

**VILLAGE OF ORLAND PARK
ORDINANCE NO. _____**

**AN ORDINANCE
GRANTING APPROVAL OF A CONCEPT PLAN
AND A SPECIAL USE FOR A PLANNED DEVELOPMENT
FOR DOWNTOWN IN THE
VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS**

Preamble

A duly noticed public hearing was held by the Plan Commission of the Village of Orland Park ("Plan Commission") on July 2, 2024, on the application of E and R Development, LLC ("Developer") for (1) approval of a Concept Plan for a Phased Development within the Tax Increment Financing District shown on Exhibit 1 ("DOP TIF Phased Development") ("Phased Development"). The Subject Property is legally described as follows:

PARCEL 1:
BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING 545 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WABASH RAILROAD COMPANY; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF WABASH RAILROAD COMPANY TO THE EAST LINE OF LAGRANGE ROAD; THENCE SOUTH ALONG SAID EAST LINE OF LAGRANGE ROAD TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 4 IN MAIN STREET TRIANGLE -PHASE 2 SUBDIVISION RECORDED MARCH 16, 2018 AS DOCUMENT 1807529084; THENCE WEST ALONG THE NORTH LINE (AND ITS EASTERLY EXTENSION) OF SAID LOT 4 TO A POINT ON THE EAST LINE OF JEFFERSON AVENUE; THENCE SOUTH ALONG THE EAST LINE OF JEFFERSON AVENUE TO A POINT 200.84 FEET NORTH OF THE NORTH LINE OF 143RD STREET; THENCE WESTERLY TO A POINT 208.85 FEET WEST OF THE EAST LINE OF JEFFERSON AVENUE AND 202.40 FEET NORTH OF THE NORTH LINE OF 143RD STREET; THENCE NORTH TO THE SOUTH LINE OF STREET B; THENCE WEST ALONG THE SOUTH LINE OF STREET B TO THE EAST LINE OF RAVINIA AVENUE; THENCE SOUTH ALONG THE EAST LINE OF RAVINIA AVENUE TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF B STREET; THENCE WEST ALONG THE SOUTH LINE (AND ITS EASTERLY EXTENSION) OF STREET B TO THE SOUTHWEST CORNER OF STREET B; THENCE NORTH ALONG THE WEST LINE OF STREET B TO THE NORTHWEST CORNER OF STREET B; THENCE EAST ALONG THE NORTH LINE OF STREET B TO THE WEST LINE OF RAVINIA AVENUE; THENCE NORTH ALONG THE WEST LINE OF RAVINIA AVENUE TO THE SOUTH LINE OF CRESCENT PARK CIRCLE; THENCE WESTERLY ALONG THE SOUTH LINE OF CRESCENT PARK CIRCLE TO THE EAST LINE OF MAIN STREET; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE EAST LINE OF MAIN STREET TO THE NORTH

