



Legislation Details (With Text)

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**File created:** 4/29/2014    **In control:** Board of Trustees

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**Title:** ORDINANCE REZONING CERTAIN REAL ESTATE FROM ORI MIXED USE DISTRICT TO COR MIXED USE DISTRICT AND GRANTING A SPECIAL USE PERMIT - EVERGREEN SENIOR LIVING (FORMERLY KNOWN AS PARKVIEW SENIOR LIVING - 10758 183RD STREET)

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
5/4/2015	3	Board of Trustees		
4/29/2015	3	Development Services Department	INTRODUCED TO BOARD	
8/4/2014	2	Board of Trustees		
7/30/2014	2	Development Services Department	INTRODUCED TO BOARD	
7/21/2014	1	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
7/15/2014	1	Development Services Department	INTRODUCED TO COMMITTEE	
7/8/2014	0	Plan Commission		
7/3/2014	0	Development Services Department	INTRODUCED TO COMMISSION	

**Title/Name/Summary**

ORDINANCE REZONING CERTAIN REAL ESTATE FROM ORI MIXED USE DISTRICT TO COR MIXED USE DISTRICT AND GRANTING A SPECIAL USE PERMIT - EVERGREEN SENIOR LIVING (FORMERLY KNOWN AS PARKVIEW SENIOR LIVING - 10758 183<sup>RD</sup> STREET)

**Body**

WHEREAS, an application seeking rezoning and a special use 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 July 8, 2014, on whether the requested 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 published in the Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use permit and rezoning be granted with this President and Board of Trustees, 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 report of the Plan Commission of this Village is herein incorporated by reference, as completely as if fully recited herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance. The Board of Trustees find that the proposed rezoning and special use permit with 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 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 rezoning and special use permit and modifications for a planned development with congregate elderly housing in the COR Mixed Use District, following a rezoning from the ORI Mixed Use District, and rezoning as follows:

- (a) The Subject Property is located at 10758 183<sup>rd</sup> Street and is zoned ORI Mixed Use District. It will consist of approximately 11.865-acre site after subdividing.
- (b) Specifically, Petitioner, Evergreen Senior Living, is seeking to rezone the land identified by P.I.N. 27-32-301-017, from ORI Mixed Use District to COR Mixed Use District and proposes to construct a 3-story, 72,347 square foot assisted living facility and an attached 1-story 33,807 square foot memory care unit, along with a 287 space parking lot that will be shared with Parkview Christian Church, Outlot 1 and Lot 1 as shown on the preliminary plat, which is located north and west of the Subject Property.
- (c) Petitioner also requests modifications to increase the parking 354% from the 81 required spaces to 287 parking spaces, to accommodate the loading/service yard of the future Autism Day Program building off of the future Waters Edge Drive and to allow the shared parking lot between the 183<sup>rd</sup> Street right-of-way and the future buildings of the northern lot (Phase 2 of the project). These modifications will not negatively impact neighboring property owners because the parking modifications will allow for shared parking with the Parkview Christian Church and future uses on the northern lot. These parking modifications will provide for sufficient parking for the area. In addition, allowing for the loading/service yard for the future Autism Day Program building will allow for balancing between the buildings on the site and to provide for accessibility from a public right-of-way. These modifications are offset by additional architectural articulation at the gateway to the I-80 corridor and developing the property with a campus type environment, including open spaces and walking paths.
- (d) Granting the requested modifications will enhance the ability of the proposed special use to meet the general standards for all special uses set out in Section 5-105(E) of the Land Development Code.
- (e) The proposed special use and rezoning are consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned R-4 Residential District to the north and east and contains multi-family homes. The property to the east also contains property zoned COR Mixed Use District and contains congregate elderly housing. The property to the west is zoned E-1 Residential District and contains Parkview Christian Church. The property to the south is outside of Orland Park and contains the Mokena Fire

Protection District station and vacant land. A planned development and congregate elderly housing are enumerated special uses in the COR Mixed Use District. Rezoning the parcel from ORI Mixed Use District to the COR Mixed Use District is consistent with the Comprehensive Plan.

(f) The proposed special use permit 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 I-80 Employment Planning District and the Comprehensive Land Designation is Office Employment Emphasis. A planned development with congregate elderly housing is appropriate in such an area and will provide housing options that are needed in the community.

(g) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The proposed building elevations will blend with the surrounding residential uses. The incorporation of an outlot along 183<sup>rd</sup> Street will mitigate the street frontage of the parking lot expansion. Also, landscape screening will be used to screen parking and other areas and will promote site privacy. Green space is provided closer to the existing residential properties. Also, the rezoning will allow for a planned development that enhances the value of adjacent residential uses due to the building structures proposed and the amenities included in the planned development. There will be no adverse effect on the value of adjacent property.

(h) 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. Access to the site is available from a full access drive off 183<sup>rd</sup> Street, which is a major arterial road. It will also be accessible from two full access drives off the future Waters Edge Drive and the interior circulation routes consisting of the two main east-west access aisles provide vehicular movement within the Subject Property.

