

ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED DEVELOPMENT WITH MODIFICATIONS (ORLAND RIDGE – 16727 TO 16801 S. LAGRANGE ROAD)

WHEREAS, an application seeking a special use planned development permit to develop, the Subject Property (which comprises 57.54 total acres) for 104 attached ranch villa dwelling units, 190 attached townhome units, a club house, private streets, public art, recreational facilities and a storm water management system, 19,000 square feet of retail space (now conceptual), 26,625 square feet of restaurant space (now conceptual) and a 6-story 122 room hotel (now conceptual) with modifications, has been filed by the Petitioners 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 (the “Code”); and

WHEREAS, said Plan Commission of this Village held public hearings on February 19, 2019, and March 3, 2020, on whether the requested special use planned development 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 hearings by publication not more than 30 days nor less than 15 days prior to said hearing in Daily Southtown, 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 planned development 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 special use planned development 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. 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 planned development 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 Code as set forth in Section 1-102 thereof. Said Special Use Permits and Special Use Permit for a Planned Development is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village, which designates the Subject Property as “Regional Mixed Use” in the “Regional Core Mixed Use” Planning District.

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 planned development for a residential planned development in the COR Mixed Use Zoning District with modifications, as follows:

(a) The Subject Property is located on LaGrange Road approximately 3 miles north of Interstate 80. The development is envisioned to be an upscale residential community with high end products and numerous desirable amenities. The Petitioners are proposing (and which the approved Site Plan hereinafter referenced describes) to construct a mixed use planned development that includes 104 attached dwelling units, 190 attached townhome units, a club house with a pool, several parks, a network of multi-use paths connecting to a larger system of multi-use paths in the region, a green space corridor within the townhome development, a fitness trail, a large preserved and enhanced wetland, a large naturalized pond with an overlook, a multi-use trail, educational signage and community gathering spaces/plazas in the future commercial area. The future commercial area is presently in conceptual stage but will feature commercial and restaurant areas plus a hotel with up to 122 rooms. These conceptual plans will require subsequent review and approval by the Village Board of Trustees.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Code. The Comprehensive Plan designates this area as “Regional Mixed Use”, 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, and south is a mix of commercial retail and restaurants, to the east is primarily existing residential with a single commercial gas station and to the west is Cook County Forest Preserve.

(d) The design of the development will minimize adverse effects. The proposed site plan illustrates planned development as described in (a) above which special use is a planned development incorporates six (6) special uses, with modifications, hereinafter described.

(e) There will be no adverse effects on the value of the property. The Subject Property is currently vacant, and this special use planned 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 Petitioners have 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 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 has adequate capacity to service this development, and existing and proposed roads will adequately service the development.

(g) Petitioners have 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

A Special Use for a Planned Development to allow for a mixed use residential and commercial planned development as described in SECTION 2(a) above, and modifications as specified in Section 2(d) of this Ordinance, is hereby granted, subject to the conditions below for the following described property:

LEGAL DESCRIPTION: THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, (EXCEPTING THEREFROM THE SOUTH 30.89 FEET AND THE EAST 33.00 FEET THEREOF AND EXCEPTING THEREFROM THE NORTH 460.0 FEET OF THE EAST 474.0 FEET THEREOF AND EXCEPTING THEREFROM THE NORTH 574.0 FEET OF THE WEST 380.0 FEET OF THE EAST 854.0 FEET THEREOF AND EXCEPTING THEREFROM THAT PART OF THE NORTH 466.70 FEET LYING WEST OF THE EAST 854.0 FEET THEREOF AND EXPECTING THAT PART TAKEN FOR HIGHWAY PER DOCUMENT 10155686 AND ALSO EXCEPTING THEREFROM THAT PART CONVEYED BY DOCUMENT 92907123, DESCRIBED AS FOLLOWS:

PARCEL 1: THE NORTH 19.11 FEET OF THE SOUTH 50 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING THEREFROM THOSE PARTS FALLING IN 96TH AVENUE AND 94TH AVENUE), IN COOK COUNTY, ILLINOIS; AND

