

REZONING EVALUATION FACTORS

For all petitions requesting rezoning, the petitioner must address in writing the following factors and submit to the Planning Division of the Development Services Department.

When evaluating an application for rezoning, the decision making body may consider:

1. The existing uses and zoning of nearby property;

The subject property is a five acre parcel located approximately 500 feet north of 159th Street with 165 feet of frontage on the west side of 108th Avenue and zoned E-1 Estate. Located directly north of the subject property is the single family Somerglen South Subdivision, which is zoned R2-A, and small portion of the Equestrian Park which is zoned OS Open Space. To the east across 108th Avenue is a two acre vacant parcel zoned R3 and a seven acre parcel to the southeast zoned R2-A. To the northeast is the Collette Highlands Subdivision, which is zoned R2-A and contains single family and townhome residential units. The 15 acre area located directly south of the subject property and extending to 159th Street includes three single family homes, a small storage facility with the majority of the area being vacant. The continuing to the west along 159th Street is an automobile dealership which is zoned BIZ General Business. South of 159th Street and west of 108th Avenue are the Meadow Ridge School and Century Junior High School. Southeast of 159th Street west of 108th Avenue the area contains a bank, medical suites and an ice arena all zoned MFR Manufacturing.

The analysis of existing land use and zoning demonstrates that zoning of nearby property demonstrates the existing E-1 Estate zoning of the subject property is unreasonable and at best would be considered a "holding" zone. The 15 acres area to the south is shown on the Comprehensive Plan as future Neighborhood Mixed Use and the subject property as R-4 Residential which will serve as a transition between the single family residential uses to the north and the proposed neighborhood mixed use to the south. The concept of transitioning land use is a common planning rationale. In my professional opinion the rezoning sought by the petitioner is consistent with this standard.

2. The extent to which property values are diminished by a particular zoning classification or restriction;

I analyzed this factor from a planning and zoning perspective and not as an appraiser. The Petitioner's property will not diminish the value of adjacent properties. The use to the north is single family homes, and the proposed use is attached single family homes. The proposed Hampton Court Subdivision will provide a transition between single family homes to its north and the proposed neighborhood mixed use to the south. As such it will serve to preserve the value of the properties both to its north and to its south by minimizing land use conflicts. The majority of the area surrounding the subject property is totally suburban in character and estate type housing would not be reasonable for the subject property. It is my professional opinion from a planning and zoning perspective that property value of the subject premises is diminished by the E-1 Estate zoning classification.

3. The extent to which the destruction of property value of a petitioning property owner promotes the health, safety, morals, or general welfare of the public;

The existing zoning does not promote the public health, safety morals or general welfare of the public. There is no benefit to the public from the destruction of property value of the petitioner. The benefits to the public include, but are not limited to: Utilization of a vacant parcel with obsolete zoning to a contemporary residential use producing tax revenue and an improvement to the neighborhood and to the community by eliminating an obsolete zoning classification that is no longer viable given the changes which have taken place in the area and the recommended zoning and use of the subject property by the Comprehensive Plan.

4. The relative gain to the public as opposed to the hardship imposed on a petitioning property owner;

Factors 3 and 4 are often considered together. Given fact that the existing residential and commercial land uses around the subject property are suburban in character, there would be no gain to the public by maintaining the existing E-1 zoning classification, and the E-1 Zoning would be contrary to the Comprehensive Plan.

5. The suitability of the subject property for its zoned purposes;

It is my professional opinion that the subject property is not suitable for estate type residential uses, and that the E-1 zoning classification does not represent the highest and best use of the property based upon the opinions set forth under standards 1, 2, 3 and 4 and the fact that the E-1 zoning classification does not implement the Comprehensive Plan designation for the subject property as an R4 Residential area with roadway connectivity to the north and south.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area;

The Petitioner's property has been previously occupied by a single family home. Petitioner would have great difficulty marketing this property for just one single family home given that the property is so near a major intersection and it would be surrounded by more intense residential and commercial land uses.

6. The care with which the community has undertaken to plan its land use development;

Orland Park has a history of planning carefully for development of the community, and for the entire Centennial Planning District in which the subject property is located. The most recent edition of the Villages Comprehensive Plan was adopted by the Village in August of 2013. The Comprehensive Plan designates specifically the subject property as a Development Opportunity area to be rezoning R4 with proposed connectivity to the north and south.

8. The evidence, or lack of evidence, of community need for the use proposed.

There has been demand for single family attached residences throughout the Orland Park Area. Examples include Collette Highlands Subdivision that contains single family attached residences located to the east of the subject property and the Eagle Ridge area.