

AN ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE TO R-3 RESIDENTIAL AND GRANTING VARIANCES (MEGAN NICOLE RIDGE – 13201 S. 88TH AVENUE)

WHEREAS, a petition for rezoning of and granting variance 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 (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on April 7, 2020, on whether the requested rezoning and variances 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 the April 7, 2020, 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; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations 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 regarding the proposed rezoning and variances 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 hearing are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed rezoning and variances are 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 rezoning and variances are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

The rezoning and variances are sought for the following described real estate:

LOT 9 (EXCEPT THE EAST 740 FEET THEREOF AND EXCEPT THE SOUTH 185 FEET OF THE WEST 220 FEET OF THE EAST 960 FEET THEREOF) IN GROVER C. ELMORE AND COMPANY'S PALOS PARK ESTATES, BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN,

ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 5, 1950, AS DOCUMENT 14920281, IN COOK COUNTY, ILLINOIS (The "Subject Property").

Property Tax Identification Number for the Subject Property is 23-35-300-040-0000; 23-35-300-041-0000

SECTION 3

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

A. The Subject Property contains approximately 3.11 acres and is located within the Village, at 13201 S. 88th Avenue. The Subject Property is of the type contemplated in Section 6-204 B.5. of the Code and is being developed in accordance with a site plan best suited for the Subject Property. The plan is to develop the Subject Property for nine (9) single family residential lots and to include storm water management area under the under the R-3 Residential Zoning classification, with variances to reduce the pond setback from 25 feet to as little as 15 feet and to increase the side slope of the pond from 4:1 to 3:1.

B. The proposed rezoning will be consistent with the purpose, goals, objectives, and standards of the Comprehensive Plan, any adopted overlay plans and the Land Development Code. The Comprehensive Plan designates this Subject Property as Single-Family Residential in the Silver Lake North Planning District.

C. The proposed rezoning will be consistent with the character of the immediate vicinity of the Subject Property. To the north, south and east are single family residential subdivisions and to the west is single family residential and a place of worship.

D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed rezoning 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 Subject Property 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.

F. Petitioner has 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 Subject Property development.

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

H. The proposed residential development shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances of the Village and the Annexation Agreement authorized and approved by this Village President and Board of Trustees dated September 21, 2020 (the “Annexation Agreement”).

SECTION 4

Rezoning of the Subject Property from E-1 Estate Residential to R-3 Residential is hereby granted for the Subject Property described in Section 2 hereof, subject to and conditioned upon the following:

A. The Subject Property shall be developed substantially in accordance with the preliminary plan entitled “PRELIMINARY SITE PLAN FOR MEGAN NICOLE RIDGE SUBDIVISION” prepared by LANDMARK ENGINEERING, LLC, Sheet No. PS P1, dated July 8, 2019, revised May, 20, 2020, subject to the following:

1. The plan must conform to all final engineering and building code related items, including required permits from outside agencies;
2. Petitioner must submit to the Village Development Services Department a sign permit application for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply;
3. All proposed single family homes shall conform to all Village Codes and Ordinances, including the bulk requirements of the R-3 Residential Zoning District per Section 6-204 of the Code and the Building Code;
4. The storm water detention pond shall be privately perpetually owned and maintained by the Owner and, subsequently, an established Home Owners; and
5. A Special Service Area shall be established to assure the privately owned detention pond and related storm water management facilities will be maintained to Village standards in the future.

B. The Subject Property shall also be developed substantially in accordance with the preliminary landscape plan titled “MEGAN NICOLE RIDGE SUBDIVISION, LANDSCAPE PLAN” prepared by CLARENCE DAVIDS & COMPANY, PC, Sheet 1-5, dated April 11, 2019, and last revised May 26, 2020, subject to the following:

1. Petitioner must submit a final landscape plan meeting all Village Codes with all supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal;
2. Petitioner shall pay to the Village FIFTY THOUSAND DOLLARS (\$50,000.00), the maximum cash-in-lieu amount required for tree mitigation for projects less than ten (10)

acres in size in accordance with Section 6-305.F.3. of the Code. Payment shall be made prior to issuance of the first building permit.

3. Petitioner shall provide to the Village cash-in-lieu of park land exaction fee in accordance with the Code and as finalized at the time of execution of the Annexation Agreement.

C. The following variances are hereby granted:

1. Reduce the pond set back from 25 feet to as little as 15 feet; and
2. Increase the side slope of the detention pond from 4:1 to 3:1;

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this Ordinance and the said Annexation Agreement herein granted and in the event of non-compliance, the approval of this development shall be subject to revocation by appropriate legal proceedings.

SECTION 6

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

SECTION 7

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