



## Legislation Details (With Text)

**File #:** 2018-0249    **Version:** 4    **Name:** ORDINANCE REZONING AND GRANTING AN AMENDED SPECIAL USE PERMIT WITH MODIFICATIONS (ORLAND PARK PRAYER CENTER SOUTH PARKING EXPANSION - 16530 S. 104TH AVENUE AND 10440 W. 167TH STREET)

**Type:** ORDINANCE    **Status:** PASSED

**File created:** 4/2/2018    **In control:** Board of Trustees

**On agenda:** 1/4/2021    **Final action:** 1/4/2021

**Title:** ORDINANCE REZONING AND GRANTING AN AMENDED SPECIAL USE PERMIT WITH MODIFICATIONS (ORLAND PARK PRAYER CENTER SOUTH PARKING EXPANSION - 16530 S. 104TH AVENUE AND 10440 W. 167TH STREET)

### Code sections:

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
1/18/2021	4	Village Clerk	PUBLISHED	
1/4/2021	3	Board of Trustees		
1/4/2021	3	Development Services Department	INTRODUCED TO BOARD	
12/17/2018	2	Board of Trustees		
12/10/2018	2	Development Services Department	INTRODUCED TO BOARD	
11/19/2018	1	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
11/14/2018	1	Development Services Department	INTRODUCED TO COMMITTEE	
11/13/2018	0	Plan Commission		
4/2/2018	0	Development Services Department	INTRODUCED TO COMMISSION	

### Title

ORDINANCE REZONING AND GRANTING AN AMENDED SPECIAL USE PERMIT WITH MODIFICATIONS (ORLAND PARK PRAYER CENTER SOUTH PARKING EXPANSION - 16530 S. 104<sup>TH</sup> AVENUE AND 10440 W. 167<sup>TH</sup> STREET)

### Body

WHEREAS, a petition seeking rezoning from ORI Mixed Use to E-1 Estate Residential and an amended special use permit to expand the parking lot for Petitioner's adjacent mosque, with modifications and associated site plan, has been filed by the Petitioner (as herein identified) 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, said Plan Commission of this Village held a public hearing on November 13, 2018, on whether the requested rezoning and amended special use permit with 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 public hearing by publication not

more than 30 days nor less than 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 its report of findings and recommendations that the requested rezoning and amended special use with modifications 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 of this Village has made its report of findings and recommendations regarding the proposed rezoning and amended special use permit with modifications. The findings of the Plan Commission are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearings are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed rezoning and amended special use permit with modifications is 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 Orland Park Land Development Code as set forth in Section 1-102 thereof. Said rezoning and amended special use are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village, which designates the site at 16530 S. 104<sup>th</sup> Avenue and 10440 W. 167<sup>th</sup> Street ("Subject Property") as "Centennial Planning District with Manufacturing Employment Emphasis".

## SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed rezoning and amended special use to allow for an expanded parking lot (147 spaces) with underground detention, including extensive landscaping and new sidewalks, in the E-1 Estate Residential Zoning District with modifications and associated site plan as follows:

(a) The Subject Property is located at the northwest corner of 104<sup>th</sup> Avenue and 167<sup>th</sup> Street within the Village of Orland Park in Cook County, Illinois. The proposal is to develop a 147 space parking lot on an approximately 3.6-acre vacant site that is owned by the Petitioner, ORLAND PARK PRAYER CENTER, an Illinois not-for-profit corporation. An amended special use permit is required because the Subject Property is vacant and unimproved and the Code allows parking only on paved and improved parking lots. In addition, modifications are sought to reduce the wetland and stream setbacks from fifty feet (50') to approximately ten feet (10') and to permit parking requirements to exceed Code requirements by more than 20%.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Subject Property is located in the ORI (to be rezoned to E-1 Estate Residential) Mixed Use Zoning District. The Subject Property when rezoned will be consolidated with the existing Prayer Center parcel zoned E-1 Estate Residential.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, i.e., to the north, and west is the Panduit Corporation building and parking lot zoned MFG Manufacturing, to the south is multi-family zoned R-4 Residential and to the east is zoned OS Open Space.

(d) The design of the development will minimize adverse effects. The proposed site plan illustrates a 147 space

parking lot with underground detention. The proposed modification to reduce the wetland and stream setbacks from fifty feet (50') to approximately ten feet (10') is acceptable to meet the Village requirements. Additionally, the modification to allow the parking lot to exceed Code requirements by more than 20% is acceptable to provide the required amount of parking for the adjacent Prayer Center while minimizing any disturbance to the existing site.

(e) There will be no adverse effects on the value of the property. The Subject Property is currently vacant, and this rezoning and amended special use development will accommodate the parking needs of the adjacent Prayer Center. Additionally, the development will facilitate new landscaping on and around the Subject Property, and will allow for new sidewalks.

(f) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers will be capable of serving the Subject Property at an adequate level of service. All utilities are accounted for and can accommodate the proposed development layout.

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

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

(i) The proposed development shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances and regulations of the Village.