LINE OF 143RD STREET; THENCE SOUTHWESTERLY TO A POINT ON THE SOUTH LINE OF SAID SECTION 4, SAID LINE ALSO BEING THE NORTH LINE OF SECTION 9, SAID POINT BEING ON THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST HALF OF THE EAST 195.30 FEET OF THE WEST HALF OF BLOCK 16 IN COTTAGE HOME SUBDIVISION RECORDED JULY 21, 1891 AS DOCUMENT 1507763; THENCE WEST ALONG SAID NORTH LINE OF SECTION 9 TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER TO THE SOUTH LINE OF 143RD STREET; THENCE WEST ALONG SAID SOUTH LINE OF 143RD STREET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WABASH RAILROAD COMPANY; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE TO THE NORTH LINE OF SAID SECTION 9; THENCE WEST ALONG SAID NORTH LINE OF SECTION 9 TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY LINE OF SOUTHWEST HIGHWAY 28 EXTENDED SOUTHWESTERLY; THENCE NORTHEASTERLY ALONG SAID EXTENDED LINE TO THE NORTH LINE OF 143RD STREET; THENCE WEST ALONG THE NORTH LINE OF 143RD STREET TO THE WEST LINE OF UNION AVENUE; THENCE NORTH ALONG THE WEST LINE OF UNION AVENUE TO THE WESTERLY EXTENSION OF THE NORTH LINES OF LOTS 5 AND 6 IN TRUSTEES RESUBDIVISION OF BLOCK 14 RECORDED OCTOBER 9, 1950 AS DOCUMENT 14922450; THENCE EAST ALONG THE NORTH LINES OF SAID LOTS 5 AND 6 AND THEIR WESTERLY AND EASTERLY EXTENSIONS TO THE WEST LINE OF OAK PLACE; THENCE SOUTH ALONG THE WEST LINE OF OAK PLACE TO THE NORTHWESTERLY LINE OF SOUTHWEST HIGHWAY; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINES OF SOUTHWEST HIGHWAY TO A POINT ON THE WEST LINE OF LAGRANGE ROAD; THENCE EASTERLY TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 5 IN MAIN STREET TRIANGLE - PHASE 2, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 4 TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 2018 AS DOCUMENT 1807529084, LYING BELOW AN INCLINE PLANE ESTABLISHED BY THE HEREINAFTER POINTS "A", "B", "C" AND "D", AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +699.50 FEET NAVD 88 VERTICAL DATUM AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 01 DEGREES 34 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 5; A DISTANCE 5.94 FEET; THENCE NORTH 88 DEGREES 25 MINUTES 07 SECONDS EAST, 72.45 FEET AFOREMENTIONED POINT "A", HAVING AN ELEVATION OF +720.79 FEET NAVD 88 DATUM, BEING ALSO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 25 MINUTES 07 SECONDS EAST, 35.50 FEET TO THE AFOREMENTIONED POINT "B", HAVING AN ELEVATION OF +720.79 FEET NAVD 88 DATUM; THENCE SOUTH 01 DEGREES 24 MINUTES 43 SECONDS EAST, 63.65 FEET TO THE AFOREMENTIONED POINT "C", HAVING AN ELEVATION OF +719.17 FEET NAVD 88 DATUM; THENCE SOUTH 88 DEGREES 36 MINUTES 17 SECONDS WEST, 58.18 FEET TO THE AFOREMENTIONED POINT "D", HAVING AN ELEVATION OF +719.317 FEET NAVD 88 DATUM; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 11.95 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 0.35 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 31.02 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 44 SECONDS EAST, 0.35 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 2.30 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 44 SECONDS EAST, 21.70 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 12.80 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 44 SECONDS EAST, 2.33 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 2.85 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 0.95 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 2.62 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF LOT 5 IN MAIN STREET TRIANGLE - PHASE 2, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 4 TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD

PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 2018 AS DOCUMENT 1807529084, LYING BELOW AN INCLINE PLANE ESTABLISHED BY THE HEREINAFTER POINTS "E", "F", "G" AND "H", AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +702.00 FEET NAVD 88 VERTICAL DATUM AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 01 DEGREES 34 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 5; A DISTANCE 5.94 FEET; THENCE NORTH 88 DEGREES 25 MINUTES 07 SECONDS EAST, 107.96 FEET TO THE AFOREMENTIONED POINT "E", HAVING AN ELEVATION OF +723.67 FEET NAVD 88 DATUM, BEING ALSO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 25 MINUTES 07 SECONDS EAST, 99.49 FEET TO THE AFOREMENTIONED POINT "F", HAVING AN ELEVATION OF +723.67 FEET NAVD 88 DATUM; THENCE EASTERLY 3.30 FEET, ALONG THE ARC OF A NON TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 131.71 FEET AND WHOSE CHORD BEARS SOUTH 73 DEGREES 45 MINUTES 09 SECONDS EAST, 3.30 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 15 DEGREES 15 MINUTES 08 SECONDS WEST, 1.41 FEET; THENCE SOUTH 74 DEGREES 44 MINUTES 52 SECONDS EAST, 0.90 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 16 SECONDS EAST, 4.15 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 44 SECONDS EAST, 2.35 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 16 SECONDS EAST, 30.71 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 2.45 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 16 SECONDS EAST, 3.55 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 14.94 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 16 SECONDS EAST, 22.32 FEET TO THE AFOREMENTIONED POINT "G", HAVING AN ELEVATION OF +721.50 FEET NAVD 88 DATUM; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 28.13 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 16 SECONDS WEST, 11.49 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 44 SECONDS WEST, 1.00 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 16 SECONDS EAST, 12.11 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 09 SECONDS WEST, 59.32 FEET TO THE AFOREMENTIONED POINT "H", HAVING AN ELEVATION OF +721.50 FEET NAVD 88 DATUM; THENCE NORTH 01 DEGREES 24 MINUTES 43 SECONDS WEST, 63.65 FEET; TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Commonly Known as: Various addresses
Real Estate Index Numbers