(i) 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.

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

(k) The 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

A special use permit in the COR Mixed Use District, subject to the conditions below, is hereby granted and issued to Evergreen Senior Living, formerly known as Parkview Senior Living (Parkview Campus Real Estate LLC, owner, and Michuda-Heritage Enterprises, LLC, developer) located at 10758 183<sup>rd</sup> Street, for a planned development with congregate elderly housing to construct a 3-story, 72,347 square foot assisted living facility, an attached 1-story 33,807 square foot memory care unit, along with a 287 space parking lot that will be shared with Parkview Christian Church and Outlot 1 and lot 1 as shown on the final plat, subject to the conditions outlined below, on the Subject Property. The Subject Property is legally described as follows:

Lot 2 in Parkview Campus Subdivision, being a subdivision in the East Half and the Southwest Quarter and the Southeast Quarter of Section 32, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, said Lot 2 being more particularly described as follows:

Commencing at the northwest corner of the East Half of the Southwest Quarter of said Section 32; thence South 01 degrees 34 minutes 34 seconds East along the west line of the East Half of the Southwest Quarter of said Section 32 for a distance of 1053.33 feet; thence South 53 degrees 17 minutes 23 seconds East for a distance of 1709.98 feet to the easterly extension of the north line of the south 539.20 feet of the East Half of the Southwest Quarter of said Section 32 and the Point of Beginning; thence continuing South 53 degrees 17 minutes 23 seconds East for a distance of 53.74 feet; thence South 42 degrees 19 minutes 43 seconds East for a distance of 604.18 feet to the north line of 183rd Street, said line lying 50.00 feet north of and parallel to the south line of the Southeast Quarter of said Section 32; thence South 88 degrees 39 minutes 30 seconds West along the said north line of 183rd Street for a distance of 445.07 feet to the west line of the said Southeast Quarter of Section 32; thence South 88 degrees 42 minutes 07 seconds West continuing along the said north line of 183rd Street, said line lying 50.00 feet north of and parallel to the south line of the said East Half of the Southwest Quarter of Section 32, for a distance of 927.74 feet to the east line of the west 406.00 feet of the East Half of the Southwest Quarter of said Section 32; thence North 01 degree 34 minutes 34 seconds West along said east line, 397.00 feet to the north line of the south 447.00 feet of the East Half of the Southwest Quarter of said Section 32; thence North 88 degrees 42 minutes 07 seconds East along the last described line 541.93 feet; thence North 01 degree 17 minutes 53 seconds West, perpendicular to the last described line, 56.50 feet; thence North 57 degrees 32 minutes 26 seconds East, 69.00 feet to the north line of the south 539.20 feet of the East Half of the Southwest Quarter of said Section 32; thence North 88 degrees 42 minutes 07 seconds East along the last described line, 334.79 feet to the Point of Beginning.

Containing 11.865 acres (516,834 square feet) more or less.

PIN: 27-32-301-017 (part)

This special use permit is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Preliminary Site Plan titled "Michuda - Parkview Campus," prepared by Worn Jerabek Architects, P.C., sheets A1.1 and A1.2, dated July 25, 2014, subject to the following conditions:

1. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval;
2. Meet all Final Engineering and Building Code related items;
3. Do not convert Outlot 1 to parking for any parking lot expansion; and
4. Block the northbound Waters Edge Drive access to Fountain Hills Subdivision during dismissal of church services to prevent church traffic from entering the subdivision, per the responsibility of Parkview Christian Church's traffic coordinators. This shall be accomplished through a shared parking and management agreement with Parkview Christian Church for the shared use of the Subject Property's parking lot. A copy of such agreement shall be provided to the Village.
5. Lot 1 will be developed in accordance with the Preliminary Site Plan or such other plan as agreed to by the Owners and Village and will be subject to a separate development agreement in the future.

B. The Subject Property shall be developed substantially in accordance with the Elevations titled "Michuda - Parkview Campus," prepared by Worn Jerabek Architects, P.C., sheets A4.1, A4.2 and A4.3, dated July 25, 2014, subject to the conditions set forth above in Subsection A and to the following conditions.

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline;
2. All masonry must be of anchored veneer type masonry with a 2.265” minimum thickness; and
3. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

C. The Owners shall subdivide the land as shown on the Preliminary Plat of Subdivision titled, “Preliminary Plat of Parkview Campus Subdivision” prepared by Robinson Engineering, Ltd, dated May 16, 2014 and subject to the condition that the Owner submit a final Record Plat of Subdivision to the Village for recording, the conditions set forth in Subsections A and B above, and the following conditions:

1. Owners agree to rezone the Southern Lot (Lot 2/ Phase 1) and Outlot 1 from COR Mixed Use District to the new zoning district for the properties fronting and along 183rd Street/ Orland Parkway (the I-80 Corridor) upon the Village’s implementation of that new zoning district. The Owners agree that the COR Mixed Use District zoning status is temporary until a new zoning district is established and designated for the I-80 Corridor. The COR Mixed Use District zoning status shall not continue as a stand-alone (i.e. spot-zoned) zoning district upon the designation of the new zoning district. The Village agrees that both the Southern Lot and Outlot 1 will not become non-conforming upon the establishment of the new zoning district regulations. The Owners agree that they will not object to the map amendment rezoning the Southern Lot and Outlot 1 to the new zoning district for the I-80 Corridor. This agreement establishes the following land uses as appropriate and conditionally appropriate for the Southern Lot and Outlot 1, per the Orland Park Comprehensive Plan as modified for this agreement:

a. Appropriate permitted land uses shall include offices; medical offices, clinics and laboratories for X-Ray, blood testing or other specialized medical evaluation need, and rehabilitation centers; educational and research facilities such as schools, libraries, and specialized centers dedicated to research, commonly focused on a specific area; hospitals; and office supporting mixed-use such as office supply shops, graphic design firms, IT firms, publishing firms, paper companies, printers etc.;

b. Conditionally appropriate land uses via special use permit shall include office supporting commercial uses such as retailers under 5,000 square feet, coffee shops, restaurants, financial institutions, health clubs; residential (single family attached); service uses such as day care and cleaners; congregate elderly housing; and places of assembly;

c. Prohibited land uses shall include warehousing; light and heavy industry; commercial services for the general public such as retailers greater than 5,000 square feet, grocers etc.; construction companies; and hospitality (i.e. hotels etc.);

2. Owners are required to work with Village staff to incorporate incremental improvements and amenities as concepts within the campus master plan;

3. Owners will prepare and provide an emergency relocation plan for the project using standards similar to the Collaborative Healthcare Urgency Group (CHUG) for a congregate elderly housing facility in the COR Mixed Use District/Future I-80 Zoning District; and

4. Owners will incorporate the Master Plan Design Guidelines outlined in the staff report into the future development of the northern lot (Phase 2).

D. The Special Use shall be granted for a Planned Development for Evergreen Senior Living (formerly known as Parkview Senior Living) and the Concept Campus Master Plan identified above subject to the conditions set forth above in Subsections A, B and C and subject to the following conditions:

1. Increasing the permitted parking 354% from 81 required spaces to 287 parking spaces.
2. Accommodating loading/service yard of the Future Autism Day Program building off of the future Waters Edge Drive.
3. Allowing the shared parking lot between the 183<sup>rd</sup> Street right-of-way and the future buildings of the northern lot (Phase 2).

#### SECTION 4

The Orland Park Land Development Code, as amended, be further amended by reclassifying and rezoning the following described real estate:

Lot 2 in Parkview Campus Subdivision, being a subdivision in the East Half and the Southwest Quarter and the Southeast Quarter of Section 32, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, said Lot 2 being more particularly described as follows:

Commencing at the northwest corner of the East Half of the Southwest Quarter of said Section 32; thence South 01 degrees 34 minutes 34 seconds East along the west line of the East Half of the Southwest Quarter of said Section 32 for a distance of 1053.33 feet; thence South 53 degrees 17 minutes 23 seconds East for a distance of 1709.98 feet to the easterly extension of the north line of the south 539.20 feet of the East Half of the Southwest Quarter of said Section 32 and the Point of Beginning; thence continuing South 53 degrees 17 minutes 23 seconds East for a distance of 53.74 feet; thence South 42 degrees 19 minutes 43 seconds East for a distance of 604.18 feet to the north line of 183rd Street, said line lying 50.00 feet north of and parallel to the south line of the Southeast Quarter of said Section 32; thence South 88 degrees 39 minutes 30 seconds West along the said north line of 183rd Street for a distance of 445.07 feet to the west line of the said Southeast Quarter of Section 32; thence South 88 degrees 42 minutes 07 seconds West continuing along the said north line of 183rd Street, said line lying 50.00 feet north of and parallel to the south line of the said East Half of the Southwest Quarter of Section 32, for a distance of 927.74 feet to the east line of the west 406.00 feet of the East Half of the Southwest Quarter of said Section 32; thence North 01 degree 34 minutes 34 seconds West along said east line, 397.00 feet to the north line of the south 447.00 feet of the East Half of the Southwest Quarter of said Section 32; thence North 88 degrees 42 minutes 07 seconds East along the last described line 541.93 feet; thence North 01 degree 17 minutes 53 seconds West, perpendicular to the last described line, 56.50 feet; thence North 57 degrees 32 minutes 26 seconds East, 69.00 feet to the north line of the south 539.20 feet of the East Half of the Southwest Quarter of said Section 32; thence North 88 degrees 42 minutes 07 seconds East along the last described line, 334.79 feet to the Point of Beginning.

Containing 11.865 acres (516,834 square feet) more or less.

PIN: 27-32-301-017 (part)

From ORI Mixed Use District to COR Mixed Use District under the Code, as amended.

#### SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this special use, except as specifically amended by this or another Ordinance, and in the event of non-compliance, 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, be amended so as to be in conformance with the granting of the rezoning and 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.