

ORDINANCE GRANTING A SPECIAL USE PERMIT WITH MODIFICATIONS AND ASSOCIATED SITE PLAN AND ELEVATION CHANGES AT THE 15882 SOUTH LA GRANGE ROAD RETAIL PLAZA – PLANNED UNIT DEVELOPMENT

WHEREAS, an application seeking a special use to establish, construct and maintain two (2) new retail buildings on a single lot on the northwest corner of 159th Street and La Grange Road with modifications to reduce the La Grange Road setback from twenty-five (25) feet to four (4) feet eleven (11) inches, reduce the 159th Street setback from twenty-five (25) feet to three (3) feet, reduce the side setback from fifteen (15) feet to ten (10) feet, and reduce the east, west and south bufferyards to function within the modified/established building setback requirements 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, said Plan Commission of this Village held a public hearing on November 10, 2015 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 public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in the Orland Park Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use be granted with this President and Board of Trustees, and this Board of Trustees have 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 of this Village has made its report of findings and recommendations regarding the proposed special use. The findings of the Plan Commission are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearings are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special use with modifications is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use to establish, construct and maintain two (2) new retail buildings on a single lot on the northwest corner of 159th Street and La Grange Road with modifications to reduce the La Grange Road setback from twenty-five (25) feet to four (4) feet eleven (11) inches, reduce the 159th Street setback from twenty-five (25) feet to three (3) feet, reduce the side setback from fifteen (15) feet to ten (10) feet, and reduce the east, west and south bufferyards to function within the modified/established building setback requirements, as follows:

(a) The Subject Property is located at 15882-15898 South La Grange Road within the Village of Orland Park. The Subject Property is zoned COR Core Mixed Use District. Petitioner is proposing to demolish the two (2) existing buildings that currently occupy the site and establish, construct and maintain two (2) new commercial buildings at the northwest corner of the 159th Street and La Grange Road intersection. A special use for the Planned Unit Development is necessary to construct two buildings on a single property. The south building, Building A, will hold the corner, and will conform to the corner clip of the intersection to maximized the amount of fenestration immediately adjacent to the street. The north building, Building B, will also be located along La Grange Road and will frame the site. The two (2) new buildings will amount to 14,150 square feet of retail building on the Subject Property, which is comparable in size to Miroballi Plaza at 144th Place and La Grange Road.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Subject Property is located in the Regional Core Planning District, and the Comprehensive Plan designates this area for Regional Mixed Use. The proposed land use is compatible with the existing land use, which is Retail and Restaurant, and the two (2) new buildings will continue the precedent of having two (2) buildings on the Subject Property.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned COR Core Mixed Use to the north, COR Core Mixed Use to the south, BIZ General Business District to the east, and COR Core Mixed Use to the west, where other commercial developments are located.

(d) The design of the development will minimize adverse effects. The proposed lot coverage meets all zoning code requirements. The Subject Property is bounded on the east and south by La Grange Road and 159th Street and is served by two main ingress/egress points, one off each arterial, which will accommodate onsite circulation. The location of each driveway is an existing condition, and the Petitioner is not proposing to make any changes to the existing access points. The proposed site plan will connect the internal sidewalk network to the public sidewalk network on 159th Street by extending the 159th Street sidewalk north into the Subject Property at the west side of the driveway to be in line with the private sidewalk on the east side of the driveway, which will provide pedestrian access to the development. Buildings A and B are mainly

