

ORDINANCE GRANTING A SPECIAL USE FOR CONGREGATE ELDERLY HOUSING (THOMAS PLACE)

WHEREAS, an application seeking a special use for a four-story 80-unit rental residential building that is income and age restricted and designated as "congregate elderly housing" 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 March 8, 2011 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 March 8, 2011, public hearing by publication not more than thirty (30) days nor less than fifteen (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 with this President and Board of Trustees its report of findings and recommendations that the requested special use for a four-story 80-unit rental residential building that is income and age restricted and designated as "congregate elderly housing" 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 for a four-story 80-unit rental residential building that is income and age restricted and designated as "congregate elderly housing" 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 special use permit for a four-story 80-unit rental residential

building that is income and age restricted and designated as “congregate elderly housing” with modifications as follows:

- (a) The Subject Property is located within the Village of Orland Park in Cook County, at 15415 and 15555 Harlem Avenue and is zoned BIZ General Business District. It is a 9.7-acre site that will be resubdivided into a new four-acre parcel where the facility will be constructed and a .454-acre parcel used for access.
- (b) The Subject Property is of the type contemplated in Sections 6-207(C) of the Orland Park Land Development Code. The petitioner proposes to construct an 80-unit age and income restricted rental residential community designated as “congregate elderly housing.” The facility is considered independent living and will not provide assisted living services.
- (c) Petitioner also requests several modifications. The first modification is to increase the parking by more than 20% of the required parking. This modification is requested due to the residential nature of the property. The fact that the facility will be independent living warrants parking in excess of the Land Development Code requirements.
- (d) The next modification is requested to allow a parking and drive aisle to be located in the Harlem Avenue front setback. This modification is requested due to the abnormal shape of the parcel and building layout. The petitioner minimized this request by locating additional surface parking to the sides of the building and locating most of the parking interior to the building. This modification is appropriate based on the provision of interior parking.
- (e) Another modification is requested to reduce the required detention setback from twenty-five feet (25') to five feet (5'). The proposed plan provides a twenty-five foot (25') minimum setback from the normal water level and a five foot (5') minimum setback from the high water level. This request is also made to allow for pond expansion when future development occurs on the vacant, adjacent parcel. Therefore, this request is appropriate.
- (f) The last modification is to reduce the north landscape bufferyard to twenty feet (20') instead of the required thirty feet (30'). The site plan includes ten feet (10') of foundation landscaping along the north side of the building, which is not required by the Code and serves to offset this requested modification.
- (g) Granting the requested modifications will enhance the ability of the proposed special use to meet the general standards for all special uses set out in Section 5-105(E) of the Land Development Code.
- (h) The proposed special use for an 80-unit age and income restricted rental residential community designated as “congregate elderly housing” is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned BIZ General Business District to the west (across Harlem Avenue) and to the south. Property

to the north is located in Oak Forest and contains a self-storage facility. Property to the east is zoned MFG Manufacturing District. The proposed congregate living facility is an enumerated special use in the BIZ General Business District.

(i) The special use for an 80-unit age and income restricted rental residential community designated as “congregate elderly housing” 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 Community Intensity Commercial/Office. The Subject Property has been vacant for several years and has been highlighted as an area for redevelopment in the Harlem Avenue Corridor Plan, which recommended a mix of residential and commercial/office uses for the site.

(j) The design of the proposed special use for congregate elderly housing will minimize any adverse effects, including visual impacts, on adjacent properties. It has been designed to incorporate green space and landscaping to further minimize any potential adverse impacts on adjacent properties. In addition, the building elevations include protruding balconies, the parking area entrances and stairwells on the ends to vary the depth in the façade. The petitioner has located the access drive near the west property line to provide maximum flexibility for future development on adjacent sites and also to provide for a wider landscape buffer and room for pedestrian connection to Wheeler Drive. The project will have extensive landscaping and a private courtyard. In addition, each unit has at least one covered parking space. The project is also well below the limit for lot coverage.

(k) 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/planned development at an adequate level of service. The project is accessible via an access drive off Wheeler Drive. Emergency access is provided along the drive aisles along the south, west and north sides of the building. Additional access is also available along Harlem Avenue, 70th Court and the parking lot on the property to the east.

(l) 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.

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

(n) The special use for congregate elderly housing 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

Subject to the conditions below, a special use permit for an 80-unit age and income restricted rental residential community designated as “congregate elderly housing” in the BIZ General Business District, is hereby granted and issued to Thomas Place, to be located on property legally described as:

LOT 5 IN SILVER LAKE GARDENS UNIT NUMBER 7, A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER (EXCEPT THE WEST 270 FEET OF THE SOUTH 260 FEET THEREOF) AND THE SOUTH 20 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER (EXCEPT THAT PART DEDICATED FOR ROAD RIGHT OF WAY) ALL IN SECTION 18, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

And

LOT 5 IN FRANCES VOSS RESUBDIVISION OF LOT 117 IN CATALINA’S COMMERCIAL AND INDUSTRIAL SUBDIVISION OF PART OF THE WEST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

PINs: 28-18-100-012-0000 and 28-18-100-024-0000

This special use permit for an 80-unit age and income restricted rental residential community designated as “congregate elderly housing” includes modifications to allow the number of parking spaces to exceed the Code requirements by more than 20%, to permit a parking and drive aisle to be located in the Harlem Avenue front setback, to reduce the detention setback from twenty-five feet (25') to five feet (5') and to reduce the north landscape bufferyard from thirty feet (30') to twenty feet (20') and is subject to the following conditions:

1. That development is completed pursuant to the Site Plan and Building Elevations as shown on the Site Plan entitled “Preliminary Site Plan Thomas Place,” prepared by SpaceCo, job number 6674, dated February 2, 20011, revised February 28, 2011, sheet L1 and the Building Elevations entitled “Thomas Place Orland Park” prepared by Ryan companies, job number 1407-126, dated January 31, 2011, sheet A201, subject to the following conditions:
 - a. Petitioner must submit for Village approval a relocation plan prepared in conjunction with the Collaborative Healthcare Urgency Group (“CHUG”);
 - b. Petitioner shall, upon application for the initial building per unit, pay to the Village the sum of \$32,628 in lieu of a park land contribution as otherwise required by the Code;
 - c. Petitioner shall provide to the Village, for Village approval, a detailed design for the private courtyard with amenities such as paths, patios and benches as well as foundation

landscaping that softens the brick first floor façade, and also provide a buffer yard along the east property line with screening and evergreen material in excess of Code requirements;

- d. All final engineering related items are met as required by the Village;
- e. Petitioner shall submit for Village review and approval, within 60 days of final engineering approval by the Village, a landscape plan meeting Code requirements; and
- f. The “Build Orland” program benefits will be extended by the Village for this project to June 30, 2012.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this special use for an 80-unit age and income restricted rental residential community designated as “congregate elderly housing”, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit 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 amended special use permit for planned 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.