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ORDINANCE GRANTING A SPECIAL USE FOR RECREATIONAL FACILITY LIGHTING AND A VARIANCE FOR SIDEWALK INSTALLATION (DOOGAN PARK—14700-14760 PARK LANE)

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WHEREAS, a petition for granting a special use permit for Recreational Facility Lighting with modification, as well as a petition for variance from the Land Development Code with regards to sidewalk installation, has been filed for certain real estate, as set forth below, has been filed with the Development Services Department of this Village and said petition has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on April 15, 2025, on whether the requested special use permits and variance should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, 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 meeting in the Daily Southtown, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use permits and variance 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 report and findings and recommendations of the Plan Commission of this Village and the Committee of the Whole of this Village regarding the proposed special use with modification and variance 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 hearing 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 modification and the proposed variance are in the public good and in the best interests of the Village and its residents and are 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 and variance are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

The following described real estate (the "Subject Property"):

PINS: 27-09-301-005-0000, 27-09-301-036-0000, 27-09-301-037-0000, 27-09-304-016- 0000, 27-09-304-018-0000, 27-09-304-019-0000, 27-09-304-020-0000

COMMON ADDRESS: 14700-14760 Park Lane, Orland Park, Illinois

SECTION 3

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit with modification for recreational lighting and variation as follows:

A. The Subject Property contains approximately 17 acres and is located within the Village of Orland Park in Cook County, Illinois, at 14700-14760 Park Lane. The Subject Property is identified as a Community Park. The project will include 10 pickleball courts, a half basketball court, a soccer field, a baseball field, a playground, 2 parking lots, 2 pavilions, and a restroom building.

B. The proposed use of the Subject Property 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 property as Open Space in the Orland Grove Planning District.

C. The proposed special use will be consistent with the character of the immediate vicinity of the Subject Property. The Subject Property is surrounded on all sides by Residential uses. To the north is single-family detached residential zoned R-3 Residential, to the east and south is single-family detached residential zoned R-3A Residential, and to the west is both single-family detached residential zoned R-3 Residential, and Brown Park, zoned Open Space.

D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed special use will not adversely affect the value of adjacent property.

E. 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 uses at an adequate level of service. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the adjacent public streets. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for.

F. Petitioners have made adequate legal provision, to guarantee the provision and preservation of all open spaces designated on the site plan and other improvements associated with the special uses and variance.

G. The proposed uses will not adversely affect a known archaeological, historical or cultural resource.

H. The proposed special use and variance shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances of the Village.

SECTION 4

A special use is hereby granted for Recreational Facility Lighting with modification, subject to and conditioned upon the following:

- A. The Special Use Permit for Recreational Facility Lighting shall be granted pursuant to Village of Orland Park Village Code Section 6-315(D), subject to the condition that the Recreational Facility Lighting shall be substantially in compliance with the preliminary plans presented to the Plan Commission on April 15, 2025 and to the Board of Trustees on April 21, 2025, subject to the following conditions:
 - 1. Abide by Village Code Section 3-1-11-1 requirements for ballfield lighting hours.
 - 2. Meet all code requirements, landscape requirements, and final engineering requirements, including required permits except where otherwise modified in this ordinance; and

A modification shall be granted to allow the maximum footcandle at the North property line for non-residential to residential from 0 to 0.5 (a modification from Section 6-315 (A)(2)(a)(3) of the Land Development Code of the Village of Orland Park).

SECTION 5

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the proposed variance as follows:

- a. The Subject Property is located at 14700-14760 Park Lane in the Village and consists of approximately 17 acres. Petitioner also seeks a variances to eliminate the requirement to install a public sidewalk along a local street within a quarter-mile radius of a park contained in Section 6-406 (A)(2) of the Village's Land Development Code.
- b. The Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Land Development Code. The proposed variance to eliminate the sidewalk requirement is primarily due to the topography and spatial constraints of the site. The variance is necessary to meet the needs of the proposed park's functionality with limited impact on the existing nature areas and habitats located on the Subject Property.
- c. The plight of the owner is due to the unique circumstance of the configuration of the site, the topography and grading and the Village's attempt to best meet the needs of the public and the location.

- d. The variance, if granted, will not alter the essential character of the locality. The project conforms to the Village's Comprehensive Plan, codes, and policies for this area. The 2013 Comprehensive Plan recommends an "open lands" land use for this property, which is consistent with the Petitioner's plans. Moreover, the requested variances will not impose any disruptions to the surrounding property. The surrounding land use and zoning are all Residential Districts and other open space.
- e. A particular hardship to the Petitioner would result if the strict letter of the Land Development Code regulations were carried out because of the particular physical surroundings, shape and topographical conditions of the Subject Property. The requirement for installation of a sidewalk cannot be met due to the steep grade present in the area.
- f. The conditions of the property are unique to the property and not generally applicable to other properties. The effort to renovate this Community Park represents a strategic and deliberate plan involving consideration of all of the Village's parks. This use is not only recognized by but promoted by the Comprehensive Plan. The Subject Property was chosen after much consideration regarding the underuse of the current configuration and its ability to be renovated to meet the changing recreational needs of the Village.
- g. The hardship is caused by the application of the Code, configuration of the site, and need to limit any impact on the sensitive natural areas on the Subject Property and surrounding areas and has not resulted from any act of the Petitioner or another person presently having an interest in the property.
- h. The granting of the variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The variance will not have a negative impact on the public welfare or neighborhood. In contrast, accommodating the requested variance will minimize overall disturbance on the site and impact to the nearby residential areas that would be negatively impacted by sidewalk termination and routing requirements.
- i. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire or endanger the public safety or impair property values within the neighborhood. Rather, the proposed park renovation will promote the preservation of nature and recreational uses on the Subject Property.
- j. The variances granted are the minimum necessary for the reasonable use of the land for the purpose proposed. Due to the configuration of the site, the elimination of the sidewalk requirement is necessary to allow the Subject Property to function and minimize the overall disturbance and impact to nearby areas.

- k. The aforesaid circumstances or conditions are such that the strict application of the detention pond setback, landscape buffer and maintenance buffer requirements would deprive the Petitioner of reasonable use of the land. The function of the park is to provide recreational opportunities for Village residents.

The Petitioner (Permittee) hereunder shall at all times comply with the terms and conditions of the special use permit with modification and variance herein granted, and in the event of non-compliance, said permits shall be subject to revocation by appropriate legal proceedings.

SECTION 6

The site plan and landscape plan prepared by Christopher B. Burke Engineering, LTD., revised April 9, 2025, are hereby approved, subject to the following conditions:

1. All outstanding review items will be addressed prior to issuance of a building permit, including the following revisions to the landscape plan:
 - a. The planting of 18 parkway trees along Park Lane.
 - b. Foundation plantings will be installed in a suitable location since they cannot be accommodated around the restroom shelter.
 - c. The stormwater management area landscape will include all native vegetation, the naturalized buffer will extend at least 15' beyond the high-water level, and the required maintenance access and slopes will be provided.
 - d. A stormwater report will be provided.
2. The Petitioner shall meet all code requirements, landscape requirements, and final engineering requirements, including required permits except where otherwise modified in this ordinance.

SECTION 7

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the special use as aforesaid.

SECTION 8

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

