



## Legislation Text

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**File #:** 2018-0645, **Version:** 4

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### Title

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED DEVELOPMENT - ORLAND PARK BUSINESS CENTER - LOTS 5, 6 AND 7 (18404 S. 116<sup>TH</sup> AVENUE AND 11551 W. 184<sup>TH</sup> PLACE)

### Body

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 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 March 19, 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 March 19, 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 located within the Village of Orland Park in Will County, at 18404 S. 116<sup>th</sup> Avenue and 11551 W. 184<sup>th</sup> Place, within the Orland Park Business Center, and is zoned ORI Mixed Use Zoning District. It is an approximately 3.54 acre site.
- (b) The Subject Property is the subject of Special Use Ordinance No. 4140, which approved the construction of two (2) approximately 25,000 square foot office/warehouse buildings with a shared loading area on Lot 5. Only the building on the north half of Lot 5 has been constructed.
- (c) Specifically, Petitioner proposes to construct a new 23,975 square foot light industrial/office building on the south half of Lot 5, and to resubdivide Lot 5. Petitioner also proposes to construct a 70,884 square foot light industrial/office building on Lot 6 and to resubdivide Lot 6 and 7 to accommodate the planned development and to ensure shared access and parking for the users/occupants of the buildings.
- (d) Petitioner also requests modifications to a) locate parking between the building and the street on the north front set back of Lot 7; and (b) increase the over-all number of parking spaces from 228 to 344 on Lot 5b, 6 and 7.
- (e) 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.
- (f) The proposed amended special use for planned development is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property to the north and east is zoned ORI Mixed Use District, to the south (across I-80) are single family residences in Mokena and to the west is unincorporated vacant land.
- (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 Office Employment. The new light industrial/office buildings will be consistent with this designation. There will be revised vehicular circulation, multiple access point 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. The proposed building elevations have been designed to blend in with the existing buildings in the Orland Park Business Center and to incorporate green space and landscaping to further minimize any potential adverse impacts on adjacent properties. Multiple access to points, cross access easement and curb cuts will enhance mobility to and from the site.

(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 a special use permit for planned development in the ORI Mixed Use District, originally granted by Ordinance No. 4140, is hereby granted and issued for construction and operation of a 23,975 square foot light industrial/office building on the south half of Lot 5, and a 70,884 square foot light industrial/office building on Lot 6 to be located on property legally described as:

LOTS 5 AND 6 IN ORLAND PARK BUSINESS CENTER SUBDIVISION - PHASE 4, BEING A SUBDIVISION OF PART OF THE WEST  $\frac{1}{2}$  OF THE NORTHEAST  $\frac{1}{4}$  AND OF PART OF THE EAST  $\frac{1}{2}$  OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 16, 2005 AS DOCUMENT NUMBER R2005-160411, IN WILL COUNTY, ILLINOIS

#### PARCEL 1:

LOT 7 IN ORLAND PARK BUSINESS CENTER SUBDIVISION - PHASE 4, BEING A SUBDIVISION OF PART OF THE WEST  $\frac{1}{2}$  OF THE NORTHEAST  $\frac{1}{4}$  AND PART OF THE EAST  $\frac{1}{2}$  OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 16, 2005 AS DOCUMENT NO. R2005-160411, IN WILL COUNTY, ILLINOIS.

#### PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR ORLAND PARK BUSINESS CENTER SUBDIVISION, PHASES 1 TO 3, IN ORLAND PARK, ILLINOIS, DATED OCTOBER 21, 2003 AND RECORDED NOVEMBER 21, 2003 AS DOCUMENT NO. R2003-289331, MADE BY ORLAND PARK BUSINESS CENTER, LLC, FOR THE PURPOSE OF USE AND ENJOYMENT AND A RIGHT OF ACCESS TO AND OF PEDESTRIAN INGRESS AND EGRESS ON, OVER, ACROSS, IN, UPON AND TO THE

MAINTENANCE AREA, DEFINED AS LOT 3 IN ORLAND PARK BUSINESS CENTER PHASE 1, BEING A SUBDIVISION OF PART OF THE WEST ½ OF THE NORTHEAST ¼ AND PART OF THE EAST ½ OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEROF, RECORDED JULY 24, 2002 AS DOCUMENT NO R2002-119510, IN WILL COUNTY, ILLINOIS.

PIN: 09-06-104-002 and -003

#### SECTION 4

This amendment to a special use permit for planned development permit includes modifications to a) locate parking between the building and the street on the north front set back of Lot 7, b) increase the number of over-all parking spaces from 228-344 on Lot 5, 6 and 7 subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Preliminary Site Plan appended hereto and incorporated as EXHIBIT A titled "Orland Investors Orland Park Business Center Lots 5A, 6 and 7 Preliminary Site Plan," prepared by Architectural Studios, Ltd., dated January 21, 2019, subject to the condition that Developer meets all final engineering and Village Building Division requirements and approvals.

B. The Subject Property shall further be developed substantially in accordance with the Landscape Plan appended hereto and incorporated as EXHIBIT B titled "TCB Development Orland Business Center 116<sup>th</sup> and 184<sup>th</sup>, Orland Park, Illinois" prepared by Beary Landscaping, and dated July 9, 2019, subject to the following conditions:

(a) Petitioner must meet all final engineering and Village Building Division requirements and approvals; and

(b) Petitioner must submit a Final Landscape Plan for Village approvals after final engineering approval.

C. The Subject Property shall further be developed substantially in accordance with the Elevations appended hereto and incorporated as EXHIBIT C titled "Orland Investors Orland Park Business Center-Lots 5A, 6, 7 Building Elv. - Lot 5B" and "Orland Park Business Center - Lots 5A, 6, 7 Building Elv. - Lot 6" prepared by Architectural Studios, Ltd., dated January 21, 2019, subject to the following conditions:

(a) Petitioner must screen all new mechanical equipment either at grade level with landscaping or hidden behind the roofline.

(b) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness.

(c) All signs are subject to additional review and approval by the Village via the sign permitting process and additional restrictions may apply.

(d) Petitioner must work with Village staff to ensure proposed parapet wall meets screening

and design requirements.

#### SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use for planned development, the Development Agreement between the Petitioner and the Village and Ordinance No. 4140, prior special use ordinances covering the Subject Property, 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, shall be amended so as to be in conformance with the granting of the 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.