

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT– ORLAND CROSSING – RESIDENTIAL - REVA

WHEREAS, an application seeking an amendment to a special use permit for certain real estate, with modifications as set forth below, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code of the Village of Orland Park, as amended; and

WHEREAS, the Plan Commission of this Village held a public hearing on November 12, 2013 on whether the requested amendment to a 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 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 amendment to a special use permit 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 Plan Commission has made its report of findings and recommendations, and such are hereby adopted by reference as findings of this President and Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance. This President and Board of Trustees find that the proposed amendment to a special use is in the public good and in the best interests of the Village and its residents, is consistent with the Comprehensive Plan of the Village, and is consistent with and fosters the purposes and spirit of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the amendment to a special use permit with modifications to increase building height from three to four stories for apartment buildings 1 and 4, to reduce the rear yard setback and to reduce landscape bufferyard requirements for a multi-family residential development in the VCD Village Center District as follows:

(a) The Subject Property is located at 14127, 14129, 14133 and 14203 La Grange Road and is zoned VCD Village Center District within the Village of Orland Park, Cook and Will Counties, Illinois. The Petitioner, Reva Development Partners, LLC, is seeking an amendment to a special

use permit to construct a 231-unit, multi-family residential development with an accessory clubhouse on an approximately 12.58 acre site. The site plan proposes 16 buildings, including 4 apartment buildings of 4 stories in height (168 units), 4 buildings of three stories tuck under townhomes (25 units) and 7 buildings of two story rowhomes (38 units). The Petitioner also seeks modifications to increase the building height for buildings 1 and 4 from three stories to four stories, to reduce the rear yard setback and to reduce the landscape bufferyard requirement.

(b) Granting the requested modifications will enhance the ability of the overall special use to meet the standards for all special uses, specifically minimizing adverse effects on adjacent properties. The Comprehensive Plan designates the Subject Property as “Downtown,” and the proposed use is appropriate due to the green spaces provided with landscaping in those areas that exceed requirements, design of streets to include sidewalks, crossings and a landscaped boulevard and amenities enhancing pedestrian access.

(c) The proposed amendment to a special use to construct a 231-unit, multi-family residential community with an accessory clubhouse is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code of the Village of Orland Park. The proposed use provides residential units in the downtown area, continuous building frontage along streets, rear parking and will be integrated to provide pedestrian and vehicle access to neighboring commercial uses.

(d) The proposed amendment to a special use will be consistent with the character of the immediate vicinity of the subject property. The subject property is located in the VCD Village Center District. The surrounding property is zoned VCD Village Center District to the north, south, east and west. The area to the north contains a detention area and bike path. The areas to the south and west contain commercial property. The area to the east contains townhomes. Landscape buffers and grading transitions are used to create a sense of separation between the residential and commercial uses. The proposed use and zoning will be compatible with these surrounding uses.

(e) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The petitioner is providing three outdoor green spaces for residents, with landscaping that exceeds Code requirements. In addition, the design of 95<sup>th</sup> Avenue and 141<sup>st</sup> Street provide sidewalks, crosswalks, streetscape and a landscaped boulevard. An 8' multi-use path along the west edge of the property will also extend the Orland Bikeway path. Decorative signage and monument walls are also provided at several locations. The rowhomes provide a buffer to the existing neighbors for the proposed grocery store to the west. The proposed special use will not have an adverse effect on the value of adjacent property.

(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 site has access through 95<sup>th</sup> Avenue, 142<sup>nd</sup> Street and 141<sup>st</sup> Street. There are signalized intersections at 95<sup>th</sup> Avenue and 143<sup>rd</sup> Street and at 142<sup>nd</sup> Street and La Grange Road. In addition, Petitioner will provide an electronic privacy gate at the intersection of 141<sup>st</sup> Street and John Humphrey Drive for residents.

(g) The Petitioner has made adequate legal provisions to guarantee the provision and development of any open space and other improvements associated with the proposed amended development.

(h) The amended development will not adversely affect a known archaeological, historical or cultural resource.

(i) The special use amendment as granted shall in all aspects conform to the applicable regulations of this Ordinance and supplants Ordinance numbers 3490, 3981 and 4027 and the Land Development Code of the Village of Orland Park as amended, for the district in which it is located as well as all applicable regulations and ordinances of the Village, unless specifically addressed in this or another Ordinance.

## SECTION 3

Petitioner acknowledges and understands that its development of the Subject Property will, for lot coverage purposes, be combined with the Bradford Group commercial retail development on property adjacent to the Subject Property in order to meet the "Lot Coverage" requirements set forth in Section 6-212.D.1 of the Village Land Development Code.

## SECTION 4

An amendment to a special use permit is hereby granted and issued to Reva Development Partners, LLC on the Subject Property to allow a 231-unit, multi-family residential development with modifications to increase building height from three to four stories for apartment buildings 1 and 4, to reduce the rear yard setback and to reduce landscape bufferyard requirements.

The Subject Property is legally described as follows:

LOTS 13, 14 (EXCEPT THE WEST 99.59 FEET THEREOF), 15 AND 16 IN ORLAND PARK CROSSING, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 15, 2005, AS DOCUMENT NUMBER 0525845136, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NOS. 27-03-300-027, -028, -029 and -030.

This amendment to a special use permit on the Subject Property is issued on the following conditions:

1. That the Subject Property be developed substantially in accordance with the preliminary site plan entitled "Orland Park Crossing," prepared by Manhard Consulting, dated September 12, 2013, revised December 9, 2013, and subject to the following conditions:

- a. All retaining walls meet Code, and proposed design, color and materials are provided for any proposed retaining wall;
- b. Petitioner must submit details including height, materials and colors, of all proposed walls and monument signage with the final landscape plan;
- c. Petitioner must work with staff to match the decorative lighting used in Orland Crossing;
- d. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply;
- e. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval;
- f. Meet all final engineering and building code related items; and
- g. An electronic privacy gate must be constructed and installed at the intersection of 141<sup>st</sup> Street and John Humphrey Drive in accordance with plans and specifications reasonably approved by the Village.

2. That the Subject Property be developed substantially in accordance with the Elevations entitled "Orland Park Clubhouse," dated December 5, 2013, "Orland Crossing Townhomes, 4 and 7 units," dated December 9, 2013, "Orland Crossing Rowhomes 4 and 6 units," dated December 9, 2013, and "Orland Crossing Apartments," dated December 9, 2013, all prepared by BSB Design and REVA Development Partners, and dated October 30, 2013 and subject to the following conditions:

- a. All mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roofline;
- b. All masonry must be of anchored veneer type masonry with a 2.265" minimum thickness;
- c. Petitioner shall consider using metal or masonry balconies instead of wood balconies.

3. That the Subject Property be developed substantially in accordance with the preliminary plat entitled, "Orland Park Crossing Second Resubdivision," prepared by Manhard Consulting, dated September 13, 2013 and subject to the following conditions:

- a. That the Petitioner submit a Record Plat of Subdivision to the Village for recording; and
- b. That the townhomes and rowhomes be platted to facilitate conversion to a for-sale product in the future.

## SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amendment to a special use permit which supplants the prior special use permit for the Subject Property, granted by Ordinance numbers 3490, 3981 and 4027, except as any terms and conditions of the prior ordinances are specifically amended by this or another ordinance, and in the event of non-compliance, said permits 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, shall be amended so as to be in conformance with the granting of this amendment to a special use permit as aforesaid.

## SECTION 7

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.