characterized by facades dominated by two color tones of masonry (in beige and brown) with stone at the foundation level and various engaged columns with lighting punctuating the wall surfaces in between the storefront window and entry areas. The tops of columns and parapets will carry the same cornice theme to unify the development and its tenant spaces. Existing conditions on the Subject Property reflect 100% lot coverage with no landscaping. The proposed site plan increases the amount of permeable surface area for landscape areas, particularly south of Building B and north of Building A. The addition of green space between La Grange Road and Building B will provide the opportunity to frame the right of way with landscaping. There is adequate parking on site. However, in order to facilitate a functional parking lot per Code requirements on the Subject Property, the proposed two (2) buildings must be placed along La Grange Road. It has been determined that the modification to reduce the setback from twenty-five (25) feet to four (4) feet eleven (11) inches on La Grange Road and twenty-five (25) feet to three (3) feet on 159th Street is necessary to enable redevelopment on the Subject Property. There is precedent at this intersection for having buildings closer to the street than anticipated. The modification to reduce the side setback from fifteen (15) feet to ten (10) feet is required to accommodate the location of the La Grange Road curb-cut, which remains in its existing location, and the parking lot that is positioned alongside it. Finally, the modification to reduce the east, west and south bufferyards are necessary to function within the modified established building setback requirements.

(e) There will be no adverse effects on the value of adjacent property. The current land use of the Subject Property is not changing. The overall aesthetics of the site are going to be significantly improved by the development, both from a site and building standpoint. In an effort to avoid using land from neighboring properties or impacting their operations and site functionality, the proposed parking will continue the existing dead-end condition at the north end of the property.

(f) 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. All utilities for this development are present and available for redevelopment. Detention is not required for the Subject Property because it is currently developed at 100% lot coverage.

(g) Petitioner has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.

(h) The Illinois Historic Preservation Agency reviewed the Subject Property and confirmed that the development will not adversely affect a known archaeological, historical or cultural resource.

(i) The proposed development shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances and regulations of the Village.

SECTION 3

A special use permit to establish, construct and maintain two (2) new retail buildings on a single lot on the northwest corner of 159th Street and La Grange Road with modifications to reduce the La Grange Road setback from twenty-five (25) feet to four (4) feet eleven (11) inches, reduce the 159th Street setback from twenty-five (25) feet to three (3) feet, reduce the side setback from fifteen (15) feet to ten (10) feet, and reduce the east, west and south bufferyards to function within the modified/established building setback requirements is hereby granted, subject to the conditions below, and issued to 15882 South La Grange Road Retail Plaza – Planned Unit Development, for the following described property:

THE EAST 225.0 FEET OF THE SOUTH 339.0 FEET OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTH 48.85 FEET OF THE SOUTH 387.85 FEET OF THE EAST 222.0 FEET OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 16 (EXCEPT THAT PART THEREOF FALLING IN 159TH STREET AND 96TH AVENUE), ALL IN COOK COUNTY, ILLINOIS.

PIN: 09-16-200-026

This special use amendment is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the preliminary site plan titled, "GW Properties Proposed Commercial Development 159th Street and La Grange Road, Orland Park, IL," prepared by Design Studio 24 LLC, dated August 3, 2015, sheet C2.0, subject to the following conditions:

1. Post "No Parking-Loading Zone" signs (with time limits) to accommodate loading activities on the west side of both buildings.
2. Add more landscaping to the north elevation of Building B to address blank wall surfaces.
3. Submit a final landscape plan, meeting all Village Codes, for separate review and approval within sixty (60) days of final engineering approval.
4. Meet all final engineering and building code related items.

B. The Subject Property shall be developed substantially in accordance the Elevations titled "Building A Elevations New Retail Development 159th and La Grange Road, Orland Park, IL" and "Building B Elevations New Retail Development 159th and La Grange Road, Orland Park, IL," prepared by Design Studio 24 LLC, sheets A2.1 and B2.1 respectively, both dated November 2, 2015, subject to the same conditions outlined in the Preliminary Site Plan above and the following conditions:

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline.
2. Ensure the level of transparency for all windows on both Buildings A and B are appropriate to the context of the surrounding area for activated street frontages.

SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance and all other codes and ordinances of the Village unless specifically amended by this or another ordinance. In the event of non-compliance, the permit and modifications of this Ordinance shall be subject to revocation by appropriate legal proceedings.

SECTION 5

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 the special use with modifications for the planned unit development as aforesaid.

SECTION 6

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