

ORDINANCE GRANTING A SPECIAL USE FOR A PLACE OF WORSHIP (CALVARY REFORMED CHURCH – 15901 S. 104<sup>TH</sup> AVENUE)

WHEREAS, a petition for granting a special use permit for certain real estate, as set forth below, has been filed with the Village Clerk 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 of the Village of Orland Park as amended (the "Code"); and

WHEREAS, said Plan Commission of this Village held a public hearing on March 9, 2010, which was properly continued to April 13, 2010, 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 the initial public hearing by publication not more than 30 days nor less than 15 days prior to said meeting in the Orland Park Prairie, a newspaper published in and/or 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 permit be granted with this President and Board of Trustees, 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 report and findings and recommendations of the Plan Commission of this Village regarding the proposed special use is 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 find that the proposed special use 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 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 permit for a place of worship as follows:

A. The Subject Property contains approximately 33 acres and is generally located south of the southwest corner of 159<sup>th</sup> Street and 14<sup>th</sup> Avenue at 15901 South 104<sup>th</sup> Avenue within the Village of Orland Park in Cook County, Illinois. The Subject Property is planned to be improved with a two-story place of worship containing a 900 seat assembly room with a stage, classrooms, and administrative space, having a total of approximately 51,727 square foot in the E-1 Estate

Residential District with on-site parking for 275 vehicles and detention and a conservation easement.

B. Petitioner requests a special use permit and also requests modifications to permit the number of parking spaces to exceed the Code limitation of 20% above Code requirements to 22% above Code requirements, to allow parking and drives to be located between the front of the building and the street and to allow a steeple cross that exceeds the thirty-five foot (35') height limitation to a maximum height of forty-five feet (45'). The modification for the number of parking spaces is based on studies done by the petitioner at the current location of Calvary Reformed Church. The modification for the location of the parking and drives is appropriate because the building will be more visible due to the topography of the site.

C. 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 Code. The Comprehensive Plan designates this property as Low Intensity Population and Open Space.

D. The proposed special use and development of the Subject Property will be consistent with the character of the immediate vicinity of the Subject Property. Property to the north is zoned Open Lands District and contains Centennial Park. Property to the south and west is zoned Manufacturing District and contains an industrial park. Property to the east is zoned Open Lands District and contains a cemetery.

E. The proposed use of the Subject Property minimizes adverse effects, including visual impacts, on adjacent properties. The proposed special use will not adversely affect the value of adjacent property.

F. The petitioner has demonstrated that public facilities and services, including but not limited to roadways, 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. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for. The Petitioner is also required to resurface 104<sup>th</sup> Avenue to establish a northbound left turn lane.

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. The Petitioner has agreed to provide a conservation easement for portions of the Subject Property.

H. The proposed special use does not adversely affect a known archaeological, historical or cultural resource.

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

### SECTION 3

A special use for a two-story place of worship containing a 900 seat assembly room with a stage, classrooms, and administrative space, having a total of approximately 51,727 square foot in the E-1 Estate Residential District with on-site parking for 275 vehicles and detention and a conservation easement for the Subject Property described as follows:

THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 36 MINUTES 03 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 52.61 FEET FROM THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREE 36 MINUTES 03 SECONDS ALONG SAID EAST LINE, 1488.25 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 57 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 1391.64 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, THENCE NORTH 01 DEGREE 30 MINUTES 50 SECONDS WEST, ALONG SAID WEST LINE, 913.64 FEET; THENCE NORTH 82 DEGREES 39 MINUTES 39 SECONDS EAST, 442.83 FEET; THENCE NORTH 68 DEGREES 48 MINUTES 13 SECONDS EAST, 519.22 FEET; THENCE NORTH 41 DEGREES 56 MINUTES 24 SECONDS EAST, 491.39 FEET TO THE WEST LINE OF 104<sup>TH</sup> AVENUE PER DOCUMENT NUMBER 16977659; THENCE NORTH 88 DEGREES 23 MINUTES 57 SECONDS EAST, 50.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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is hereby granted to permit the use of the property in the manner above set forth as shown on the the Site Plan entitled "Concept Land Plan," prepared by Linden Group, Job No. 143-09, dated 7-15-10, page 1, subject to the following conditions:

1. That Petitioner submit a landscape plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval.
2. That all final engineering and building code-related items must be met.
3. That Petitioner provide a cross access easement at two locations along the south property line.
4. That Petitioner provide a conservation easement covering all floodplain and wetland areas as set forth in Section Seven below.
5. That a sidewalk be installed from 104<sup>th</sup> Avenue, at the south property line of the Subject Property, to the petitioner's entry driveway, but only when the 104<sup>th</sup> Avenue sidewalk is constructed extending to the south property line of the Subject Property from other properties located to the south of the Subject Property.

6. That a lighting plan be provided prior to final engineering approval.
7. That 140<sup>th</sup> Avenue is restriped to establish a northbound left turn lane, subject to County approval and permitting requirements.

and in accordance with the Elevation Plan entitled, "Concept East and North Elevations," prepared by Linden Group, Job No. 143-09, dated 7-15-10, page P.3, and the Elevation Plans entitled, "Concept West and South Elevations," prepared by Linden Group, Job No. 143-09, dated 7-15-10, page P.4, , and the Elevations Plans titled, "concept Elevation with alternate future canopy/Phase II," prepared by Linden Group, Job No. 143-09, 7-15-10, dated 7-15-10 page 5, with the following condition: That all mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roof.

In addition, modifications are hereby granted that include to permit the number of parking spaces to exceed the Code limitation of 20% above Code requirements to 22% above Code requirements, to allow parking and drives to be located between the front of the building and the street and to allow a steeple cross that exceeds the thirty-five foot (35') height limitation to a maximum height of forty-five feet (45') subject to the same conditions as outlined above, plus the following additional conditions:

- (1) A Plat of Subdivision of the Subject Property consistent with the site plan and dividing the Subject Property into five (5) lots shall be recorded in the Office of the Cook County Recorder. Petitioner shall provide the Village with a final approved Plat of Subdivision, which the Village will record.
- (2) Petitioner must submit as-built engineering drawings prior to final occupancy to allow the Village to obtain Metropolitan Water Reclamation District approval. The building will not be occupied until final approval is received from the Metropolitan Water Reclamation District.

#### SECTION 4

The Permittee hereunder shall at all times comply with the terms and conditions of the special use permit and the Annexation Agreement entered into between Permittee and the Village, 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, be amended so as to be in conformance with the special use as aforesaid.

#### SECTION 6

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