

ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO COR MIXED USE DISTRICT AND GRANTING A SPECIAL USE WITH MODIFICATIONS FOR A PLANNED UNIT DEVELOPMENT WITH ASSOCIATED SITE PLAN, ELEVATION AND LANDSCAPE CHANGES AND SUBDIVISION (LAGRANGE RETAIL DEVELOPMENT – 15610 LAGRANGE ROAD)

WHEREAS, a petition for rezoning of and granting a special use permit with modification 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 May 9, 2017, on whether the requested rezoning and 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 May 9, 2017 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 rezoning and special use with modifications 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 report and findings and recommendations of the Plan Commission of this Village regarding the proposed rezoning and 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 and 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 rezoning and special use with modifications are 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 permit for a planned unit development and proposed rezoning as follows:

A. The Subject Property contains approximately fourteen (14) acres and is located at 15610 LaGrange Road. The Subject Property is composed of two (2) parcels. The north parcel is currently owned by Petitioner. The south parcel was formally the U.S. Army's Area Maintenance and Support Facility, and is currently in unincorporated territory, which will be annexed into the Village jurisdiction upon redevelopment. Petitioner has worked with the U.S. Army to acquire and develop the property per U.S. Army policy. The Petitioner, LaGrange Retail Development by LFI, is seeking to establish a six (6) lot commercial planned unit development (PUD) on the two existing parcels. The proposed PUD will enable retail and restaurant uses on outlots along LaGrange Road frontage, and larger retail uses at the rear of the Subject Property. The Petitioner proposes to have four (4) buildings on the six (6) lots: Chuy's Mexican restaurant (Lot 1) Miller's Alehouse (Lot 2), a "pad-ready" lot for either restaurant or retail (Lot 3), a retail anchor building (Lot 4). The two remaining lots will be designated for storm water detention (Lot 5) and for wetland (Lot 6). A special use is required under the Land Development Code because of its status as a PUD. The proposed special use permit will also include the following modifications: reduce the wetland setback from fifty (50) feet to zero (0) feet, and meet the detention requirements offsite in the regional detention facility along Ravinia Avenue. Upon annexation, the south parcel, which includes parts of future Lots 3, 4, and 5 must be rezoned from the default zoning designation upon annexation, E-1 Estate Residential District, to COR Mixed Use District.

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 Land Development Code. Rezoning the parcel from E-1 Estate Residential District to COR Mixed Use District is consistent with the Comprehensive Plan, which designates this location as Regional Core District. The proposed PUD will create a regionally based commercial retail development, which is consistent with the Village's plan to offer a variety of shopping, dining and entertainment opportunities in the Regional Core District.

C. The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned COR Core Mixed Use to the north, south, east and west, and where other retail, restaurants and other commercial developments are located.

D. The design of the development will minimize adverse effects. The proposed PUD has been designed in a comprehensive manner to enhance the aesthetic appearance of the existing LaGrange Road improvements. The proposed PUD emphasizes building placement and public realm, provides architectural styles and building elements consistent with the District character, leverages the existing infrastructure of street networks, integrates pedestrian and alternative transportation, and utilizes landscape design to buffer proper lines and screen parking lots. The proposed site establishes three outlots along LaGrange Road with a shared parking field and small parking and service field. The three outlots will share parking and cross-access with the larger parking field in front of the retail anchor building (Lot 4). The restaurants will also have outdoor seating and patio areas along LaGrange Road. Petitioner has worked with Village staff

to incorporate a pergola along the multi-use path on the northern boundary, which will provide screening for the parking field and thematic continuity with the amenities located along 156th Street. Additionally, green space enhancements have been incorporated throughout the development including the addition of green space on the east side of the parking field north of the retail building and planting strips between parking aisles that will create green zones. The building elevations for the retail anchor building, Chuy's Mexican Restaurant and Miller's Alehouse were designed with understanding that they will be highly visible from LaGrange Road. The proposed PUD was also designed to enhance mobility. The proposed PUD has three main access points. The development will benefit from the signalization intersection of 156th Street and LaGrange Road, which will make 156th Street the primary road to access the commercial uses.

E. There will be no adverse effects on the value of adjacent property. The north parcel of the Subject Property is currently vacant, and the south parcel has remained unincorporated and unchanged for at least twenty (20) years. The overall aesthetics of the Subject Property are going to be significantly improved by the development, both from a site plan and building standpoint. The site plan will bring new business to the Village and new visitors to the COR Mixed Use District. Lots 5 and 6 will further be dedicated to the Village of Orland Park for expansion of the Public Works Department service yards and will facilitate the use of regional wetlands along Ravinia Avenue, which will ensure optimal development potential for the Subject Property and existing infrastructure.

F. The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police 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 wetland currently located on the Subject Property will be mitigated per U.S. Army Corps of Engineers' standards. A retention swale will exist behind the retail anchor building that will convey storm water to the wetland, which will then filter and convey the water west across Ravinia to the regional facility. The Subject Property will have three access points and adequate parking and loading zones. The final engineering plan will include the required details and specifications for storm water management, utility specification and roadway improvements.

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

H. The Illinois Historic Preservation Agency reviewed the Subject Property and confirmed that the development will not adversely affect a known archaeological, historical or cultural resource.

