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ORDINANCE GRANTING AN AMENDED SPECIAL USE PERMIT WITH MODIFICATIONS AND ASSOCIATED SITE PLAN (SMITH CROSSING – PHASE III – 10501 EMILIE LANE)

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WHEREAS, an application seeking an amended special use permit to develop a two story, 45,191 square foot forty-six (46) unit short term rehabilitation facility, with modifications and associated site plan, has been filed by the Petitioner (as herein identified) 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 March 13, 2018, on whether the requested amended special use permit with modifications 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 amended special use with modifications 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 amended special use permit with modifications. 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, exclusive of the roadway easement along the East boundary of the Petitioner's Smith Crossing campus. 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 amended special use permit 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 amended special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village, which designates the site at 10501 Emilie Lane ("Subject Property") as "I-80 Employment Planning District (Mixed Residential)".

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed amended special use to allow for congregate elderly care in the COR Mixed Use Zoning District with modifications and associated site plan as follows:

(a) The Subject Property is located at 10501 Emilie Lane within the Village of Orland Park in Cook County, Illinois. The proposal is to develop a two (2) story, 45,191 square foot short-term rehabilitation facility and a 60 space parking lot on an approximately 30-acre vacant site that is owned by the Petitioner, WASHINGTON AND JANE SMITH COMMUNITY – ORLAND PARK, an Illinois not-for-profit corporation. An amended special use permit is required because the project is categorized as a congregate elderly care facility. The proposed amendments to the existing site plan for the existing Smith Crossing campus include a building footprint connected to the existing buildings, the rerouting of Emilie Lane to connect at two (2) points with 183rd Street, and the closing of vehicular access from Emilie Lane to Orland Parkway, the limiting of the left turn lane on Orland Parkway into Emilie Lane to emergency vehicles only, the expansion of the internal road and sidewalk system, the addition of an emergency vehicle access lane with swing gates along the south side of the building expansion, the addition of a new parking lot and sixty (60) parking spaces, and the creation of two (2) new storm water detention basins. In addition, modifications are sought to reduce the setback between detention ponds and development from twenty-five feet (25') to approximately twenty feet (20') and to permit location of the parking lot and trash enclosure within the setback area between the building facade and the street.

(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 Comprehensive Plan designates this area as "I-80 Employment Planning District (Mixed Residential)", and the Subject Property is located in the COR Mixed Use Zoning District. The Subject Property will fulfill the COR Mixed Use District's established principles by promoting mixed-uses, allowing the clustering of relatively dense development to create an integrated setting and reduce automobile dependency.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, i.e., to the north, R-4 Residential (Eagle Ridge Subdivision), to the south, RMC Regional Mixed Use Campus (currently vacant), to the east, RMC Regional Mixed Use Campus (vacant and Horton Group), and to the west, E-1 Estate Residential (Stone Church).

(d) The design of the development will minimize adverse effects. The proposed site plan illustrates a two (2) story, 45,191 square foot forty-six (46) unit short term rehabilitation facility, with modifications and associated site plan. The color scheme of the building will closely resemble the surrounding developments. The proposed modification to reduce the setback between the detention basins and development from twenty-five feet (25') to approximately twenty feet (20') is acceptable to allow for sizing the ponds in order to provide necessary stormwater storage and to meet the Village requirement that the ponds be no deeper than five feet (5'). Additionally, the modification to locate the parking lot and trash enclosure within the setback area between the building facade and the street is acceptable to provide the required

amount of parking for the expansion while minimizing any disturbance to the existing site. The trash enclosure will be adequately screened.

(e) There will be no adverse effects on the value of the property. The Subject Property is currently vacant, and this amended special use development will bring commerce to the Village as well as provide residents with access to health and wellness providers. Additionally, the development will facilitate new landscaping on and around the Subject Property, and will allow for a connected network of perimeter sidewalks, roadways and walkways.

(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 will be capable of serving the amended special use at an adequate level of service. All utilities are accounted for and can accommodate the proposed development layout. Specifically, adequate capacity for sanitary and water service will be available on site, the storm water management system serving the Smith Crossing campus has adequate capacity to service this development, and a traffic study has been completed, which confirms that existing and proposed roads will adequately service the development.

(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 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

An amended special use permit to allow for a two (2) story, 45,191 square foot forty-six (46) unit short term rehabilitation facility, an amended site plan, and modifications as specified in Section 2(d) of this Ordinance is hereby granted, subject to the conditions below for the following described property:

PART OF LOT 1 IN SMITH CROSSING SUBDIVISION BEING PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT R2004160514 ON AUGUST 30, 2004 IN WILL COUNTY, ILLINOIS.

PIN: 19-09-05-201-001-0000

This amended special use permit is subject to the following conditions:

A. The Phase III Development shall be developed substantially in accordance with the Site Plan entitled "Overall Site Plan," prepared by Kimley-Horn and Associates, dated September 29,

2017, last revised February 13, 2018, sheet EX-1, subject to the following conditions to be met by Petitioner:

- 1) Extend the existing grass median into the left turn lane from Orland Parkway to Emilie Lane limiting left turns to emergency vehicles only;
- 2) Provide a “grasscrete” or similar material in place of the proposed asphalt emergency access drive-aisle between Orland Parkway and the proposed building expansion;
- 3) Provide all additional signage necessary to aid visitors with wayfinding;
- 4) Submit to the Village for approval a sign permit for all proposed signage; and
- 5) Meet all Village final engineering requirements.

B. The Phase III Development shall be developed substantially in accordance with the elevation drawings entitled "Smith Crossing Rehab," sheets E1, E2, E3 and G230, prepared by AG Architecture, dated December 20, 2017, subject to the following conditions to be met by Petitioner:

- 1) Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;
- 2) Meet all Village Building Code requirements.

C. The Phase III Development shall be developed substantially in accordance with the preliminary landscape plan entitled "Preliminary Landscape Plan," prepared by Kimley-Horn and Associates, dated September 29, 2017, last revised November 24, 2017, sheets L2.0 and L2.1, subject to the condition that Petitioner must submit a final landscape plan and all required supporting documentation in coordination with final engineering submittal.

SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance, the Development Agreement between the Village and Petitioner, 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 amended special use with modifications for the 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.