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ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND SUBDIVIDING SAID PROPERTY INTO SIX LOTS (11112 139<sup>th</sup> Street)

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WHEREAS, an application seeking to rezone a parcel currently zoned E-1 Estate Residential District to R-3 Residential District, to subdivide the parcel into six (6) lots, to record plat of subdivision, and to approve a landscape plan for 11112 139<sup>th</sup> Street, Orland Park, Illinois 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 July 26, 2016, on whether the requested rezoning and subdivision 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 published in the Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested rezoning and subdivision 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 of the Plan Commission of this Village is herein incorporated by reference, as completely as if fully recited herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance. The Board of Trustees find that the proposed rezoning and subdivision 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 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 rezoning and subdivision as follows:

(a) The Subject Property is located at 11112 139<sup>th</sup> Street and is zoned E-1 Estate Residential District. It is approximately 3.32 acre in size. The Subject Property is one of three lots in the Brija Estates Subdivision (Brija Estates Subdivision - 2014-0083; Document No. 1522922078)

The Subject Property represents the middle portion (“Lot 2”) of the Brija Estates approval. Lot 1 of the Brija Estates is located on the northwest corner of 110<sup>th</sup> and 139<sup>th</sup> Street and is currently being developed as a single family residential estate. Lot 3 is located at the northeast corner of Wolf Road and 139<sup>th</sup> Street and will be the location of the storm water detention basin for Lots 1 and 2. Petitioner is proposing a six (6) lot subdivision that will be planned for single family residences. The proposed lots widths and lot lines will closely resemble those of the existing lots in the Countryside subdivision to the north of the Subject Property.

(b) Petitioner seeks to rezone the Subject Property from E-1 Estate Residential to R-3 Residential District. In rezoning to R-3 Residential District, the Subject Property will mirror the current zoning of adjacent parcels, which are zoned R-3 Residential District – Single Family Residential (Countryside Subdivision) to the north, R-3 Residential District – Single Family Residential (Bunratty Estates Subdivision) to the south, OL Open Lands District to the east and LSPD Large Scale Planned Development District to the west. The proposed rezoning is compatible with the Comprehensive Land Designation, which designates this area for single family development. Therefore, the proposed rezoning will continue the trend of R-3 Residential Zoning District zoning in the immediate vicinity.

(c) The rezoning will allow the Petitioner to fully utilize their property, and the proposed development will lead to higher property values for the surrounding single family homeowners. There is no concern that the rezoning will diminish the property value or impose a hardship on the property owner.

(d) The zoning and subdivision will facilitate public improvements. Stormwater runoff emanating from the Subject Property and adjacent single family estate residences shall be retained or detained in a detention pond on Lot 3. Petitioner shall construct and install the basin with associated features, in accordance with final engineering plans approved by the Village. Landscaping of the stormwater management system shall be installed per the approved landscape plans. On-site water mains and all necessary sanitary sewers will be installed to service the Subject Property. The existing sidewalk on 110<sup>th</sup> Avenue will be extended along the 110<sup>th</sup> Avenue frontage to the northwest corner of the intersection with 139<sup>th</sup> Street and then extended west along 139<sup>th</sup> Street to the intersection with Bunratty Drive, where a sidewalk and crosswalk connection south shall be made with the Bunratty subdivision sidewalk network. A new sidewalk crosswalk and connection will also be installed by the Petitioner to connect the northeast and southwest corners of Wolf Road and 139<sup>th</sup> Street, which will provide a safe crossing point for residents of the surrounding neighborhoods to a bike path that runs along the west side of Wolf Road to 143<sup>rd</sup> Street.

### SECTION 3

The Orland Park Land Development Code, as amended, be further amended by reclassifying and rezoning the following described real estate:

LOTS 2 AND 3, IN BRIJA ESTATES SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 27-05-102-004

from E-1 Estate Residential District to R-3 Residential District under the Code, as amended subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the preliminary engineering/site plan titled, "Development Plans for Harvest Glen Estates," prepared by Rogina Engineers and Surveyors, LLC., sheets 1-11, and dated 07/14/2016, subject to the following conditions:

1. The Lot 3 detention basin, including all associated stormwater swales, structures and landscaping, shall be completed in full per the approved plans prior to the initiation of any site work for Harvest Glen Estates.
2. Landscaping of the Lot 3 detention basin, including all associated stormwater swales and structures, shall be installed within ten (10) days of the final grading of the basin and swales.
3. After 50% of the lots have been developed, no further permits shall be issued for Harvest Glen Estates until the completion and acceptance by the Village of all required public improvements.
4. A development agreement with the Village shall be established.
5. A final landscape plan shall be submitted within thirty (30) days of final engineering approval.
6. A tree mitigation plan shall be submitted to the Village prior to the removal of any trees on sites.
7. All final engineering and building code related items shall be met.
8. A subdivision sign is not part of this petition and should be submitted to the Building Division for separate review.

B. The Subject Property shall be subdivided from one (1) lot to six (6) lots as depicted on the preliminary plat titled "Final Plan of Subdivision for Harvest Glen Estates," prepared by Rogina Engineers and Surveyors, LLC., sheets 1-2, dated 07/12/2016, subject to the same conditions outlined in the preliminary engineering/site above and the following condition:

1. A Record Plat of Subdivision shall be submitted to the Village for recording.

#### SECTION 4

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

## SECTION 5

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

## SECTION 6

The Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the office of the Village Clerk for general distribution.