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ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED DEVELOPMENT WITH MODIFICATIONS – BLUFF POINTE (16900-17000 WOLF ROAD)

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WHEREAS, an application seeking an amendment to a special use for planned development for certain real estate with modifications, as set forth below, has been filed with the Development Services Department 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 July 16, 2019, on whether the requested amendment to a special use permit and modifications 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 July 16, 2019, public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Daily Southtown, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed with this President and Board of Trustees its report of findings and recommendations that the requested amendment to a special use for planned development and modifications be granted, and this Board of Trustees has 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 for planned development and modifications are in the public good and in the best interests of the Village and its residents, are consistent with the Comprehensive Plan of the Village, and are 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 for planned development as follows:

(a) The Subject Property is described in SECTION 3 hereof and is located within the Village of Orland Park in Cook County, at 16900-17000 Wolf Road, and is zoned LSPD (Large Scale Planned Development) Zoning District. It is an approximately 26.26 acre site.

(b) The Subject Property is the subject of Special Use Ordinance No. 5232, which approved the forty-nine (49) lot single family subdivision of detached dwelling units with public streets and two (2) outlots for a detention pond and flood plain, with modifications.

(c) Specifically, the Petitioner proposes modifications (as outlined below) and to resubdivide Lots 19 through and including 36.

(d) The Petitioner also requests six (6) modifications to provisions of the Code, to wit:

1. Allow a building side setback of at least fifteen feet (15') but less than 15% of the lot width;
2. Allow covered porches to encroach five feet (5') into the required setback;
3. Allow a reduction of the existing fifty foot (50') wetland setback;
4. Allow a reduction of existing fifty foot (50') floodplain setback;
5. Allow a reduction of the fifteen foot (15') wide detention pond access buffer; and
6. Allow an increase in pond side slopes from a 4 to 1 slope to a 3 to 1 slope.

(e) Granting the requested modifications will enhance the ability of the proposed amended special use to meet the general standards for all special uses set out in 6-210.C.18 of the Land Development Code and enable development of any undeveloped lots in the subdivision.

(f) The proposed amended special use for planned development is consistent with the character of uses in the immediate vicinity of the Subject Property. The property to the south is townhomes and single family zoned R-4 Residential; to the north is future single family zoned LSPD (Large Scale Planned Development); to the east is unincorporated Cook County and to the west are Grasslands and Brook Hills subdivisions zoned R-3 and R-4 Residential.

(g) The amendment to a special use 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 Comprehensive Plan designates this site as "Single Family Residential (R-3) in the Grasslands Planning District." This amended special use, and development thereunder, will be consistent with this designation. There will be adequate pedestrian and vehicular access and additional landscaping to meet current development requirements.

(h) The conditions on the amended special use as hereinafter set forth in SECTION 4 are reasonable, necessary and appropriate.

(i) The design of the proposed amended special use will minimize any adverse effects, including visual impacts, on adjacent properties.

(j) 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 amended special use at an adequate level of service.

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

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

(m) The amended special use as granted shall in all aspects conform to the applicable regulations of 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

Subject to the conditions in SECTION 4 below, an amendment to the special use permit for planned development in the LSPD (Large Scale Planned Development) District, originally granted by Ordinance No. 5232, with modifications set forth in SECTION 2(D), is hereby granted and issued as to the Subject Property legally described as:

LEGAL DESCRIPTION:

Lots 19 through and including 36 in Bluff Pointe being a subdivision in part of the east half (E 1/2) of the northeast quarter (NE 1/4) and part of the northwest quarter (NW 1/4) of the northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section 30, Township 36 North, Range 12 East of the Third Principal Meridian, Cook County, Illinois.

PINs: 27-30-400-006-0000; 27-30-400-020; and 27-30-201-021

COMMONLY KNOWN AS: 16900-17000 Wolf Road

SECTION 4

This amendment to the special use permit for planned development permit includes approval of the modifications as detailed in SECTION 2(d) above, subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the preliminary site plan titled "Preliminary Site Plan for Townhome Alternative at Bluff Pointe", prepared by Designtek Engineering, page 1 of 1, and dated June 26, 2019, subject to the following conditions to be met by Petitioner:

1. Dedicate additional Wolf Road right of way totaling 60' from centerline;

2. Complete Wolf Road improvements as required per IDOT Wolf Road permit and per Village requirements;
3. Continue to utilize the Wolf Road access point for all construction traffic access;
4. Any changes to the offsite grading north of the site may necessitate an updated notarized letter of permission from the property owner to the north, allowing off site grading on their property;
5. Provide BMPS (best management practices) per Code requirements, to qualify for lot coverages between 45% and 50%;
6. Pay for signage to be placed on stubbed streets that limits parking to one side of the street, subject to Public Works and Traffic Advisory Board approvals;
7. Dedicate the Open Lands zoned property in the southwest corner of the property to the Village along with the rest of the detention pond facilities;
8. Site Plan building envelopes, setbacks and easements are subject to final engineering and building approvals;
9. Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements; and
10. Meet all final engineering and Building Division requirements.

B. The Subject Property shall further be developed substantially in accordance with the Preliminary Landscape Plan titled "Landscape Plan for Bluff Pointe", prepared by Metz and Company Landscape Architecture/Site Planning pages L-1 through L-4, dated July 3, 2019, subject to the following conditions to be met by Petitioner:

1. Obtain preliminary Landscape Plan approval from Village Landscape Consultant and resolve remaining items listed in their comment letters prior to the Board meeting;
2. Submit a revised final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval; and
3. The planting of the 15' landscape buffer on the rear of lots 37-49, is to be installed by the home builder and protected by a landscape easement as shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.

C. The Subject Property shall further be developed in accordance with the Plat titled "Preliminary Plat for Townhome Alternative at Bluff Pointe" prepared by Designtek Engineering dated June 26, 2019, provided a Record Plat of Subdivision is submitted to the Village for

approval, execution and recording and subject to the same conditions as set forth in Subsection A of this SECTION.

D. The Subject Property shall further be developed in accordance with exterior elevations, applicable to all townhome elevations, including front and rear elevations titled “Bluff Pointe Orland Park Lot A Units 1-4”, page 1 of 8, dated June 24, 2019; and the side elevations Plans A, B, C and D, titled “Bluff Pointe Orland Park Lot A Units 1-4”, sheets 2 of 8, dated June 28, 2019, all by Fergon Architects LLC for McNaughton Development; and per color elevation renderings of the townhome front, rear, left and right sides; and per “Material Legend” all received July 2, 2019, subject to requirements and final approval of the Development Services Building Division.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use for planned development and Ordinance No. 5232, prior special use ordinances covering the Subject Property, except as specifically amended by this or another Ordinance, and in the event of non-compliance, and the AMENDMENT TO THE BLUFF POINTE DEVELOPMENT AGREEMENT, said permit and this amendment 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 amended special use permit for planned development as aforesaid.

SECTION 7

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