

ORDINANCE GRANTING A SPECIAL USE PERMIT FOR HEARTIS SENIOR LIVING WITH ASSOCIATED SITE PLAN AND ELEVATION CHANGES

WHEREAS, an application seeking a special use permit for certain real estate, as set forth below, 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, said Plan Commission of this Village held a public hearing on February 9, 2016 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 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 special use 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. 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 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 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 to construct and maintain a new 91,650 square foot congregate elderly housing facility consisting of a three-story assisted living facility and an attached one-story memory care unit on Lot 3 (2.95 acres) of the 7420 W. 159<sup>th</sup> Street Planned Unit Development (PUD), as follows:

(a) The Subject Property is located at 7420 W. 159<sup>th</sup> Street (NW 3 acres of parcel) within the Village of Orland Park in Cook County, Illinois. The proposed facility will be 91,650 square feet

in total building area and consist of a three-story assisted living building and a one-story memory care building. The combined structure will be located on Lot 3 of the PUD, which is the northwest corner of the property and immediately adjacent to the PUD's detention pond. The proposed petition represents the first development proposal for the 7420 W. 159<sup>th</sup> Street PUD, following its approval in December 2015. The Subject Property is zoned BIZ General Business District. In the BIZ General Business District, congregate elderly housing facilities are permitted only by special use permit. The proposed use will have a three-story assisted living wing, and a one-story memory care wing, which is a standard arrangement for such facilities.

(b) The proposed petition initially requested two modifications related to parking and bufferyards. The recent Land Development Code amendments to the Landscape Section 6-305 annulled the bufferyard modification. Additionally, the parking modification was not recommended for approval because a minor site plan adjustment was made, which met Code requirements. Therefore, no modifications are requested for this petition.

(c) 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 for 159<sup>th</sup> and Harlem Planning District, and the Comprehensive Land Designation is Community Commercial. Allowance of the special use will complement the surrounding retail, residential and businesses in the nearby area and provide housing and care options for Village senior citizens within a location that has accessibility to the 159<sup>th</sup> Street corridor. Additionally, the 2015 Master Concept Plan of the 7420 W. 159<sup>th</sup> Street PUD indicates that the rear parcels contain larger, anchor users, and includes a schematic site plan of Lot 3 that is similar in scale and shape to the proposed development. Lot 3 is one of the rear parcels, and the proposed congregate housing facility is one of the two anchor users for the PUD. Thus, the project is compatible with the location in the PUD as an anchor user and as a transitional use prescribed for the rear area of this development site by the Comprehensive Plan. Overall, the proposed development conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

(d) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned R-4 Residential District – Colonadae Apartments/Condos to the north, Village of Tinley Park (across 159<sup>th</sup> Street) Apartments/Condos to the south, BIZ General Business District – Retail and Restaurant to the east, and BIZ General Business District – Retail to the west, where community commercial uses are located. The special use will also be consistent with the community character of the immediate vicinity of the Subject Property because the application does not propose to change the zoning.

(e) The design of the development will minimize adverse effects. The proposed development will occupy three acres of the eleven acre 7420 W. 159<sup>th</sup> Street PUD. The design of the proposed development will be part of an overall aesthetic of the PUD. The proposed site plan places the congregate elderly housing facility in the middle of Lot 3, with pervious green yards and walkways from the adjacent parking bays immediately adjacent to the structure. A drive-aisle will surround the building and yard spaces on all four sides, enabling access to the front, side and rear entrances for visitors and facility suppliers. The detention pond, which is located on Outlot A of the PUD (immediately to the west of Lot 3), is sized appropriately to service the entire PUD

as a consolidated pond and is intended, per the PUD Master Plan, to be an outdoor amenity for the PUD and the proposed development (as evidenced by the connecting multi-use paths). Two internal courtyards are also included within the building footprint, and intended to provide secure and undistracted outdoor spaces for facility residents, particularly for the memory care residents. There is adequate mobility regarding the interior access drives, sidewalks, and vehicular circulation, and a parking strategy has been developed to comply with the requirements of the Land Development Code. Access to the site is available from 159<sup>th</sup> Street and Goodwill/Home Depot Center, which connects to Harlem Avenue. The proposed building elevations have been reviewed and addressed and will improve the appearance of the Subject Property. There will be no modifications or variances.