I. 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 with modifications to reduce the wetland setback from fifty (50) feet to zero (0) feet and to meet the detention requirements offsite in the regional detention facility along Ravinia Avenue is hereby granted and issued to 15610 S. LaGrange Road, LaGrange Retail Development by LFI, on the Subject Property, legally described as follows and subject to the conditions set forth below:

PARCEL A:

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE AFORESAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, AND A LINE 50.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE AFORESAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A PARCEL OF LAND KNOWN AS U.S. TRACT NO. A100-2; THENCE WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 322.50 FEET TO A POINT ON A PARALLEL LINE TO SAID EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, SAID POINT ALSO BEING ON THE EAST LINE OF A PARCEL OF LAND KNOWN AS U.S. TRACT NO. A100; THENCE SOUTH ALONG SAID PARALLEL LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16; THENCE WEST ALONG SAID SOUTH LINE, A DISTANCE OF 896.30 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN QUITCLAIM DEED FROM THE UNITED STATES OF AMERICA TO THE VILLAGE OF ORLAND PARK, DATED APRIL 26, 1971; THENCE NORTHEAST WITH SAID PARCEL OF LAND, A DISTANCE 725.30 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF A PARCEL OF LAND KNOWN AS U.S. TRACT NO. A110; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 424.70 FEET TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 12.16 FEET, TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 242.7 FEET, TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 42.00 FEET, TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 122.00 FEET, TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 42.00 FEET TO A POINT; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 259.00 FEET, TO A POINT ON A LINE, THAT IS 395.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16; THENCE EAST WITH SAID PARALLEL LINE, A DSITANCE OF 556.00 FEET TO A POINT ON SAID EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16; THENCE SOUTH WITH SAID EAST LINE, A DISTANCE OF 345.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SITUATE IN THE STATE OF ILLINOIS, COUNTY OF COOK.

PARCEL B:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12 BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 16 AFORESAID THAT IS 932.50 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF 16; THENCE WESTERLY ALONG A STRAIGHT LINE, A DISTANCE OF 556.00 FEET TO A POINT THAT IS 947.50 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE, A DISTANCE OF 259.00 FEET TO A POINT; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 42.00 FEET TO A POINT; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 122.00 FEET TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 42.00 FEET TO A POINT; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 135.40 FEET TO A POINT THAT IS 582.50 FEET SOUTH OF THE NORTH LINE AND 921.00 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE EASTERLY ALONG A STRAIGHT LINE, A DISTANCE OF 921.00 FEET TO A POINT IN THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, THAT IS 582.50 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 16, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY ILLINOIS (EXCEPT THAT PART OF 96TH AVENUE ALSO KNOWN AS LAGRANGE ROAD LYING EAST OF THE WEST RIGHT OF WAY LINE OF LAGRANGE ROAD AS DEDICATED BY DOCUMENT 10123562 AND THAT PART CONTAINED IN CONDEMNATION CASE 11L50834 ALSO EXCEPT THAT PART CONTAINED WITHIN 156TH STREET AS DEDICATED PER DOCUMENT NUMBERS 0920245102, 0826331109 AND 0630717115).

PINS: 27-16-401-005; 27-16-401-008; 27-16-401-011.

A. Upon annexation, the Subject Property shall be developed substantially in accordance with the preliminary site plan titled, "Retail Development SWC LaGrange Road and 156th Street Orland Park, IL Site Plan," prepared by Soos & Associates Inc., dated October 27, 2008, last revised May 18, 2017, sheet number SP-47A, subject to the following condition:

1. Maintain shared parking and cross-access for all and through all parking fields with the planned unit development between users.

B. Upon annexation, the Subject Property shall be developed substantially in accordance the elevation drawings titled "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL Proposed Exterior Elevations," prepared by Soos & Associates Inc., dated September 19, 2016, last revised February 15, 2017, sheet number A-07; "Chuy's Orland Park, IL," prepared by Parkway C&A, LP, dated April 4, 2017, sheet number A-01; "Miller's Alehouse Orland Park Elevations Revised," prepared by FRCH Design Worldwide, dated April 12, 2017,

sheet numbers 2, 3, and 4; and “Retail Development SWC LaGrange Road & 156th Street Orland Park, IL Site Amenities,” prepared by Soos & Associates Inc., dated October 27, 2008, last revised April 25, 2017 sheet number A-10, all subject to the following conditions:

1. Indicate window transparency on the elevation drawings for Miller’s Alehouse;
2. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;
3. Screen all mechanical equipment either at grade level with landscaping or hidden being parapets;
4. Submit separate sign permit application for review of signage; and
5. Anchored masonry veneer shall have a minimum thickness of 2.625 inches.

C. Upon annexation, the Subject Property shall be developed substantially in accordance with the preliminary landscape plan titled, “Retail Development Overall Landscape Plan,” prepared by Kimley-Horn and Associates Inc., dated February 16, 2017, last revised May 19, 2017, sheets L2.0, L2.1, L2.2, L2.3, L2.4, and L2.5, subject to the same conditions outlines in the above preliminary site plan and elevation drawings and the following:

1. Provide the necessary mitigation for the removal of the wetlands and trees per U.S. Army Corps of Engineers’ standards and the Land Development Code, respectively.

D. Upon annexation, the Subject Property shall be rezoned from E-1 Estate Residential District to COR Mixed Use District subject to the same conditions outlined in the above preliminary site plan.

E. Upon annexation, the Subject Property shall be subdivided as shown on the preliminary plat of subdivision titled “Preliminary Plat of Subdivision LaGrange Retail Development,” prepared by Spaceco Inc., dated February 17, 2017, last revised May 18, 2017, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit herein granted and in the event of non-compliance, said permit 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, be amended so as to be in conformance with the rezoning and special use as aforesaid.

SECTION 6

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