHMOOR SUBDIVISION BEING A SUBDIVISION IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL, IN COOK COUNTY, ILLINOIS EXCEPT THAT PART CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION PER DOCUMENT NUMBER 031809058 RECORDED JULY 17, 2003

is hereby approved for resubdivision into six (6) lots as set forth therein.

SECTION 4

An amendment to the special use permit for a planned development granted by Ordinance 3732 is hereby granted and issued for an approximately 62,000 square foot commercial development in six (6) buildings on six (6) separate lots, including a minor special use for bank drive-through service facility, to be located on property legally described as:

LOT 1 OF SOUTHMOOR SUBDIVISION BEING A SUBDIVISION IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL, IN COOK COUNTY, ILLINOIS EXCEPT THAT PART CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION PER DOCUMENT NUMBER 031809058 RECORDED JULY 17, 2003.

This amendment to a special use permit for planned development includes modifications to permit parking between the building facades and adjacent streets for Buildings 5 and 6 and is subject to the following conditions:

1. That development be pursuant to the hereby-approved Site Plan entitled "Southmoor Commons - Site Plan" prepared by Guajardo REC Architects LLC, dated August 28, 2006, and, subject to the following further conditions:
 - a. That the drive-through shown in connection with building 3 be entirely deleted.
 - b. That a Landscaping Plan in accordance with Village Code and based on final engineering drawings, be submitted within sixty (60) days of Board approval of this Ordinance for separate review and approval;
 - c. That all Final Engineering items and Building Code items be met;

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d. That Petitioner return to the Village Plan Commission for an Appearance Review of the proposed Freestanding Signage elevation as shown on the Site Plan and the sign elevation dated August 28, 2006, before commencing construction of said signage; and

e. That no building permit be issued, and no construction commenced, as to "Building 5" (the building to be located at the southeast corner of the subject property) shown on the above Site Plan, until the Village Board approves the adequacy (the number and location) of parking spaces being provided on the subject property considering, inter alia, the findings set forth in a standard form of shared parking analysis and/or traffic pattern study which may be presented by Petitioner. If the Village Board determines, in its sole discretion, the parking to be inadequate, the site planned for Building 5 shall be used for additional parking and not for a building. The Village Board acknowledges that Petitioner, at the request of the Village Board, has reduced the size of Building 5 from 8,500 square feet to 6,500 square feet to address the issue of adequate parking.

2. That building, sign and monument elevations be pursuant to the hereby approved (i) "Building No. 3 (Shop Building)" elevation prepared by Guajardo REC Architects LLC dated August 8, 2005, with the drive-through facility shown on the Site Plan entirely removed; (ii) the building elevations entitled "Chase" prepared by Interplan Midwest dated June 24, 2005, including the bank drive-through service facility; (iii) Village Gateway Monument Elevation and Plan prepared by Guajardo REC Architects LLC dated August 8, 2005; (iv) Freestanding Signage Elevation prepared by Guajardo REC Architects LLC dated August 8, 2005 and (v) the building elevation drawing entitled "Southmoor Commons ALDI Elevations" prepared by V-Land Corporation and ALDI, Inc. dated August 28, 2006.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use for planned development and Ordinance No. 3732, the original special use for planned development covering the property and the Annexation Agreement, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit, as it applies to the non-compliant portion of the development, and this amendment, as it applies to the non-compliant portion of the development, 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, shall be amended so as to be in conformance with the granting of this amended special use for planned development as aforesaid.

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SECTION 7

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED this 16th day of October, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

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

Nay: 1 Trustee Fenton

Absent: 1 Trustee Murphy

DEPOSITED in my office this 16th day of October, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 16th day of October, 2006

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 17th day of October, 2006

/s/ David P. Maher

David P. Maher, Village Clerk