

ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO ORI-MIXED USE AND GRANTING AN AMENDMENT TO A SPECIAL USE AND MODIFICATIONS (MIDWEST ANIMAL HOSPITAL – 11211 W. 183RD PLACE)

WHEREAS, a petition for rezoning of and granting an amended special use permit and modifications 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 December 9, 2014, on whether the requested rezoning, modifications and amended special use permit 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 December 9, 2014, public hearing by publication not more than 30 days nor less than 15 days prior to said meeting in the Orland Park Star, a newspaper published in and 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 amended special use 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, amended special use and modifications 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, amended special use and modifications are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

The Code, as amended, be further amended by reclassifying and rezoning the following described real estate (the "Subject Property"):

LOT 2 TOGETHER WITH THAT PART OF 183RD PLACE LYING NORTH OF AND

ADJOINING SAID LOT 2, IN PRECISION INDUSTRIAL COMPLEX, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. R92-0087719, IN WILL COUNTY, ILLINOIS.

PIN 19-09-06-226-005-0000 (11211 W. 183rd Place)

from E-1 Estate Residential District to ORI-Mixed Use Zoning District under the Code, as amended.

SECTION 3

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 planned development as follows:

- A. The Subject Property contains approximately 1.38 acres and is located within the Village of Orland Park in Will County, Illinois, at 11211 W. 183rd Place. The Subject Property is of the type contemplated in Section 6-211(C) 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 an animal services facility under the ORI-Mixed Use Zoning classification, with an amendment to the Special Use for animal services authorized by Village Ordinance Numbers 3916 and 4262, with modifications to a) locate the parking lot and dumpster between the building and the street; b) exceed Code required space minimums by more than 20%; c) reduce detention pond set-backs from a required 25 feet to approximately 15 feet; d) increase pond slope from 4:1 to 3:1; and e) reduce the south landscape buffer from a required 15 feet to 10 feet minimum. The site provides for adequate buffering of the proposed uses from surrounding land uses.
- B. 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 Office Employment.
- C. The proposed amended special use will be consistent with the character of the immediate vicinity of the Subject Property. To the north is zoned ORI-Mixed Use (the Distinctive Office Center and future Ridgeway Petroleum station); to the south is unincorporated Will County with some light industrial; to the east is unincorporated Will County and the BP Petroleum tank farm; and to the west is in the Village of Mokena with light industrial and offices.
- D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed amended special use 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 and 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.

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 amended special use.

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

H. The proposed development and amended special use 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 July ____, 2015 (the "Annexation Agreement").

SECTION 4

An amended special use, as an amendment to the Special Use for animal services authorized by Village Ordinance Number 3916 and 4262, is hereby granted for an animal service facility under the ORI-Mixed Use Zoning Classification 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 site plans appended hereto and incorporated herein as EXHIBIT A entitled "ARCHITECTURAL SITE PLAN PHASE 1" and "ARCHITECTURAL SITE PLAN PHASE 2" prepared by LINDEN GROUP, pages EX-1.0 and EX-1.1, Project No. 2014-0050, each dated September 30, 2014 and finally revised on December 12, 2014, as approved by the Village Board of Trustees on January 5, 2015, conditioned upon the following:

1. All 'future addition' areas for the building, foundation plantings, and associated pet exercise areas are shown for conceptual purposes only, and Petitioner must return to the Village for an amended site plan and elevation approval. At the time of future building additions, a \$25,000 contribution to the construction costs of a northbound left turn lane at 183rd Place will be required.
2. Petitioner must submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval.
 - a. Phase 1: Provide Code required landscape buffering, incorporating healthy existing plant material, along the entire north face of the Phase 1 reconfigured and expanded parking lot and in the new tree islands.
 - b. Phase 1: Provide Code required landscape buffering, incorporating existing healthy plant material, along the southern and western sides of the Phase 1 relocated detention pond.
 - c. Phase 1: Provide naturalized plantings in and around detention pond.

d. Phase 2: Provide Code required landscape buffering that incorporates existing health plant material along the north and west sides of the Phase 2 expanded parking lot, and in the new tree islands. Add plant material along the southern buffer, if needed, to meet Code requirements.

e. Replace existing dead plant material on site.

f. Replace existing planting material damaged during construction.

3. Meet all final engineering and building code related items.

B. The Subject Property shall further be developed in accordance with the dumpster and fence elevations and "Perfect Turf" surface product details as shown on the sheet titled "Site Details" prepared by LINDEN GROUP, dated September 30, 2014 and finally revised on December 12, 2014, page EX - 2.0, Project No. 2014-0050, as approved by the Village Board of Trustees on January 5, 2015, conditioned upon the following:

1. Any future building elevations must be submitted to the Village for approval;
2. Any new mechanical equipment must be screened either at grade level with landscaping or hidden behind the roofline.
3. All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness.

C. The Subject Property, along with the adjacent Lot 1 in Precision Industrial Complex Subdivision, shall be re-subdivided and consolidated, and Petitioner shall prepare a Plat of Consolidation for recording by the Village.

SECTION 5

The Petitioner (Permittee) hereunder shall at all times comply with the terms and conditions of the special use permit and the said Annexation Agreement herein granted and in the event of non-compliance, said permit 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 and amended special use as aforesaid.

SECTION 7

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