PARCEL 2: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, AFORESAID, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER, AFORESAID; THENCE EAST, ALONG THE SOUTH LINE THEREOF, 42.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 96TH AVENUE; THENCE NORTH, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, TO ITS INTERSECTION WITH A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 15 FEET; THENCE SOUTHEASTERLY TO A POINT ON A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, SAID POINT BEING 15 FEET EAST OF THE

POINT OF BEGINNING; THENCE WEST 15 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS; AND

PARCEL 3: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, AFORESAID, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER, AFORESAID; THENCE WEST, ALONG THE SOUTH LINE THEREOF, 33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 94TH AVENUE; THENCE NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, TO ITS INTERSECTION WITH A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, FOR A POINT OF BEGINNING, THENCE CONTINUING NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 15 FEET; THENCE SOUTHWESTERLY TO A POINT ON A LINE 50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE, AFORESAID, SAID POINT BEING 15 FEET WEST OF THE POINT OF BEGINNING; THENCE EAST 15 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS;

AND ALSO EXCEPTING THEREFROM THAT PART CONVEYED BY DOCUMENT 00340393, DESCRIBED AS FOLLOWS: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 83 FOOT 94TH AVENUE, SAID POINT BEING 65 FEET NORTH OF AND 33 FEET WEST OF THE SOUTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (AS MEASURED ALONG THE EAST LINE THEREOF AND ON A LINE AT RIGHT ANGLES THERETO); THENCE NORTH, ALONG SAID WESTERLY RIGHT-OF-WAY LINE 2119.65 FEET MORE OR LESS, TO A POINT, SAID POINT BEING 460 FEET SOUTH OF AND 33 FEET WEST OF THE NORTHEAST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (AS MEASURED ALONG THE EAST LINE THEREOF AND ON A LINE AT RIGHT ANGLES THERETO); THENCE WEST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 17 FEET TO THE SOUTHEAST CORNER OF LOT 6 IN ROYAL RIDGE ESTATES, RECORDED FEBRUARY 23, 1990, AS DOCUMENT 90086955; THENCE SOUTH, ALONG A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 2134.65 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY LINE OF 171ST STREET; THENCE EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 2 FEET; THENCE NORTHEASTERLY TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AND ALSO EXCEPTING THEREFROM THAT PART BEING CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION: TRACT 1: THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER: THENCE NORTH 1 DEGREE 47 MINUTES 38 SECONDS WEST (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 1983) 50.00 FEET, ALONG THE WEST LINE OF SAID

NORTHWEST QUARTER, TO THE NORTH LINE OF THE SOUTH 50 FEET OF SAID WEST HALF OF THE NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 20 MINUTES 00 SECONDS EAST 42.37 FEET, ALONG SAID NORTH LINE, TO THE EAST RIGHT-OF-WAY LINE OF US ROUTE 45 ACCORDING TO DOCUMENT 10155686, RECORDED SEPTEMBER 24, 1928; THENCE NORTH 1 DEGREE 56 MINUTES 22 SECONDS WEST 15.00 FEET, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 1 DEGREE MINUTES 22 SECONDS WEST 2113.31 FEET, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE SOUTH LINE OF THE NORTH 466.7 FEET OF SAID WEST HALF, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 1 IN JACK DEVELOPMENT ACCORDING TO THE PLAT THEREOF RECORDED JUNE 18, 1998, AS DOCUMENT 98516981; THENCE NORTH 88 DEGREES 19 MINUTES 23 SECONDS EAST 49.00 FEET, ALONG SAID COMMON LINE; THENCE SOUTH 1 DEGREE 56 MINUTES 22 SECONDS EAST 2105. 90 FEET; THENCE SOUTH 48 DEGREES 41 MINUTES 0 SECONDS EAST 32.87 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 171ST STREET ACCORDING TO DOCUMENT 92907123 RECORDED DECEMBER 3, 1992; THENCE SOUTH 88 DEGREES 20 MINUTES 00 SECONDS WEST 57.94 FEET, ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE NORTH 46 DEGREES 48 MINUTES 11 SECONDS WEST 21.26 FEET, ALONG SAID NORTH RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING), ALL IN TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 27-27-100-015 and 27-27-100-019

This special use permit is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Preliminary Site Plan titled "Grading and Drainage Plan," prepared by Kimley Horn & Associates, dated February 14, 2020, Sheets C3.0-C.10 and the Park Exhibit titled "Park Area Exhibit" prepared by Kimley Horn & Associates dated November 6, 2018, revised November 18, 2018, subject to the following conditions:

- (a) The commercial component of the Site Dimension Plan is conceptual, with the exception of the proposed "community gathering space", located between Building B and Building C, and will need to go through the entire Development Review process for approval once tenants are selected and the project is designed. The "community gathering space" is not conceptual and is required as a condition of final site plan approval of the commercial parcel upon which it is located, and is to be constructed at the time of initial development of the commercial parcel; and
- (b) An additional "community gathering space" that measures 0.29 acres, in the commercial area will be required as a condition of final site plan approval of the commercial parcel upon which it is located, and is to be constructed at the time of initial development of the commercial parcel; and
- (c) The hotel component of the preliminary site plan is conceptual and will need to go

through the entire Development Review process for approval once the hotel developer is selected and the project is designed. Future plans for the hotel parcel must provide two (2) vehicular ingress/egress points that are suitable for emergency vehicles including fire trucks; and

- (d) 169th Place must be fully constructed by Petitioner including sidewalks and multi-use paths, and connected to La Grange Road prior to final occupancy being granted for more than 50% of the residential units; and
- (e) Petitioners and their successors will be responsible for the maintenance of the landscaping areas, lighting and the roundabout on and along 169th Place and shall cooperate with the Village to create a “fall back” or “dormant” Special Service Area; and
- (f) With the exception of requested accessory structure modifications, all accessory structure and uses must meet Code requirements as set forth in Section 6- 302 thereof; and
- (g) In the paving legend on the legend for the Site Dimension Plan, Petitioners must label the asphalt multi-use path as a "minimum 8 feet" within the paving legend; and
- (h) All private park space, with the exception of the clubhouse and pool area, must be accessible to the general public and signage must be installed that indicates the public accessibility. The development may not be gated or outside public access otherwise restricted. The clubhouse must be equally available to all ranch villa and townhome residents of the development; and
- (i) Based on proposed park land acreage and proposed park capital improvements; the developer will pay cash-in-lieu to the Village in the amount of \$76,371, based on the formula required by Village code, for the ½ acre shortage of required park land contribution. The developer will also pay \$100,000 towards site enhancements including landscaping.
- (j) Except as otherwise herein provided, Petitioners must meet all current Building Code requirements and final engineering requirements including required permits from outside agencies; and
- (j) Petitioners must screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively; and
- (k) Petitioners must submit a sign permit application to the Village for review and approval for all proposed signage.

B. The Subject Property shall further be developed substantially in accordance with the elevation drawings titled "Preliminary Architectural Plans" compiled by SR Jacobson and Lormax Stern, dated February 6, 2019, with Ranch Villa Drawings prepared by Coponen Architects, Sheets AR-2, Typical Building Front Elevation only (dated October 25, 2018), A-4, Unit End Elevation, Typical Unit Rear elevation, and the Typical Unit Front elevation (dated

June 13, 2018, AR-3 (dated December 18, 2018), Villa Front Elevation (dated July 8, 2018) and Villa Rear elevation (Submitted February 6, 2019), Elevation A (Submitted February 6, 2019), Elevation B (Submitted February 6, 2019), and Elevation C (Submitted February 6, 2019); and also Townhome Drawings, prepared by Coponen Architects, Sheets A2 (dated October 25, 2018, revised January 5, 2019), and the Townhome Rendering (dated November 3, 2018; and also Clubhouse Drawings prepared by Alexander V. Bogaerts + Associates, P.C., Sheets 4 (dated November 12, 2018, s.p.a. January 2, 2019), and 5 (dated November 12, 2018, s.p.a. December 21, 2018), Rendered Elevation sheet 5 (dated November 12, 2018, s.p.a. December 21, 2018; and also three (3) Commercial Plaza Renderings (dated January 2019), subject to the condition that, in the case of a conflict between exhibit drawings, the stricter application will apply;

C. The Subject Property shall further be developed substantially in accordance with the Preliminary Landscape Plan titled "Overall Landscape Plan" prepared by Kimley Horn and Associates, Inc. and dated July 13, 2019 and amendments last revised February 14, 2020, Sheets L2.0 through L2.9, subject to the following conditions in addition to the conditions specified in A and B above:

- a) Petitioners shall submit final landscape plans and all required supporting documentation addressing all outstanding landscape items in the final engineering submittal; and
- b) Petitioners shall install permanent "no mow" markers (such as bollards, posts, etc), at the back corner of every other property that abuts a storm water basin or wetland area to clearly indicate the 25' setback line; and
- c) Petitioners shall install environmental educational signage around all wetlands and detention ponds; and
- d) The installation and maintenance of landscaping in all storm water management and wetland areas shall be performed by a qualified landscape contractor, as approved by the Village Development Services Department; and
- e) Any trees or large shrubs which encroach upon the petroleum gas line easement along 94th Avenue must be relocated elsewhere on the Subject Property.

D. The Subject Property shall be subdivided in accordance with the preliminary plat of subdivision titled "Orland Ridge", prepared by Landmark, subject to the same conditions set forth in A and B above and the following:

- (a) A Record Plat of Subdivision must be submitted by Petitioners to the Village for execution and recording; and
- (b) All dedications, jurisdictions and document numbers must be referenced on the plat for any necessary right of way dedications;

E. The following Special Use Permits for the Orland Ridge Planned Development and Modifications to the Land Development Code are approved:

1. A Special Use Permit for a Planned Development is hereby granted to allow for:
 - (a) Multiple buildings and multiple uses in the COR Mixed Use District
 - (b) Attached dwellings in the COR Mixed Use District
 - (c) A site plan with total building area greater than 50,000 square feet in the COR Mixed Use District
 - (d) Residential uses to exceed more than 40% of the Mixed Use Planned Development in the COR Mixed Use District
 - (e) The construction of a private park and community center with a modification to increase the maximum private park acreage from 2 acres to 3.75 acres.
2. Modifications to reduce building setbacks for the proposed Townhomes:
 - (a) Front building setback from collector streets (From 40' to 25')
 - (b) Front building setback from local streets (From 30' to 20')
 - (c) Building to building side setback (From 30' to allow for a minimum building to building separation of 15')
 - (d) Building side to local street setback (From 30' to 20').
 - (e) Building corner side to collector street setback (From 40' to 25')
 - (f) Balcony encroachment into front setback (From 3' limit to 5.5' maximum);
3. Modifications to reduce building setbacks for the proposed Villas:
 - (a) Building side to side setback from (From 30' to allow for a minimum building to building separation of 20')
 - (b) Building corner side to collector street setback (From 40' to 25')
 - (c) Building side to local street setback (From 30' to 25')
 - (d) Building to building rear setback (From 60' to allow for a minimum building to building separation of 27');
4. A modification to reduce the setback from the detention pond high water line (From 25' to as little as 0');
5. A modification to exceed retaining wall height at overlook (From 3' to 6'), which must be designed by licensed structural engineer;
6. A modification to reduce off-street parking and loading requirement to allow driveway parking to count toward parking requirements only if two off-site spaces are provided elsewhere on the Subject Property;
7. A modification to allow lot coverage to be calculated as an aggregate of all the parcels within the Planned Development in the COR Mixed Use District;
8. A modification to allow air conditioning units in the front and side setbacks of the Townhomes and Villas;

9. A modification to reduce parkways in accordance with the approved Site Plan (see SECTION 3.A. above);
10. A modification to increase detention pond release rates to a rate that will protect the existing regulatory wetland hydrology, in accordance with Federal regulations;
11. A modification to allow for an increase to the side slope of the pond located at the northeast corner of the Subject Property from a 4:1 slope to a 3:1 slope;
12. A modification to allow for a private street located at the northeast corner of the Subject Property to be constructed without a cul-de-sac terminus and turn around and for a reduction to the cul-de-sac standards provided in Table 6-405(A)(2) of the Code;
13. A Special Use Permit is hereby granted to allow for the disturbance of wetlands,
 - (a) With a modification to eliminate two small wetlands.
 - (b) With a modification to reduce the 50' wetland setback for the remaining preserved wetland.

SECTION 4

Petitioners shall at all times comply with the terms and conditions of this Ordinance, the Development Agreement between the Village and Petitioners, 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 planned development permit with modifications for the development as aforesaid.

SECTION 6

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