The Plan Commission has filed its report of findings, positive recommendation (vote of 4-1) and conditions of approval ("Report") on the requested Phased Development Concept Plan with the President and Board of Trustees of the Village of Orland Park ("Village"). This Report has been duly considered by the President and Board of Trustees in both Committee of the Whole and at a regular Village Board meeting session.

There has been procedural compliance with all provisions of the Zoning Ordinance of the Village and the Village Board has determined that Concept Approval

for the Phased Development should be granted subject to the conditions set forth in this Ordinance. Each Phase shall be referred to as a “Phase of Development”.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Orland Park, Cook and Will County, Illinois; acting in the exercise of their home rule powers, as follows:

SECTION 1: Concept Approval for the Phased Development be and is hereby granted, subject to public hearings before the Plan Commission for each Phase of Development and further subject to the following conditions:

1. A list of exhibits is attached to this Ordinance. Each exhibit is specifically made a part of this Ordinance.

2. If there is a discrepancy in any governing document or regulation as applied to the construction and maintenance of each Phase of Development, the following order of primacy shall be observed:

- a. Redevelopment Agreement (“RDA”) and Exhibits to the RDA (yet to be approved);
- b. Text of this Ordinance;
- c. Exhibits to this Ordinance;
- d. Specific Village Code regulations;
- e. National or model codes adopted by the Village.

3. The following matters must be completed prior to issuance of a building permit for the first Phase of Development:

a. Approval by the Village Board of an RDA governing all phases of the Phased Development. Among other things, the RDA must contain:

i. Renderings of the elevations, consistent with the Consultant Reports and Staff Requirements for each Phase of Development.

ii. An engineering report certifying that the available utilities have the capacity to serve the entire Phased Development.

iii. A detailed maintenance plan, extending for twenty (20) years for all structures and grounds for each Phase of Development.

iv. An exhibit showing the size, location and lighting for all temporary marketing and permanent signs for each Phase of Development.

v. Submission of a complete photometric plan for each Phase of Development.

vi. An exhibit indicating the type of fencing and/or tree and shrub barriers that will separate each Phase of Development from the other.

vii. Each detail of each exhibit to the RDA is a mandatory obligation of the Developer. It is understood that the exhibits need not be recorded to be enforceable.

b. Submission of a tree study that will indicate the trees to be removed, the mature trees that will be saved and the location and number and DBH caliper of all replacement trees.

c. Approval by all appropriate water, sewer and drainage agencies having jurisdiction over each Phase of Development.

d. The Village will also establish a Special Service Area for the entire Property ("Triangle SSA"). Revenue generated by the Triangle SSA may be used for the following purposes as may be more fully described in the RDA:

- i. Interior road maintenance
- ii. Stormwater infrastructure, detention pond and reservoir maintenance;
- iii. Contribution to parking structure maintenance
- iv. Seasonable decorations.

