



## Legislation Text

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File #: 2020-0620, Version: 1

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### Title

**ORDINANCE GRANTING A SPECIAL USE WITH MODIFICATIONS AND REZONING OF A PORTION OF THE PROPERTY (SERTOMA CENTRE - 14205 S. UNION AVENUE)**

### 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 (the “Code”); and

**WHEREAS**, the Plan Commission of this Village held a public hearing on January 9, 2018, on whether the requested rezoning and special use permit with modifications for multi-family residences 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 January 9, 2018, 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 rezoning and special use with 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 rezoning and 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 are consistent with and fosters the purposes and spirit of the Code, 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 special use permit as follows:

- a) The Subject Property is located within the Village of Orland Park in Cook County, at 14205 S. Union Avenue, and is zoned in the R-3 Residential and VCD Village Center Zoning Districts. It is an

approximately 0.76 acre site.

- b) Specifically, Petitioner proposes to construct a new three (3) story sixteen (16) dwelling unit multi-family residential building.
- c) The proposed zoning and special use is consistent with the character of the immediate vicinity of the Subject Property. To the north is open space; to the South is zoned R-3 Residential; to the East is open space; and to the West is zoned R-3 Residential.
- d) The rezoning and 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 “Downtown Mixed Use”. The new multi-family residential building will be consistent with this designation. The proposed residential development consists of a 7,696 square foot footprint (23,088 square foot gross), 3-story, (16) unit multi-family building, comprised of (14) one-bedroom units and (2) two-bedroom units. The first floor includes offices for Sertoma staff and a community room for tenants. The site plan includes an outdoor patio space, a trellis feature, storage shed, garbage enclosure and an expansive open space area populated by heritage trees. The Orland Grove Forest Preserve abuts the property to the north and east, which further enhances the location’s natural setting. Fourteen (14) new parking spaces, including two (2) accessible spaces, plus an additional ten (10) land-banked spaces, are included in the plan.
- e) The conditions on the special use as hereinafter set forth in SECTION 4 are reasonable, necessary and appropriate.
- f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The proposed building elevations have been designed to represent a significant aesthetic improvement to the site and area and will incorporate landscaping to prevent any potential adverse impacts on adjacent properties. The proposed improvements described in (d) above represent substantial improvements to the pedestrian environment with enhanced walkable proximity to shopping, dining, open space and transit opportunities and will enhance mobility to and from the site.

The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police protection, hospital and medical

- a) services, drainage systems, refuse disposal, water and sewers, and schools, will be capable of serving the special use at an adequate level of service.
- b) 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.
- c) The development will not adversely affect a known archaeological, historical or cultural resource.
- d) The special use as granted shall in all aspects conform to the applicable regulations of the Code, 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, the special use permit for Sertoma Centre in the VCD Village Center Zoning District, is hereby granted and issued for construction and operation of a 23,088 square foot three (3) story sixteen (16) unit multi-family residential building to be located on property legally described as:

**LEGAL DESCRIPTION:**

27-04-416-028

LOT 1 IN BLOCK 14 IN TRUSTEES SUBDIVISION OF BLOCK 14 (EXCEPT LOTS 1 TO 5, 7 TO 11, AND 23 THEREOF) IN MAREK KRAUS' ORLAND PARK HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

27-04-416-007

LOT 23 IN BLOCK 14 IN MAREK KRAUS' ORLAND PARK HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

27-04-416-026

LOT 1 AND THE NORTH 1/2 OF LOT 2 IN BLOCK 14 IN MAREK KRAUS' ORLAND PARK HIGHLANDS, A SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

NO PIN

THE SOUTH HALF OF THAT PART OF 142ND STREET LYING NORTH OF AND ADJOINING LOTS 1 AND 23 IN MAREK KRAUS' ORLAND PARK HIGHLANDS, A SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINs: 27-04-416-007, 27-04-416-026, and 27-04-416-028

**COMMONLY KNOWN AS:** 14205 S. Union Avenue, Orland Park, Illinois (the "Subject Property").

Modifications to the special use permit include:

- a) reduce the width of the rear set back from thirty feet (30') to approximately six feet (6');
- b) increase the width of the front maximum setback from fifteen feet (15') to approximately twenty seven feet (27');
- c) reduce the landscape bufferyard between the parking lot and property line from ten feet (10') to zero feet (0'); and
- d) permit the location of an off-street parking lot and garbage enclosure within the setback between the building and street.