(f) The proposed special use as conditioned by this Ordinance will not have an adverse effect on the value of adjacent property. To date, the Subject Property has been a vacant land site amidst the developed and trafficked 159<sup>th</sup> Street. The Subject property is also currently dominated by a large, low quality wetland body (.55 acres) that will be eliminated and mitigated per the requirements of MWRD's new Watershed Management Ordinance (WMO). No modifications are required for this petition to encroach or disturb the wetlands because the wetland setback modification was previously granted via the PUD. Once completed, the proposed development will serve the community and may help bring new businesses and developments to Orland Park.

(g) 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 use at an adequate level of service. The proposed development is part of a larger project and will not independently impact the public facilities and services affecting the Subject Property. As part of the overall development, the Petitioner will take on site work and infrastructure to prepare the site for development, including upgrading utilities, drainage and landscaping. Access to the site is available from 159<sup>th</sup> Street and Goodwill/Home Depot Center, which connects to Harlem Avenue, and there is adequate mobility regarding the interior access drives, sidewalks, and vehicular circulation.

(h) Petitioner has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.

(i) The development will not adversely affect a known archaeological, historical or cultural resource.

(j) 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 permit to construct and maintain a new 91,650 square foot congregate elderly housing facility consisting of a three-story assisted living facility and an attached one-story memory care unit on Lot 3 (2.95 acres) of the 7420 W. 159<sup>th</sup> Street PUD is hereby granted,

subject to the conditions below, and issued to Heartis Senior Living, for the following described property:

PARCEL 1:

THAT PART OF THE SOUTH 665.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, 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 SOUTHEAST QUARTER; THENCE NORTH 87 DEGREES 54 MINUTES 58 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 660.00 FEET TO THE EAST LINE OF THE WEST 660.00 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREES 52 MINUTES 05 SECONDS WEST, ALONG SAID LINE A DISTANCE OF 295.01 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01 DEGREE 52 MINUTES 05 SECONDS WEST, CONTINUING ALONG SAID LINE, A DISTANCE OF 169.99 FEET TO THE NORTH LINE OF THE SOUTH 465.00 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 87 DEGREES 54 MINUTES 58 SECONDS WEST, ALONG SAID LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 02 DEGREES 05 MINUTES 02 SECONDS WEST, ALONG A LINE PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 27.06 FEET; THENCE NORTH 02 DEGREES 05 MINUTES 02 SECONDS WEST, A DISTANCE OF 38.00 FEET TO THE NORTH LINE OF THE SOUTH 665.00 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 87 DEGREES 54 MINUTES 58 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 330.00 FEET; THENCE SOUTH 02 DEGREES 04 MINUTES 05 SECONDS EAST, A DISTANCE OF 370.20 FEET; THENCE SOUTH 87 DEGREES 57 MINUTES 07 SECONDS WEST, A DISTANCE OF 334.79 FEET TO THE POINT OF BEGINNING.

PIN: 27-13-402-027

This special use is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the preliminary Site Plan, titled, "Heartis Orland Park – Senior Living Site Dimensional and Paving Plan", prepared by Manhard Consulting Ltd., sheet 5 of the 14, dated 2-29-16 and data box exhibit titled "GW Property Subdivision Data Box Exhibit – Lot 3", prepared by the same, sheet 3 of 6, dated 8-26-15, subject to the following conditions:

1. Prepare and provide an emergency relocation plan for the project using standards similar to the Collaborative Healthcare Urgency Group (CHUG) for a Congregate Elderly Housing facility in the BIZ General Business District.
2. Submit a final landscape plan for separate review and approval within 60 days of final engineering approval.

B. The Subject Property shall be developed substantially in accordance the Elevations titled “Heartis Senior Living Assisted Living and Memory Care”, prepared by Katus, dated 2-2-16, project number 15-D-161, sheets A5.1 and A5.2, subject to the following conditions:

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline.
2. All masonry must be of anchored veneer type masonry with a 2.625” minimum thickness.
3. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

#### SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance 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, modifications and variations 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 permit as aforesaid.

#### SECTION 6

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