4. An approval pursuant to any required or requested review by a Village consultant, staff member, Board or Commission shall be an approval only of those items which are specifically set forth in any approving motion, resolution, ordinance or written report or agreement which grants or is attached to such approval. Under no circumstances shall such an approval be deemed to be the approval of any matter or item by virtue of that matter's or item's inclusion on a supporting document or exhibit such as a site plan, engineering plan or plat that may have been the subject of the review. Neither shall any such approval be deemed to be an approval of any matter

which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.

5. Once approved as part of or an exhibit to the RDA or a Special Use for a PD, changes to the physical components of the project may only be made as follows:

- A. Minor Field Changes. Minor changes in location or size shown on an exhibit may be approved, in writing, by the Village Manager. Typically, a minor field change will not involve a percentage change greater than 3%. However, not all changes of less than 3% shall necessarily be deemed to be minor. The determination of the Village Manager as to whether a change is a minor field change shall be final.
- B. Village Board Approved Changes. If the Phase of Development is consistent with the PD and the RDA, the Developer will not be required to return to the Plan Commission for recommendations or approval. Rather, the Village Board will have the authority to approve the development of that Phase of Development.
- C. Discretionary Plan Commission Review. The Village Board may, in its sole discretion, send any Phase of Development proposal, which is not substantially consistent with the approved Concept Plan and PD Ordinance, back to the Plan Commission for additional recommendations.
- D. Required Plan Commission Review. A public hearing before the Plan Commission shall be required under the following circumstances:

i. A Phase of Development proposes a use not found in the RDA
(or)

ii. A Phase of Development proposes a change that will result in a variance or modification from the Land Development Code not previously approved by the Village Board.

iii. The plan would necessitate a variance under the Village Code.

6. The fact that the Village has reviewed any private covenants or restrictions does not express or imply any approval of such covenants or restrictions. The Village expressly does not relinquish any of its authority to any Property Owners Association or any other entity with respect to any future alteration of this Redevelopment Project Area, this ordinance or the RDA.

7. Within 30 days of the Effective Date of the RDA, the Developer shall have made an application to the Village and shall have submitted the Village Board Approval Documents, as defined in the RDA, for the first Phase of Development.

8. Within 30 days of the Village Board's approval of an Ordinance for a Phase of Development, as defined in the RDA, the Developer shall submit Permit Documents for that Phase of Development.

SECTION 2: Except as specifically set forth in this Ordinance and in the RDA, the Developer and the Subject Property shall comply in all other respects with the regulations of the Village of Orland Park, including but not limited to the Village's Land Development Code and nothing in this Ordinance shall be construed as a waiver of any of those requirements.

SECTION 3: The following variances for the Redevelopment Project Area are hereby approved to allow for:

1. Parking lots within the setback area between the building façade and the street on Parcel H (Section 6-212.E.2).
2. A trash enclosure within the setback area between the building façade and the street on Parcel E (Section 6-212.E.2).
3. Parking lots/drive aisles between the building and the street on Parcel C (Section 6-212.C.27).
4. A playground to be located beyond the front building setback on Parcel C (Section 6-302.C.27).
5. A reduced rear building setback on Parcel C (Section 6-212.D.6.d).
6. An increased front building setback on Parcel C (Section 6-212.D.6.d).
7. A trash enclosure within the setback area between the building façade and the street on Parcel C (Section 6-212.E.2).

SECTION 4: A copy of the public notice and the report of the Plan Commission reporting on the application shall be attached as an Exhibit and form a part of this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED and **APPROVED** by me this _____ day of _____, 2024.

AYES: _____

NAYS: _____

ABSENT: _____

PASS: _____

Keith Pekau, President of the Village of Orland Park

ATTESTED and FILED in the Office of the Village Clerk this _____ day of _____,
2024.

Patrick O'Sullivan, Village Clerk

EXHIBITS

Exhibit1	DOP TIF Phased Development
	Public Notice