**SECTION 4**

This special use permit with modifications is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Preliminary Engineering/Site Plan and Subdivision as shown on "Preliminary Site Geometry Plan," prepared by Eriksson

Engineering Associates, dated September 1, 2017, last revised December 29, 2017, sheet C-102, attached hereto and made a part hereof as “EXHIBIT A”, subject to the following conditions:

1. Design, permit and construct a minimum five foot (5’) wide public sidewalk that connects the Subject Property to 143<sup>rd</sup> Street;
2. Ensure unrestricted vehicular and pedestrian access is maintained at all times for emergency services, Village services and neighboring property owners;
3. All lighting for the project must match the decorative lighting used in the Downtown Planning District;
4. Prepare, procure and provide any and all documentation required for the conveyance, dedication and recording of all land transfers associated with this project;
5. Submit a Record Plat of Vacation and Plat of Subdivision to the Village for review, approval and recording; and
6. Meet all final engineering and building code related items.

A. The Subject Property shall be developed substantially in accordance with the elevation drawings titled “Sertoma Centre Multi-Family Residences,” Sheets A1.3, A1.6, A1.7 and A1.9, prepared by Worn Jerabek Wiltse Architects,” dated August 30, 2017 and revised December 8, 2017, attached hereto and made a part hereof as “EXHIBIT B”, subject to the following conditions:

1. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;
2. Masonry must be anchored veneer type with a minimum thickness of 2.625 inches;
3. Signs are subject to additional review and approval via the sign permitting process.

B. The Subject Property shall be developed substantially in accordance with the Preliminary Landscape Plan titled “Sertoma Center Multi-Family Residences,” prepared by Laflin Design Group, Ltd., dated September 1, 2017, last revised December 8, 2017, sheets 1 and 2, attached hereto and made a part hereof as “EXHIBIT C”, subject to the following conditions:

1. Submit a final landscape plan, which must reference the final grading and site plans, in coordination with the final engineering submittal;
2. Coordinate with and obtain all necessary permits from the Forest Preserve District of Cook County to design and construct a landscape restoration plan for all areas of encroachment on Orland Grove Forest Preserve property;
3. Include the landscape restoration plan on the final landscape plan for the area along north property line as approved by the Forest Preserve District of Cook County;
4. A certified arborist shall be contracted by the Owner to ensure adherence to the tree

preservation plan (to be incorporated within the preliminary and final landscape plan) for this project.

## **SECTION 5**

The Code, as amended, shall be further amended by classifying and rezoning the following described portion of the Subject Property from the R-3 Residential Zoning District to the VCD Village Center Zoning District to wit:

LOT 1 IN BLOCK 14 IN MAREK KRAUS' ORLAND PARK HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1926, AS DOCUMENT NUMBER 9395890, AND THE VACATED PORTIONS OF 142<sup>ND</sup> STREET AND OAK PLACE ABUTTING THE SUBJECT PROPERTY, ALL ALSO KNOWN AS PARCELS 1, 2 AND 3 IN THE SERTOMA CENTRE UNION STREET SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS.

## **SECTION 6**

The Petitioner hereunder shall at all times comply with the terms and conditions of this special use and the Development Agreement between the Village and Petitioner (a/k/a UNION AVENUE RESIDENCES, LLC) except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit and this zoning amendment shall be subject to revocation by appropriate legal proceedings.

## **SECTION 7**

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 the rezoning and special use permit as aforesaid.

## **SECTION 8**

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, repealed and this Ordinance shall be in full force and effect from and after its passage as provided by law.