### SECTION 3

Rezoning of the Subject Property from ORI Mixed Use to E-1 Estate Residential and an amended special use permit to allow for a 147 space parking lot with underground detention, and modifications as specified in Section 2(a) of this Ordinance are hereby granted, subject to the conditions below for the following described property:

LOT 1 IN ORLAND PARK PRAYER CENTER, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPLE MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED APRIL 28, 2008, AS DOCUMENT 0811916073 IN COOK COUNTY, ILLINOIS.

TOGETHER WITH:

#### PARCEL 1:

THE SOUTH 358.00 FEET OF THE SOUTH  $\frac{1}{2}$  OF THE OF THE EAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 20.0 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE EAST 200 FEET OF THE SOUTH 233 FEET OF THE FOLLOWING DESCRIBED PROPERTY TAKEN AS ONE PARCEL: THE WEST  $\frac{1}{2}$  OF THE EAST  $\frac{1}{2}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 20, ALSO THE WEST 20' OF THE SOUTH  $\frac{1}{2}$  OF THE EAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 20, TOWNSHIP 26 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

PIN(s): 27-20-403-011-0000; 27-20-403-013; 27-20-403-015; AND 27-20-403-016

COMMONLY KNOWN AS: The northwest corner of 104<sup>th</sup> Avenue and 167<sup>th</sup> Street (16530- 16650 S. 104<sup>th</sup> Avenue and 10440 W. 167<sup>th</sup> Street) in ORLAND PARK, ILLINOIS.

This rezoning and amended special use permit is subject to the following conditions:

A. The Development shall be developed substantially in accordance with the Preliminary Site Plan and Preliminary Plat of Subdivision (consolidation) appended hereto and incorporated herein by reference, in accordance with the plans for Orland Park Prayer Center South Parking as shown on documents listed below and subject to the following conditions:

1. "Site Plan, Proposed Parking Lot Expansion, Orland Park Prayer Center Site Plan", by Damas Consulting Group, page C-2.0, revised February 23, 2020, and received November 2, 2018;
2. "Proposed Parking Lot Expansion, Orland Park Prayer Center Construction Details", by Damas Consulting Group, Sheet C-5.0, revised February 23, 2020;
3. Photometric Analysis", by KSA KSA Lighting and Controls, Page 3 of 3, dated July 3, 2018, revised April 20, 2020;
4. "Final Plat of Subdivision Orland Park Prayer Center Subdivision No. 2", by Compass Surveying Ltd, dated August 17, 2018 and last revised August 4, 2020.

The documents listed above shall be subject to the following conditions:

1. Revise the Photometric Plans to conform to Land Development Code limits including parking lot lighting intensity.
2. Include a matching construction detail of the ornamental fence screen and brick piers, including materials and colors on the Construction Detail Sheet C-5.0 by Damas Consulting Group dated February 23, 2020, that coordinates with Final Landscape Plan.
3. Provide color and material details for proposed eco-stone pervious paver.
4. Submit Sign Plans for any proposed signs for review and permit.
5. All final engineering and Building Division requirements must be met.

B. The Development shall be subdivided in accordance with the Final Plat of Subdivision (consolidation) for Orland Park Prayer Center South Parking subject to the condition that the Petitioner submit a Record Plat of Subdivision to the Village for review, approval, and recording.

C. The Development shall be landscaped in accordance with the Preliminary Landscape Plan, in accordance with the plans for Orland Park Prayer Center South Parking as shown on the plan titled "Orland Park Prayer Center Landscape Plan" by David McCallum Associates, page L 1.0, revised February 16, 2019, with the following conditions:

1. A final Landscape Plan must be submitted to the Development Services Department in conjunction with final engineering submittals.
2. Revise the Final Landscape Plan to comply with additional tree mitigation identified in the Hey Associates October 31, 2018 comment letter. At the time of application for the initial construction (building) permit, the Petitioner shall pay to the Village a fee in lieu of tree mitigation of TWELVE THOUSAND EIGHT HUNDRED DOLLARS (\$12,800.00).
3. Include a matching construction detail of the ornamental fence screen and brick piers, including materials and colors, on both the Final Landscape Plan and Construction Detail Sheet C-5.0 by Damas Consulting Group dated February 23, 2020.

D. The Subject Property shall be rezoned from the ORI Mixed Use Zoning District to the E-1 Estate Residential Zoning District.

E. A Special Use Permit granted for a place of worship with multiple buildings, including approval of the following modifications from the Village of Orland Park Land Development Code:

1. A wetland and stream setback modification from Code Section 6-412 D.1. and Section 6-413 F.2.f. allowing as little as 10' where 50' is required.
2. A parking modification from Section 6-306 B.3. allowing parking requirements to exceed Code requirements by more than 20%.

#### SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance, the Development Agreement between the Village and Petitioner, and all other codes and ordinances of the Village unless specifically amended by this or another ordinance. In the event of non-compliance, the permit and modifications of this Ordinance shall be subject to revocation by appropriate legal proceedings.

#### SECTION 5

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 amended special use with modifications for the development as aforesaid.

#### SECTION 6

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